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**THE IMPACT OF LOCAL LAW ENFORCEMENT  
AGENCIES ON THE ENFORCEMENT OF  
COMMERCIAL VEHICLE SAFETY LAWS  
IN CALIFORNIA BY THE YEAR 2000**

**AN INDEPENDENT STUDY PROJECT**

**BY**

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**Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.**

**Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.**

**The views and conclusions expressed in this Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).**

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## **EXECUTIVE SUMMARY**

The use of heavy commercial vehicles to move commodities in California is a major issue for the state in the areas of commerce and transportation management. Enforcement of laws designed to regulate this industry is becoming a growing interest for law enforcement, in particular, local police and sheriff agencies. A number of local issues are driving this interest including those related to quality of life and fiscal shortfalls.

The California Highway Patrol (CHP) has traditionally served as the statewide coordinator of this type of enforcement in California. The involvement of local agencies in similar efforts is likely to have an impact on the CHP, industry, and the agencies themselves. Therefore, it is important to examine this growing local involvement and strategically plan for its future growth. The primary focus of this study related to the role relationships that are likely to emerge in the future between local police and sheriff agencies and the CHP.

## **PART ONE - ASSESSING THE FUTURE**

A nominal group technique involving a panel of experts was used in an effort to define future trends and events. Five trends emerged for forecasting purposes including: federal laws superseding state laws; uniformity of enforcement; commercial vehicle technology; local law enforcement agency involvement; and, federal funding. Several key events were also identified: passage of the federal highway transportation reauthorization act; passage of legislation to designate the CHP as the sole provider of commercial vehicle enforcement; and, several others.

These trends/events were analyzed to develop three potential scenarios defining the future. Two key policy considerations could then be identified to assist attaining the most desired future.

## **PART TWO - STRATEGIC MANAGEMENT**

The CHP was selected as the target agency for the development of a strategic plan. Before such a plan was created, a situational analysis was conducted to determine any strengths, weaknesses, opportunities, and threats as they relate to the issue. Stakeholders were also identified and their positions analyzed. Finally, a modified policy delphi was used to identify potential strategy alternatives. The alternative which was ultimately selected involved the development of a comprehensive, CHP administered, commercial vehicle safety/enforcement training effort for internal CHP use and for local police and sheriff agencies. An implementation plan was then developed to assist in meeting this strategic objective.

## **PART THREE - MANAGING TRANSITION**

Several measures were considered in an effort to manage the transition from the current state to the desired future. These included identifying critical mass players, assessing their commitment levels, and developing an internal structure and methodology to manage the transition.

## **PART FOUR - CONCLUSIONS**

This study clearly supports a growing level of future involvement by local police and sheriff agencies in the enforcement of commercial vehicle safety laws in California. The CHP will continue to serve in a significant role in this enforcement effort and will support the efforts of these local agencies. The CHP, because of its traditional role in this area, could also coordinate a broad based training effort designed to promote uniform and consistent enforcement

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## INTRODUCTION

The use of heavy commercial vehicles to move commodities in California is an extremely visible part of everyday life. Large commercial trucks and trailers daily move on California highways carrying a wide variety of commodities. This mode of transportation is often considered a vital component to the success of business and industry within the state.

Government at the federal, state, and local levels have made many efforts over the years to provide some regulation of the commercial trucking industry. These regulations addressed the industry's business practices, the condition of its trucking equipment, and the operation of this equipment on the highways.

A literature review and research in this area has revealed the general theme over the past two decades that the public has become more interested in the trucking industry and the regulations designed to promote safe industry practices. This public interest was sparked by a number of emerging concerns over the safe use of large commercial vehicles on roadways shared with other smaller vehicles, the condition of the trucking equipment in use, the roadway damage being attributed to overweight commercial vehicles, and the skill level of some truck operators. More recently, there has also been considerable concern expressed over the safe transportation of hazardous commodities in commercial vehicles. The impact of trucking on quality of life issues such as community noise levels and traffic congestion has also been of public interest.<sup>1</sup>

Government has responded to this interest by increasing its regulatory authority in many areas. Even though the federal government went on a course of deregulation in the transportation industry, it has sought to promote interstate commerce by promoting uniform regulatory action across the nation.<sup>2</sup> The federal government recognizes that it alone cannot effectively regulate such a large industry and that it must rely on state and local government to help.<sup>3</sup>

For the purposes of this examination, commercial vehicle enforcement is defined as the regulatory activity of law enforcement agencies to promote the safe operation of heavy vehicles engaged in commercial enterprises. California defines these types of vehicles in Section 34500 of the California Vehicle Code as truck tractors, buses, trailers, and an assortment of special apparatus. The laws enforced are also included in the Vehicle Code. This includes Divisions 10 and 11 which relate to the safe operation of these vehicles and Divisions 12, 13, and 14 which respectively relate to equipment, towing and loading, and the transportation of hazardous commodities on the highway. This type of enforcement also includes applying selected federal provisions like Title 49 requirements governing hazardous materials transportation.

In California, the primary state level enforcement agency concerned with the safe operation of commercial vehicles on state highways is the California Highway Patrol (CHP). The CHP operates 13 major inspection facilities and 39 platform scales throughout the state and deploys over 120 commercial enforcement personnel on mobile patrol.<sup>4</sup> The personnel assigned to these activities include civilians and peace officers that receive special training to enforce those laws which specifically relate to commercial vehicles. The Department also has 251 civilian specialists that routinely inspect commercial vehicle operators or

motor carriers at their designated bases of operations or terminals.<sup>5</sup> The total amount of fiscal resources in the CHP's FY 1991/92 budget devoted to this commercial vehicle enforcement effort exceeded \$54 million.<sup>6</sup> These figures illustrate the size of the CHP's commitment to the enforcement of commercial vehicle laws.

The CHP delivers these services through an organization comprised of eight field divisions. Within each of these divisions there are more local CHP offices. These local offices are called Area offices and there are 100 of these offices statewide.

Local law enforcement, (e.g.; sheriff and city police departments), started to become more involved in the enforcement of these state/federal regulations during the 1980's. This involvement was prompted by local concerns over deteriorating roadways, hazardous materials transportation, and similar issues. In 1990, 105 of the 456 cities in California reported they participated in some commercial vehicle enforcement activity.<sup>7</sup> Local agency requests for commercial vehicle enforcement training filed with the CHP have also increased to the extent that the CHP is expected to double the number of training sessions it provides from two per year to four.<sup>8</sup>

Another catalyst for local agency involvement may be the significant revenue that can be obtained through local aggressive enforcement and fines. For example, the Judicial Council of California's Uniform Bail Schedule suggests fines of \$500 to \$2,000 for violations typically associated with commercial vehicle operations.<sup>9</sup> Violations of vehicle/load weight limits can run even higher - into the thousands of dollars. Since these fines are usually distributed to local government, aggressive commercial vehicle enforcement could create a fiscal incentive

for some local governments.

