

Warning letters are often the first step in the intervention process. The Federal Motor Carrier Safety Administration (FMCSA) sends warning letters to motor carriers whose safety performance data indicates they are not complying with applicable FMCSA safety regulations. This document provides key information about warning letters and tips for motor carriers to take action to improve their safety operations.

Warning Letter: An Overview

What is it?

A warning letter is a correspondence sent by FMCSA to a motor carrier's place of business that identifies Behavior Analysis and Safety Improvement Categories (BASICS) that are assigned an "alert" (safety compliance problems in the BASIC) and outlines possible consequences of continued safety problems. The warning letter provides instructions for accessing motor carrier safety data in the Safety Measurement System (SMS) as well as a point-of-contact for additional information.



See the Warning Letter Factsheet for more info: http://csa.fmcsa.dot.gov/documents/CSA2010_WarningLetterFactsheet.pdf

Why did I get one?

Safety performance data shows whether the motor carrier is operating in full compliance with all applicable FMCSA safety regulations. Based on this data, the warning letter lists BASICS where the motor carrier's on-road performance over the past 24 months indicates safety issues and encourages the motor carrier to look at its safety performance data online.



Log in to the SMS to view safety performance data: <http://ai.fmcsa.dot.gov/sms/>

How do I respond?

Motor carriers that receive warning letters should review their safety data in order to develop and execute strategies that will make their operations compliant with safety regulations. Continued poor performance may lead to more intensive interventions. Motor carriers are not required to send a written response to FMCSA when they receive a warning letter.



Review the SMS Information Center to learn more: <http://ai.fmcsa.dot.gov/sms/InfoCenter/>

Useful Links

- **CSA FAQs:** <http://csa.fmcsa.dot.gov/FAQs.aspx>
Search by keyword, such as "warning letter," "intervention," and "SMS"
- **Safety Measurement System (SMS):** <http://ai.fmcsa.dot.gov/sms/>
View motor carrier safety performance data
- **U.S. DOT PIN request:** https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option
Request a U.S. DOT PIN in order to log in to SMS
- **DataQs:** <https://dataqs.fmcsa.dot.gov/>
File concerns about Federal and State data
- **SMS Information Center:** <http://ai.fmcsa.dot.gov/sms/InfoCenter/Default.aspx>
Find useful information relevant to SMS, such as what motor carriers can do to improve
- **FMCSA Portal:** <https://portal.fmcsa.dot.gov/>
Access multiple FMCSA resources and information through a single login

Wondering what to do now? Follow these tips...

TIP 1: Check your data

FMCSA released the SMS to the public on December 12, 2010. Motor carriers can log in to the SMS with their U.S. DOT number and PIN to access safety data or log in to the FMCSA Portal.

- **Log in to review data.** Log in to the SMS to examine data, focusing attention first on the BASICs that are over or near the intervention threshold (see explanation of intervention thresholds in Tip 2 below).
- **Ensure data accuracy.** Ensure that data listed is accurate and belongs to the appropriate U.S. DOT number. If you believe data is incorrect, submit a request for data review through the DataQs system.
- **Examine violation types.** Examine the summary of violations received and determine which violations occur most frequently, especially those with the highest severity weights.

TIP 2: Understand your safety assessment: percentiles and alerts

Percentiles

The SMS calculates a measure for each BASIC as described in the SMS Methodology on the CSA website, (<http://csa2010.fmcsa.dot.gov/documents/smsmethodology.pdf>). The measure is then used to assign a ranking or percentile that allows the safety behavior of a motor carrier to be compared with the safety behavior of motor carriers with similar operations and numbers of safety events.

The percentile is computed on a 0-100 scale. *A lower percentile indicates better compliance* with safety regulations than a higher percentile. For example, if a carrier has a BASIC in the 10th percentile, it means that only 10 percent of similarly sized and inspected carriers demonstrated better compliance in that BASIC. On the other hand, a carrier with a BASIC in the 90th percentile is one that demonstrated lower safety compliance than 90 percent of carriers in that BASIC.

FMCSA established percentile thresholds to indicate when safety compliance problems require intervention. If a carrier does not have a percentile, it generally means the carrier has not had enough inspections to allow for an analysis of its records. More information is available in the SMS Information Center. Current intervention thresholds are as follows:

- *Unsafe Driving, Fatigued Driving, Crash Indicator:* General-65%; HAZMAT-60%; Passenger-50%
- *Driver Fitness, Controlled Sub./Alcohol, Vehicle Maint., Cargo:* General-80%; HAZMAT-75%; Passenger-65%

Alerts

A motor carrier can receive an alert in a BASIC in one of two ways. The On-Road column lists the motor carrier's percentile for each BASIC. If the percentile is over the established intervention threshold, the percentile is presented with an orange outline around the percentile. The Investigation column displays the "Serious Violation Found" icon for a BASIC if a serious violation was cited during an investigation within 12 months of the SMS results date. The icon will remain present for 12 months following an investigation regardless of whether corrective actions have occurred.

TIP 3: Take action to improve safety now!

Motor carriers that do not improve may be subject to more intensive interventions such as full or focused compliance reviews or, for carriers in Op-Model Test States, onsite or offsite investigations. Don't wait, improve safety now!

- **Conduct detailed data analysis.** Download violation data into an Excel spreadsheet for further analysis. Sort the data by driver, date, location of inspection, vehicle, vehicle type and violation. Analyze the data for any trends to determine the root cause(s) of any safety problem(s) and review the data with your management team.
- **Address safety issues.** Develop and execute strategies to improve compliance with safety regulations and prevent more intensive interventions. (See the SMS Information Center to learn more about how to improve safety.)
- **Periodically review SMS data.** Review SMS data monthly to monitor progress.