The growing emergence of local law enforcement into this enforcement role may alter the traditional state centered governmental approach to the regulation of this industry and may have an affect upon the CHP as well.

### **Focus of Study**

The scope of this study will be limited to the commercial vehicle enforcement experience within California. It will not include the enforcement and/or regulatory activities associated with the business practices of commercial carriers except when they relate to traffic safety enforcement. This scope is further limited by the specific issue selected for examination, which is:

**What will be the role of California local  
law enforcement agencies in the enforcement of  
commercial vehicle safety laws  
by the year 2000?**

The following subissues have been defined in an effort to address this central issue:

1. What relationship will exist between the agencies involved in this type of enforcement?
2. How will the CHP's responsibilities as a provider of local police agency training in commercial vehicle enforcement be affected?
3. How will the CHP's role as statewide enforcer of commercial vehicle laws be affected?

The study will address the issue and subissues by applying a variety of techniques. In Part One, these techniques will assist in providing potential visions of the future of commercial vehicle enforcement in California. Part Two will cover the strategic planning that will be required to approach one of those future visions. Part Three will describe a method of managing the transition to this vision in accordance with the strategic plan.

## PART ONE

### ASSESSING THE FUTURE

This part will examine events and trends which may impact this new role of law enforcement in the enforcement of commercial vehicle laws in California. This examination will be supported on information acquired through the use of a panel with considerable expertise in commercial vehicle enforcement. The panel employed a nominal group technique (NGT) to identify trends and events pertinent to the issue being examined. An NGT is a structured methodology designed to capture the expertise and knowledge of the group. The trends and events were then assessed to determine their impact upon each other and alternative scenarios depicting the future were offered. These scenarios will assist in identifying various policy issues.

#### Trend/Event Identification

A seven member panel of experts in the field of commercial vehicle enforcement was utilized to identify trends and events related to the issue question. Panel members were carefully selected in an effort to construct a panel which would offer a variety of different perspectives on the enforcement of commercial vehicle safety laws. The members of the panel were representatives of federal, state and local enforcement/regulatory agencies and the private sector. A more detailed description of these individuals can be found in Appendix A. Prior to

meeting, each panel member was provided a brief explanation, both verbally and in writing, on the purpose of their participation and the issue being addressed.

The panel met for approximately two hours and employed an NGT to identify trends and events related to the issue. Initially, the panel identified 36 non-directional trends and 16 events. The panel employed a voting process to rank order the list of trends and the list of events. The criterion for this order was the trend's/event's potential impact upon the issue and subissues. The rank ordered list of trends can be found in Appendix B and the rank ordered list of events is located in Appendix C.

### **Target Trend Identification**

The panel assessed how valuable it would be to have a good long range forecast for the top 12 trends appearing on the rank ordered trend list in strategic planning. Each panel member used a Trend Screening Form to record this assessment. The collective results of this assessment can be found in Table 1.

The panel voted to determine which trends would be used for forecasting. The criteria for voting was the trend's importance to the issue and if it would be desirable to develop policy to address the trend. A specific selection process was used involving a trend evaluation form. The following trends were selected:

1. **Federal laws versus state laws.**  
This trend involves the tendency for preemption of state laws by federal regulation efforts.
2. **Uniformity of enforcement.**  
This trend involves the enforcement methods, policies, and procedures employed by federal, state, and local agencies in the enforcement of commercial vehicle safety laws.

3. **Commercial vehicle technology.**  
This trend addresses emerging technology in commercial vehicle design, operations, and enforcement/regulatory measures.
4. **Local law enforcement agency involvement.**  
This trend is the level of local agency involvement in enforcing commercial vehicle safety laws in California.
5. **Federal funding.**  
This trend is the level of federal funding available to law enforcement agencies that are tied to commercial vehicle enforcement.

Table 1  
Trend Screening

CANDIDATE TREND	FOR PURPOSES OF TOP-LEVEL STRATEGIC PLANNING, HOW VALUABLE WOULD IT BE TO HAVE A REALLY GOOD LONG-RANGE FORECAST OF THE TREND?				
	Pricelless	Very Helpful	Helpful	Not Very Helpful	Worthless
Federal laws superseding state laws.		5	2		
Uniformity of enforcement.	2	3	2		
Commercial vehicle technology.	1	2	4		
Local law enforcement agency involvement.	2	4		1	
Federal funding.	4		2		1
Population/vehicle density.	1	4	1	1	
Money availability for roads and enforcement.	4	1	2		
Drug/alcohol tolerances and use.	1		6		
Commercial Enforcement of driver violations.		3	3	1	
Interface between state and local governments.	1	4	1	1	
Public involvement/concern for issue.	1	2	3		1
Environmental enforcement issues.	1	5	1		

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There were a few candidate trends which the panel believed would be suitable for forecasting. However, after discussing each of these trends, the panel elected not to attempt such a forecast because they believed the trends could not be addressed by policy or the trends were of lesser priority.

### **Event Selection**

A vote was taken to determine which events would be used in forecasting. In this vote, the panel members were asked to evaluate the rank ordered list of events applying the criteria of each event's potential impact upon the issue and if it could be affected by prior policy. The five events selected were:

1. **Passage of a federal highway reauthorization act.** This act would define the federal government's commercial vehicle regulation and enforcement efforts. It also would address federal funding levels and requirements for local and state government.
2. **Legislation - CHP Sole Enforcer.** Passage of legislation to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.
3. **CHP Commercial Program Audit.** Completion of the CHP's internal audit/inspection of its On-highway Commercial Vehicle Enforcement Program includes completion of the audit, release of audit findings, and the implementation of any corrective measures.
4. **Legislation - Proprietary Carrier Authority.** Certain commercial vehicle enterprises are not currently required to have operating authority and it can be difficult, if not impossible in some cases, to stop them from operating their business in an unsafe manner. Determining which entity will serve as regulator or enforcer (state versus local) may be an issue.
5. **Commercial Vehicle Safety Alliance (CVSA) Challenges Federal Rulings.** The federal government's position is essentially that states do not have the authority to regulate intrastate commercial vehicle operations differently than they would interstate

operations subject to federal regulations. The CVSA views this as a states' rights issue. The CVSA is an international association of governments representing the forty eight contiguous United States and the Canadian Provinces. The CVSA was specifically created to address trucking issues.

## Trend Forecasting

The panel was asked to forecast the targeted trends. The panel members were asked to provide an estimate of the trend five years ago and five and ten years into the future. The panel was also asked to provide future estimates on the trend from both the nominal (will be) and normative (should be or desired) perspectives. Table 2 depicts the median estimates provided by the panel for each trend. The ranges for each estimate requested can be found in Appendix D. Figures illustrating the results of this forecasting for the five primary trends can also be found in Appendix D.

Table 2  
Trend Evaluation

Trend #	TREND STATEMENT (Abbreviated)	LEVEL OF THE TREND ** (Today = 100)			
		5 Years Ago	Today	* Five years from now	* Ten years from now
1.	Federal laws superseding state laws.	75	100	120 / 100	150 / 100
2.	Uniformity of enforcement.	75	100	120 / 120	130 / 150
3.	Commercial vehicle technology.	50	100	150 / 125	200 / 150
4.	Local law enforcement agency involvement.	50	100	110 / 110	120 / 120
5.	Federal funding.	90	100	95 / 125	90 / 150

\*\* Panel Medians

\* Five years from now  
"will be" / "should be"

\* Ten years from now  
"will be" / "should be"

## Trend Forecast Interpretation

The following interpretations are based upon the median data received from the panel during its trend forecasting:

1. **Federal laws versus state laws.**  
There were fewer incidents of federal laws taking precedence over state laws on commercial vehicles 5 years ago than today. However, the panel forecasted that the incidence of these types of situations will increase 20% and in 5 years and perhaps as much as 50% in 10 years. The panel's normative forecast of this trend was that there would be no increase in the incidence of federal law superseding state law.
2. **Uniformity of enforcement.**  
The panel believed there was less uniformity in the enforcement 5 years ago than today. They also believe that uniformity will increase by 20% in 5 years and to a total of 30% more uniformity by 10 years. The panel's normative forecast of this trend would equal its 5 year nominal forecast but would be higher at 10 years.
3. **Commercial vehicle technology.**  
The panel indicated that technology's impact in commercial vehicle safety/operation was to have as much impact as it has today. They also believe it will increase by 50% in 5 years with an overall increased impact of 100% in ten years. The panel's normative forecast suggested a much slower pace of technological impact would be desired.
4. **Local law enforcement agency involvement.**  
The panel estimated the level of local agency involvement in commercial vehicle enforcement has doubled over the past five years. The panel believes this growth will subside over the next 10 years. It is interesting to note the panel's normative and nominal forecasts on this trend yielded identical median values.
5. **Federal funding.**  
The level of federal funding has increased slightly over the past 5 years according to the panel. However, the availability of this funding should decline steadily over the next 10 years. The panel's normative forecast calls for incremental increases in this funding to a level 50% higher than today.

## Event Forecasting

The panel was also asked to provide forecast estimates of the targeted events. They were asked to estimate the number of years until the probability of the event occurring would first exceed zero as well as probability estimates for 5 years and 10 years into the future. Finally, they were asked to estimate the positive and negative impact on the issue should the event occur on a scale of 0-10. An event evaluation form was used to collect this data. The median estimates provided by the panel are listed in a table in Table 3. The range of estimates obtained are shown graphically in Appendix E. Some of the median probability estimates for the events listed in Table 3 are at 100% at five and ten years. These high medians are merely a reflection of the panel's consensus that the event will occur within the specified timeframes.

Table 3  
Event Evaluation

Event #	EVENT STATEMENT	* YEARS UNTIL PROBABILITY FIRST EXCEEDS ZERO	* PROBABILITY		IMPACT ON THE ISSUE AREA IF THE EVENT OCCURRED	
			Five Years From Now (0-100 %)	Ten Years From Now (0-100%)	* POSITIVE (0-10 scale)	* NEGATIVE (0-10 scale)
1.	Passage of the Federal Highway Transportation Reauthorization Act.	1	100	100	8	5
2.	Passage of legislation to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions.	3	50	100	8	3
3.	Completion of the CHP's internal audit and inspection of its On-highway Commercial Vehicle Enforcement Program.	1	100	100	5	2
4.	Passage of legislation providing authority for suspension of operating authority for proprietary carriers.	2	80	90	5	2
5.	The CVSA successfully challenges federal rulings on the regulation of intrastate commercial operations.	1	80	100	5	5

\* Panel Medians

## Event Forecast Interpretation

The following interpretations are based upon the median data received from the panel's event forecasting:

1. **Passage of the Federal Highway Transportation Reauthorization Act.**  
This event is expected to occur within one year. When passed, it will define the federal resources and line of regulatory authority as it relates to the trucking industry for the coming years
2. **Passage of legislation in to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.**  
The probability estimates indicated this event is not likely to occur before 3 years. At 5 years the probability should be 50% and it should occur within 10 years. The panel was not entirely confident such legislation would pass.
3. **Completion of the CHP's internal audit/inspection of its On-highway Commercial Vehicle Enforcement Program.**  
The panel believed the probability of this event will exceed zero may be within one year. Within 5 years, the panel expected this event would occur. Completion of this audit and it resultant corrective measures could change the CHP's traditional approach to this type of enforcement.
4. **Passage of legislation providing authority for suspension of operating authority for proprietary carriers.**  
The probability of this event first exceeding zero is not likely to occur until year two. Within 5 years the probability of the event occurring will be 80% and this will increase to 90% within 10 years. There was no consensus that this event will definitely occur within the 10 year forecast.
5. **The CVSA successfully challenges federal rulings on the regulation of intrastate commercial operations.**  
The probability of this event exceeding zero is expected to occur within the first year. By year 5, the probability

should be 80%. The panel believes that, by the 10th year, this event will occur. This should result in the states being able to continue their regulation of intrastate carriers which are commercial operations based entirely within the state.

### Cross Impact Evaluation

The impact of each of the target trends and events were evaluated in terms of their impact. A consensus approach employing six professionals familiar with the various trends and events was used to conduct this cross impact evaluation. The consultants were all employees of the CHP assigned to the Department's Enforcement Services Division. This division is responsible for the development of policy, procedures and the strategies employed in the CHP's commercial vehicle enforcement program. The anticipated impact was recorded in terms of percentage change (plus or minus) from the initial median forecast. The projected number of years until this impact reached its maximum was also recorded. A table that illustrates the results of this assessment can be found in Table 4.

Based upon these data, it is possible to identify the actor and reactor events as well as the reactor trends. Actor events are those events that serve as catalyst for change. Reactor events/trends are those events/trends which react to actor events. In examining these lists, it is apparent there are a few events and trends that tend to be strong reactors or actors because of their perceived or expected impact. These events and trends include:

#### Strong Actors

Passage of the Federal Highway Transportation  
Reauthorization Act. (Event)

The CVSA successfully challenges federal rulings on the  
regulation of intrastate commercial operations (Event)

Table 4  
Cross Impact Analysis

Cross Impact Evaluation

MATRIX											"IMPACT" TOTALS
Impact by Consensus					Consultants Used					Maximum Impact (% change ±)	
										Years to Maximum	
**	E1	E2	E3	E4	E5	T1	T2	T3	T4	T5	
E1		-20 2		-80 2	40 1	30 2	30 3	5 5	-10 2	-10 2	E1 8
E2			50 4	80 4	30 3		85 5		-85 5		E2 5
E3		30 4		45 3			35 5		10 5		E3 4
E4		10 4	5 2				25 10		-10 8		E4 4
E5	-25 2	40 6	20 2	40 7		-85 6	-15 8		10 6	-15 7	E5 6
"IMPACTED" TOTALS											
	E1 1	E2 4	E3 3	E4 4	E5 2	T1 2	T2 5	T3 1	T4 5	T5 2	

Legend

- E1 Passage of the Federal Highway Transportation Reauthorization Act.
- E2 Passage of legislation in to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.
- E3 Completion of the CHP's internal audit/inspection of its On-highway Commercial Vehicle Enforcement Program.
- E4 Passage of legislation providing authority for suspension of operating authority for proprietary carriers.
- E5 The Commercial Vehicle Safety Alliance (CVSA) successfully challenges federal rulings on the regulation of intrastate commercial operations.
- T1 Federal laws superceding state laws.
- T2 Uniformity of enforcement.
- T3 Commercial vehicle technology.
- T4 Local law enforcement agency involvement.
- T5 Federal funding.

### Strong Reactors

Passage of legislation in to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California. (Event)

Passage of legislation providing authority for suspension of operating authority for proprietary carriers. (Event)

Uniformity of enforcement. (Trend)

Local law enforcement agency involvement. (Trend)

### Scenarios

Based upon the forecast data obtained up to this point, it was possible to construct several scenarios of the future. Three different scenarios related to the issue under examination follow:

#### Exploratory (Nominal) Mode

In late 1992, the 1992 Federal Highway Transportation Reauthorization Act was passed. This Act radically restricted the availability of federal funding for use by state and local government and tied access to these funds to establishing state commitment to and conformance with federal regulations on trucking. Several states, including California, either fought these "strings" by electing not to seek federal funding or by seeking injunctive relief in the federal courts. The CVSA also started several political and legal measures to stop the federal government from usurping the rights of the states. This challenge was not successful until 1996 and thereafter restricted the application of federal guidelines to interstate commerce situations only.

In California, there were other events occurring which had a tremendous impact on the CHP and local law enforcement with respect to commercial vehicle safety law enforcement. Local police departments continued to develop enforcement programs for these laws. Those agencies that participated found them to be lucrative enforcement programs. In 1995, the California Trucking Association (CTA) finally sought injunctive relieve from one police department in the San Francisco Bay Area because the department was not using enforcement policies and procedures used elsewhere in the state. Citing a lack of uniformity, injunctive relief was



granted. Similar challenges were also made by independent carriers citing lack of uniformity and, in some cases, that local agencies were using commercial vehicle enforcement as a revenue generating venture.

In 1996, the California Legislature addressed these troubles by passing a CTA sponsored bill calling for the CHP to become the only provider of commercial vehicle safety enforcement in local jurisdictions. Unfortunately, the CHP was forced to assume these responsibilities without a commensurate increase in fiscal/personnel resources. Local agencies immediately petitioned the CHP to provide local enforcement. This was prompted by a concern over local revenue shortfalls due to fewer citations being issued. This presented the CHP with a service demand/resource availability issue which lasted through the end of the century.

### Normative Mode

With the passage of the 1992 Federal Highway Transportation Act, the federal government signaled its desire to promote uniform enforcement by adopting procedures and enforcement strategies which were consistent with those generally accepted by the various states and Canadian Provinces. In essence, the Act, in its final form, did not significantly alter the federal government's existing approach to commercial vehicle safety through 1995.

The number of challenges to the states regulating the trucking industry within their jurisdictions did not increase through 2000. When these surfaced it usually centered around the issue of interstate commerce operations and the applicability of federal regulations. There were no related challenges to a state's authority to regulate intrastate trucking.

The CHP completed its audit of its On-highway Commercial Enforcement Program in 1991 and proposed a number of alternatives to enhance the Program. Among these measures were the creation of a centralized, aggressive, and focused enforcement program, the development of a comprehensive and ongoing training program for commercial enforcement officers, and documentation to support a program related need for additional personnel/resources. The essential follow-up action from this audit was completed by 1996.

At the same time, the CTA proposed the CHP assume primary enforcement responsibility of commercial vehicle safety laws in California. The CTA sponsored legislation to accomplish this and included in this legislation funding to provide the CHP with the resources it would need to take on this task. Many local law enforcement agencies welcomed this change for it enabled them to redirect their resources to other responsibilities without a negative fiscal impact caused by a reduction in the number of commercial citations issued locally. Still there were a number of

local agencies which continued to enforce these laws. However, their local enforcement efforts were mostly consistent with those of the CHP.

#### Hypothetical Mode

In 1993, the federal government preempted California from applying state regulations that differed from federal regulations on intrastate carriers operating with the state. Local law enforcement officers participating in commercial enforcement programs were not entirely conversant in federal regulations and, therefore, were hesitant to enforce many commercial laws for fear of finding their enforcement actions would be subject to injunction, potential civil liability and restraint of trade allegations.

In response to this federal action, several states sought injunctive relief in the federal courts. The CVSA also sought political support at the federal level to stop preemption activities. An injunction was issued but the case continued on until 1997 when the U.S. Supreme Court upheld the rights of states to regulate intrastate commercial operations. That same year, the CVSA finally wins political support to redirect federal interest away from preemption actions and Congress passes legislation restricting federal authority in this area.

In each of these scenarios it is clear that local law enforcement will have a role in the future enforcement of commercial vehicle safety laws in California as will state and federal authorities. However, the scenarios also indicate these roles will undergo further refinement in the next decade.

#### Policy Considerations

Several potential policy alternatives to address the previous normative scenario were identified. A list of these alternatives can be found in Appendix F. The criteria for developing these policy alternatives was twofold - either to help to achieve a desired future and/or to avoid an undesirable element in the future scenario. Two policy approaches were

eventually chosen for further examination because they directly related to the issue of local enforcement of commercial vehicle safety laws and because they were related the CHP's traditional role in commercial vehicle enforcement and were feasible for the CHP to pursue. The two policy approaches selected were:

1. The CHP should modify its On-highway Commercial Enforcement Program to accommodate program growth and expanded enforcement in local jurisdictions.
2. The CHP should seek legislative support for it to assume a major, if not the primary role, in the enforcement of commercial vehicle safety laws/regulations in local jurisdictions. This would also address the CHP's responsibilities to assist local law enforcement agencies interested in participating in commercial vehicle safety law enforcement.

The impact of these policy alternatives upon the events and trends present in the normative scenario can be examined by conducting a cross impact analysis. Such an examination was conducted using the same consultants mentioned before and the results are shown in Appendix F.

## PART TWO

### STRATEGIC MANAGEMENT

This part of the paper includes a situational analysis of the impact of local law enforcement on the enforcement of commercial vehicle safety laws and, more specifically, the role of the CHP in this area. Several key techniques were used to conduct this assessment, identify stakeholders, formulate strategy alternatives and develop approaches designed to facilitate acceptance of a strategic plan.

#### Mission Statement

A specific organization must serve as the focus of a comprehensive environmental assessment and the development of a strategic plan. Since the issue and subissues of this project specifically relates to the CHP and/or one of its major programs, the CHP will be selected as the organization to be studied. In order to properly evaluate the study issues, it is necessary to identify the CHP's overall, long term objectives in commercial vehicle enforcement. One means of stating these objectives is through a mission statement. The following statement was developed independent of the CHP and is offered for use in this analysis as a mission statement for its commercial vehicle safety law enforcement program:

*The CHP serves as the lead agency for commercial vehicle safety in California, therefore, a primary mission of the CHP is to promote the safe operation of commercial vehicles in California. The CHP will accomplish this by:*

- 1. Enforcing provisions of California law designed to promote commercial vehicle safety;*
- 2. Routinely inspecting commercial vehicles and motor carrier terminals;*
- 3. Enforcing applicable federal regulations which are considered internationally accepted standards for commercial vehicle operations; and,*
- 4. Providing assistance, education, and information to local government and industry to encourage the safe operation of commercial vehicles in California.*

### **Situational Analysis**

The specific technique used to conduct this situational analysis will be WOTS-UP which stands for Weakness, Opportunities, Threats, and Strengths Underlying Planning. This approach will highlight significant factors which will impact the CHP.

There were a number of external conditions which will either enhance or impede the achievement of the foregoing mission statement for the CHP. These conditions were identified earlier by a panel of experts through the use of an NGT. Of those identified in this manner, the following are considered opportunities for the CHP:

### Opportunities

1. A call for uniform enforcement by the federal government and industry.
2. An interest in standardized, international regulations for commercial vehicle operations.
3. A limited amount of federal funding that tends to support state sponsored activities in the area of commercial vehicle safety.
4. The need for national databases on commercial vehicle operations which also calls for uniform reporting of safety information.
5. Passage of legislation to designate the CHP as the sole provider of commercial vehicle safety enforcement in California.
6. The CVSA successfully challenges federal rulings on the regulation of interstate commercial carriers.
7. A comprehensive North American Trade Agreement is established.

Those external conditions which are considered to be threats are those which do not support the CHP mission to become a statewide commercial enforcement coordinator. Again, the focus of this analysis is the impact of these conditions on the the CHP and its program. These threats include:

### Threats

1. The number of local agencies becoming involved in the enforcement of commercial vehicle regulations.
2. The growing shortage of state fiscal resources available to the CHP for commercial vehicle enforcement and regulations.
3. The interest of private enterprise in becoming involved in certain aspects of commercial vehicle regulation.

There were also a few external conditions which could prove to be both threats and opportunities depending upon their timing or the actual impact they have upon the issue. For example, if the first statement listed

below merely attempted to provide for standardized enforcement it might be an opportunity for the CHP. However, if it preempted state regulations and completely removed state enforcement authority then it would be a threat.

Examples of these types of trends and events include:

#### Both Opportunities and Threats

1. State commercial vehicle laws are preempted by federal regulations.
2. The federal government rules on an inconsistency motion against California and the CHP and decertifies California's Cargo Tank Inspection Program.
3. Completion of the CHP's internal audit of its commercial vehicle safety program.

Another factor to be considered in this analysis is the capability of the CHP to fulfill this mission from an organizational standpoint. This will be assessed in terms of the CHP's organizational strengths and weakness with respect to its ability to respond to the opportunities and threats previously mentioned.

One of the department's strengths is that its existing commercial vehicle safety program already provides the organization and infrastructure to assume the role as statewide commercial vehicle safety coordinator/regulator. In fact, the department is currently recognized by many entities as serving in this capacity. Conversely, one of the department's major weaknesses is the size of this program is not meeting the needs of local communities which are, in turn, encouraging commercial vehicle safety programs administered by local law enforcement.

Another major strength of the CHP is the relationship it has established on commercial vehicle safety issues with industry, the

California legislature, the federal government, and various international entities. These relationships can assist the department in acquiring the necessary political support to assume the role outlined in the mission statement.

The following strengths and weaknesses are also inherent in the department in addition to those previously noted:

#### Other Organizational Strengths

1. There is already some legal precedent supporting the department's role as statewide coordinator/regulator. It can be found in the California Vehicle Code and several case decisions.
2. The department's commercial vehicle safety efforts are already recognized fiscally by a specific element in the departmental budget.
3. The department already possesses recognized experts in all phases of commercial vehicle operations, terminal operations, hazardous materials transportations and related subjects.
4. The department already has trained and equipped personnel deployed statewide.

#### Other Organizational Weaknesses

1. The department's current program is decentralized which, in some cases, has resulted in fragmented service delivery or regulation.
2. The department does not possess capital outlay or design control over state owned/operated commercial scales or inspection facilities. This control is vested within Caltrans.
3. There is limited understanding of the commercial vehicle program at various levels of management.
4. In an era of fiscal concern, there may be weak internal support for an expanded role in commercial vehicle safety without also providing a alternative or new funding source.
5. The current program is significantly dependent upon federal and fee-for-service funding.



These aforementioned strengths and weaknesses must be considered in properly selecting a strategy suitable for the CHP and its mission objectives.

### **Stakeholder Analysis**

In assessing the impact of establishing the CHP as in a role consistent with the proposed mission, it is imperative that key stakeholders be identified. The following is a listing of such stakeholders and the major assumptions they are likely to hold about the issue. This listing was developed with input from the six professionals that assisted in the cross impact analysis.

1. **California Highway Patrol (CHP)** The CHP is extremely interested in assuming its mission. It undoubtedly holds the following assumptions:
  - a. Local law enforcement wants to participate in commercial vehicle enforcement primarily for the revenue generated from such enforcement.
  - b. The CHP is the most likely candidate to coordinate commercial vehicle enforcement in California.
  - c. Local law enforcement involvement in commercial vehicle enforcement will result in inconsistent enforcement and the application of enforcement tolerances which differ from accepted and/or agreed upon standards.
  - d. Inconsistent enforcement will result in federal preemption of California's regulatory efforts because of the impact such enforcement will have upon restraint of interstate trade/commerce.
  
2. **California Trucking Association (CTA)** The CTA is very concerned with the involvement of local law enforcement in this area. Based upon input from membership, the CTA will likely

believe the following:

- a. Local law enforcement is enforcing commercial vehicle safety laws in an inconsistent manner and is not adhering to agreed upon national standards used to place a vehicle out-of-service when it requires repair.
- b. The CHP is the most likely candidate to coordinate commercial vehicle enforcement in California.

3. **Federal Highway Administration (FHWA)** The FHWA is the primary federal agency which is concerned with safe commercial vehicle operations. The FHWA's positions would probably be:

- a. Federal regulations covering commercial vehicle safety, for the most part, are adequate and state regulations are not required.
- b. The establishment of a statewide enforcement coordinator is necessary to administer such a large industry and the CHP may be a suitable choice for such a role.
- c. Local enforcement of commercial vehicle safety laws is appropriate providing it adheres to federal guidelines and agreed upon tolerances.

4. **CVSA** As noted earlier, the CVSA is a international organization of states and Canadian Provinces which have developed enforcement standards which have been adopted by both the United States and Canada. This organization would probably hold:

- a. Local law enforcement is enforcing commercial vehicle safety laws in an inconsistent manner and is not adhering to agreed upon national standards used to place a vehicle out-of-service when it requires repair.
- b. The CHP is the most likely candidate to coordinate commercial vehicle enforcement in California.

5. **Local Law Enforcement Agencies** Local law enforcement is most likely to support the following positions:
- a. Local law enforcement should be allowed to enforce commercial vehicle safety regulations within their jurisdictions.
  - b. The CHP is not able to provide the level of service needed at the local level, particularly, within incorporated areas.
6. **City Councils and Boards of Supervisors** City Councils and County Boards of Supervisors will probably advocate the following:
- a. Local law enforcement should be allowed to enforce commercial vehicle safety regulations within their jurisdictions.
  - b. The CHP is not able to provide the level of service needed at the local level, particularly, within incorporated areas.
  - c. The large fines associated with the enforcement of commercial vehicle safety regulations is a means of generating local revenue with minimal investment or capital outlay.
  - d. This type of program could also be marketed as a service by the counties under contractual agreement.
7. **Major Interstate Commercial Carriers** Carriers engaged in interstate commerce will probably believe:
- a. Federal regulations covering commercial vehicle safety, for the most part, are adequate and state regulations are not required.
  - b. The establishment of a statewide enforcement coordinator is necessary to administer such a large industry and the CHP may be a suitable choice for such a role.
  - c. Local law enforcement is enforcing commercial vehicle safety laws in an inconsistent manner and is not adhering to agreed upon national standards used to place a vehicle out-of-service when it requires repair.

8. **Other State Agencies (Caltrans, Public Utilities Commission)**

There are several other agencies that are involved in the regulation of commercial carriers to some extent and they are likely to assume:

- a. It may be desirable to establish the CHP as a statewide coordinator/regulator for commercial vehicle safety enforcement.
- b. They would be reluctant to lose much of their current regulatory authority/involvement.

9. **California Legislature** The Legislature would probably support:

- a. It may be desirable to establish the CHP as a statewide coordinator/regulator for commercial vehicle safety enforcement.
- b. The costs for the CHP to serve in such a capacity should be paid for by additional commercial motor vehicle fees or by nontraditional revenue sources.
- c. Local law enforcement should not be precluded from enforcing commercial vehicle safety regulations, however, their enforcement actions must be consistent with widely accepted norms.

10. **Individual Owner Operators** These small business are primarily commercial vehicle owners who operate their own equipment. As a group, they tend not to show great allegiance to any one entity. They do have several loosely organized associations representing their interests, however, each owner operator tends to act very independently. For these reasons, they are often considered 'snaildarter' stakeholders for they are often overlooked until they mobilize. They are likely to support:

- a. They generally resist any attempt to increase industry regulation.

- b. Given a choice between a statewide coordinator/regulator or local agency enforcement, they would opt for the approach which would be least intrusive into their businesses.

The importance and certainty of each of the assumptions listed can be graphically displayed by employing a Strategic Assumption Surfacing Technique (SAST). This technique, also referred to as assumption mapping, graphically places each of the possible stakeholder positions according to its relative certainty and importance. Each of the stakeholder assumptions discussed in Part Two are mapped accordingly and this map can be found in Appendix G.

Some of the more important certain assumptions include the belief the CHP is the more likely candidate to coordinate the enforcement of commercial vehicle safety laws, however, the CHP's resources cannot enable it to provide the level of service desired in every community. Additionally, there is the assumption that local law is interested in participating and will be involved in this type of enforcement.

### **Alternative Strategies**

The next phase of the situational analysis was to develop alternative strategies. A modified policy delphi was used to identify potential strategies. A group of eight individuals, CHP managers and supervisors familiar with the department's commercial vehicle safety program, was given the normative scenario. They were then asked to generate a list of strategy alternatives that would help the department

achieve this scenario. A complete listing of the alternatives generated can be found in Appendix H. The key consultants employed earlier in the cross impact analysis narrowed this list to three alternative strategies which will be covered in the following discussion.

**Alternative A The department establishes a training unit specifically designed to provide training in commercial vehicle safety laws for all CHP officers.**

The responsibility for the department's current commercial vehicle training program is shared by the Academy and Commercial and Technical Services Section (CATSS). The Academy provides a very brief orientation on the subject to Cadets while CATSS provides more comprehensive instruction for line commercial officers. This alternative would create a specific unit within the department which is responsible for providing all commercial enforcement training. Perhaps even more importantly, the audience for this training could be expanded to include all CHP officers. There are several advantages to this type of large scale training including:

- a. It increases the awareness of potential violations throughout the department as more officers become familiar with commercial vehicle laws.
- b. It may increase enforcement levels throughout the state as more officers become involved in commercial vehicle enforcement.

There are also some disadvantages to this alternative and these include:

- a. Commercial vehicle enforcement is too technical for the lay person or generalist to remain proficient in and their effectiveness will deteriorate over time.
- b. Training on this scale is very expensive.
- c. It increases the likelihood of inconsistent or erroneous enforcement as generalists attempt to enforce laws/regulations beyond their level of expertise.

Generally, most stakeholders would probably approve of training for all CHP officers in commercial vehicle safety laws. Many of them most likely assume the department already provides this type of training to its officers. However, there would undoubtedly be some concern over the depth or scope of the training provided to the officers as most CHP officers are generalists who perform routine road patrol duties and prefer to remain so. There may be some concern over this approach within some commercial vehicle operators, especially small individual owner operators.

**Alternative B Commercial enforcement training programs are created for CHP managers and supervisors and an in-depth training program is provided for managers and supervisors involved with the program.**

The department does not provide this type of training at the present time. Managers and supervisors obtain their understanding in commercial vehicle enforcement either through previous experience in the program at the line officer level or through other on-the-job exposure during their career. The level of expertise developed by managers and supervisors is often a direct result of the individual's interest level in this type of enforcement. For the most part, the overall knowledge and

understanding of departmental managers and supervisors in the commercial vehicle safety program is considered low.

There are several advantages to this type of training including:

- a. It increases management and supervisory understanding of the commercial vehicle safety program which should enhance management of the program.
- b. It may promote more accountability at the line level as management and supervision awareness increases.

There are also some disadvantages to this alternative and these include:

- a. Training on this scale is very expensive.
- b. Training does not ensure a level of competence. The managers and supervisors attending the training must be interested in retaining or applying the material presented. There may not be sufficient interest in this subject area for many departmental managers and supervisors.

As in the case of the previous alternative, many of the stakeholders would probably support the concept of providing this type of training to CHP managers and supervisors.

**Alternative C CATSS in Enforcement Services Division (ESD)** is expanded to respond to the greater emphasis on the departmental commercial enforcement program. The organization of this section within ESD remains the same.

CATSS is the unit that provides most, if not all, of the staff support for the department's commercial vehicle enforcement efforts. The section is one of four commands within ESD. This alternative is designed as a means of increasing the resources,



primarily staffing resources, within CATSS to enable the section to respond to a multi-faceted expansion or enhancement of the departmental commercial vehicle safety program. There are a few advantages to this alternative which include:

- a. Planning for section expansion now reduces the possibility of having to scramble for resources when new programs/responsibilities are added at a later time.
- b. Additional resources will enable the section to be more timely in its service delivery and the quality of the support service it provides will be improved.
- c. Increasing the staffing resources will also be beneficial should the department later decide to adjust its commercial vehicle safety program from a decentralized effort to a more centralized one.

The disadvantages to this alternative include:

- a. It is difficult to adjust staffing levels without demonstrated program increases.
- b. Staffing increases themselves, without some tie to specific program needs, often lead to poor use of personnel resources.
- c. Increases in personnel are expensive.

Most of the stakeholders will tend to be apathetic to this alternative. There would be a few who would support it largely because they interact so closely with the Section but many would not necessarily care about the Section's staffing level.

### Alternative Selection

Alternatives A, B, and C all are related in some ways, however, it may prove extremely difficult to implement all three at the same time.

Another possible alternative can be found by merging key elements of

Alternatives A and B. The resulting alternative which will be evaluated through the rest of this paper will involve:

The department establishes a training unit in CATSS which provides instruction on the department's commercial vehicle safety program and enforcement of related laws/regulations. The unit will be staffed by qualified experts in the field and they will develop and provide three courses of instruction as soon as practical. One of these courses will be an in-service commercial enforcement course of limited scope to generalist CHP officers in the field. Another course will be for CHP managers and supervisors assigned to the commercial program which focuses on program administration. The unit would also assume responsibility for providing the detailed training in commercial vehicle safety law enforcement for CHP and local officers assigned to commercial vehicle safety that is currently provided by the Department.

The relatively high ratings assigned to Alternatives A and B by the participants in the modified policy delphi tend to suggest the presence of internal training needs in several areas. The selection of this final strategy is based upon the identification of the apparent new CHP training needs, existing training needs of local law enforcement, and the requirement to provide an infrastructure (the training unit) to respond to these needs. The inclusion of the training needs of local law enforcement may also assist in obtaining increased consistency in commercial vehicle enforcement statewide.

### Implementation Plan

An implementation plan will be required in approaching this strategy and ultimately negotiating its acceptance. There are several specific action steps involved in implementation including:

1. Obtaining approval to proceed with alternative strategy from Executive Management.
2. Identifying expertise to develop lesson plans.
3. Developing a lesson plan for training the generalist CHP officer.
4. Developing a lesson plan for training the CHP manager and supervisor.
5. Obtaining approval of the lesson plans.
6. Acquiring the necessary equipment and materials to perform the training.
7. Identifying the method of delivering the training, (e.g.; a train the trainers approach, training teams, etc.).
8. Identifying the instructional staff to provide the training.
9. Scheduling the training.
10. Provide training.
11. Assess training provided.
12. Developing enforcement policy guidelines for generalist CHP officers.

Timeframes will have to be established to guide the Section in implementation. Ideally, the training should be made available in 12 to 18 months and completed within two to three years. The Section's progress in meeting its implementation schedule will be monitored by requiring the Section to report its progress each month. These factors will assist in promoting accountability for implementing the strategy. The training must then become an ongoing process which includes need assessment, updating training material, and presenting the training to future students.

Negotiating acceptance will also be an important strategy. It would be desirable for all the stakeholders to be flexible in the organizational and training delivery components but this may not be possible. The major concerns for the stakeholders will be the need for and the desirability of having the training programs and the need for a policy to govern generalist CHP officers' commercial vehicle enforcement activity if they are trained. The purpose behind these positions center around the concern

over uniformity of enforcement, the enforcement activity generated by such a trained force, and the resultant impact upon industry. Several of the stakeholders can be useful in negotiating acceptance (e.g.; CTA, CVSA, City Councils/Boards of Supervisors). There are also key individuals which can assist this process . These individuals are the critical mass players discussed in the next section.

## PART THREE

### MANAGING TRANSITION

A transition plan will be required in order to implement this strategy and manage the subsequent transition. The components of this plan will include the identification of the "Critical Mass", the management structure to be employed during transition, and the technologies/methods which will be used to assist in the transition.

#### Identifying the Critical Mass

The Critical Mass are those individuals which are key players who can seriously affect the outcome of the transition. The change is likely to be successful if these players support the change. However, if they are opposed to the change, the change is likely to fail. The following is a listing of the critical mass players for this transition management plan. Once again, the six professionals mentioned earlier assisted in identifying these players.

1. Chief, Enforcement Services Division (ESD), CHP
2. President, California Trucking Association (CTA)
3. Executive Director, Commission on Peace Officer Standards and Training (POST)
4. President, California Chiefs Association
5. President, California Sheriffs Association
6. Chairpersons, Transportation Committees for both the California State Senate and Assembly
7. President, Independent Owner/Operator Association

A table has been prepared in an effort to visually characterize the commitment of these critical mass players. Table 5 illustrates an estimate of the level of commitment each player currently maintains as indicated by the letter 'X'. The letter 'O' indicates the projected level of commitment that each player must have, at a minimum, for the transition plan to be successful. The arrow represents the movement, if any, in the level of commitment required of each critical mass player.

Table 5  
Commitment Chart

Commitment Actors in Critical Mass	Block Change	Let Change Happen	Help Change Happen	Make Change Happen
CHIEF, ESD				XO
PRESIDENT, CTA			O ←	→ X
EXEC. DIRECTOR, POST	X →	→ O		
PRESIDENTS, CALIFORNIA CHIEFS AND SHERIFFS ASSOC.	X →	→ O		
CHAIRPERSONS, LEGISLATIVE COMMITTEES		X →	→ O	
PRESIDENT, IND. OWNER/ OPERATORS ASSOC.	X →	→ O		

X - PRESENT COMMITMENT

O - COMMITMENT  
NEEDED

The following discussion covers the commitment level estimates shown in Table 5. The reason for any required movement in terms of commitment is also explained.

**Chief, Enforcement Services Division (ESD), CHP** This division is responsible for statewide coordination of the CHP's commercial vehicle safety enforcement program. The unit which will be ultimately responsible for managing the training strategy, CATSS, is part of the division. As a division within the CHP, the Chief of ESD has access to CHP Executive Management and most of the stakeholders and critical mass players. The Chief would probably be very supportive of the change. The Chief will undoubtedly take a major role in the change and will be instrumental in making it happen.

**President, California Trucking Association (CTA)** This organization is certainly interested in consistent enforcement of commercial motor vehicle safety laws in California. The CTA has endorsed standardized enforcement in the past and would probably be very supportive of the strategy being suggested. However, CTA positions do not always agree with those held by many independent owner/operators of commercial vehicles and smaller trucking operations. The CTA's constituency is comprised of many medium to large scale trucking operations. The CTA's commitment level may have to be reduced in order to acquire commitment from these independent owner/operators. The influence of the CTA will still be

needed in order to help the change occur but not at its original commitment level. The president of the CTA will fulfill a key role in formulating CTA's policy and direction.

**Executive Director, Commission on Peace Officer Standards and Training (POST)**

POST will not be totally opposed to this strategy per se. It will be concerned about that portion of any strategy which calls for the training of law enforcement personnel prior to these personnel engaging in commercial vehicle enforcement. POST may see this training requirement as part of its oversight responsibility. If so, POST could serve to block the change. The minimum level of commitment required of POST in this transition would be to move them over to a position of letting change happen. Ideally, it would be advantageous for POST to move to an even more supportive role of helping the change happen. The Executive Director of POST is a major force in directing the activities of this organization and could prove invaluable in gaining the organization's assistance.

**President, California Chiefs Association  
President, California Sheriffs Association**

These are two powerful groups representing the interests of local police and sheriff agencies. These groups will be very concerned about the intended purpose of the training strategy. They are not likely to object to the CHP providing increased training to CHP personnel but they will probably be concerned about the training requirement being placed on local law enforcement. These key



players will probably resist the change initially for fear the change could be an incursion into the ability of local law enforcement to manage its own resources/programs. The minimum level of commitment that is needed from these groups will be for them to let the change happen. These two critical mass players can assist in securing this level of commitment.

#### **Chairpersons, Transportation Committees, California State Senate and Assembly**

These two powerful committees in the California Legislature are important to the success of this training strategy. The strategy will require legislation if training will be mandated prior to engaging in the enforcement of commercial vehicle safety laws. Additionally, such training will require augmentation of the CHP's budget in both personnel and fiscal resources. While some of the members of these committees are surely aware of the issues surrounding commercial vehicle enforcement, the overall commitment within these committees at the present is probably at the let change happen level. The support of these committees has to be raised to a level of helping the change to occur. The Chairperson of each committee will be extremely important in any effort to gain such support.

#### **President, Independent Owner/Operator Association**

This association is generally smaller and more loosely organized than other large trucking associations but on important issues it can galvanize considerable support and strength. The constituency of this association is not generally fond of measures designed to promote

the enforcement of commercial vehicle safety laws. It would not be opposed to promoting safety but it would be concerned about the impact such enforcement will have upon its members and their small businesses. The initial commitment level of this group must be moved from a position of blocking the change to, at a minimum, letting the change happen. The president can assist in obtaining this level of commitment.

### The Transition Management Structure

A structure must be identified in order to manage change which will occur with the adoption of this training strategy. The structure will be an asset during the three phases of the resultant organizational change - prechange, transition, and post change. It is anticipated the structure will no longer be necessary following post change and, as such, the structure will be temporary.

At first glance, it would appear prudent to assign the Commander of CATSS the responsibility of managing this change. However, the other responsibilities of this unit place considerable demands upon the position. The previous discussion also pointed out that ESD, because of its division level status, has better access and a greater sphere of influence which may be of benefit in managing the change.

The ESD Commander's position also has similar competing demands which precludes it from managing the daily aspects of this change. However, the division could be staffed with temporary position through redirection of existing personnel resources to lead this transition. This position should be departmental manager at the rank of Lieutenant or Captain. This individual would then be assigned as project manager for the training strategy. The role

of the ESD Commander would still be critical to the change but it would become an executive role which would support the activities of the project manager.

The project manager will need the assistance of an internal team and an external team to effect the change. The internal team would assist the project manager in preparing the necessary fiscal, personnel, and legislative packages which will be required. Representatives from the Department's Budget Section, Personnel and Training Division, Administrative Services Division, and Office of Special Representative will be involved on the internal team.

The external team will also be important to the success of the change. This team will include representatives of key stakeholders and, particularly, critical mass players. This team will serve in an advisory capacity during implementation. Such a team could also help to diffuse potentially serious problems which may surface and could result in unsuccessful change.

### **Implementation Technologies/Methods**

There are a variety of methods and/or technologies which can be applied as part of the transition management plan. These should be identified prior to initiating the training strategy as they can help in overcoming the expected natural resistance to change. They can also aid in reducing the level of anxiety and uncertainty which can also be expected. The technologies/methods which have been identified for potential use by the project manager in this instance include:

**Responsibility Charting** The project manager will need to identify the various tasks and responsibilities associated with the training strategy. This can be accomplished by conducting

responsibility charting with the various "actors" involved in the change. This will clarify who is responsible for each critical activity in the change and also promote an understanding of each "actor's" role. A sample responsibility chart for project manager's internal team can be found in Table 6.

Table 6  
Responsibility Chart  
Internal Transition Team

<div style="border-bottom: 1px solid black; border-right: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <div style="text-align: right;">ACTORS</div> <div style="text-align: left;">DECISIONS or ACTS *</div> </div> </div>	CHP EXEC. MGT.	CATSS STAFF	CHP PERSONNEL & TRNG DIV.	CHP ADMIN. SERV. DIV.	CHP ACADEMY	FIELD PERS- ONNEL
OBTAINING APPROVAL TO PROCEED WITH ALTERNATIVE TRAINING STRATEGY	A	R	I	I	S	I
IDENTIFY EXPERTISE TO DEVELOP LESSON PLANS	I	R	I	I	I	S
DEVELOP LESSON PLAN FOR TRAINING GENERALIST CHP OFFICERS	I	R	I	I	S	S
DEVELOP LESSON PLAN FOR TRAINING CHP MANAGERS AND SUPERVISORS	I	R	I	I	S	S
OBTAINING LESSON PLAN APPROVAL	A	R	I	I	I	I
ACQUIRING EQUIPMENT AND TRAINING MATERIALS	A	S	I	R	S	I
TRAINING DELIVERY METHOD IDENTIFIED	A	S	I	I	S	I
IDENTIFY INSTRUCTIONAL STAFF	I	R	I	I	S	S
SCHEDULE THE TRAINING	I	S	I	I	R	I
PROVIDE THE TRAINING	I	R	I	I	S	I
ASSESS TRAINING PROVIDED	I	R	I	I	S	S
DEVELOP ENFORCEMENT POLICY FOR GENERALIST CHP OFFICERS ENGAGING IN COMMERCIAL VEHICLE ENFORCEMENT	A	R	I	I	I	I

\* Legend

R = RESPONSIBILITY for action (but not necessarily authority)  
A = APPROVAL (must approve, has power to veto the action)  
S = SUPPORT (has to provide resources, but does not have to agree to the action)  
I = INFORM (must be informed before the action, but cannot veto)  
Blank = Irrelevant to that particular action

**Controlling Rumor** The project manager must recognize that, during change, uncertainty and rumor will flourish. To guard against these destructive features, the project manager must establish a means to convey reliable information in a recurring manner. One method that could be used is producing timely status reports for key stakeholders, critical mass players, and other interested parties.

**Key Stakeholder Meetings** The external and internal teams mentioned in the transition management structure must meet regularly. This will serve as a means of controlling rumor, maintaining commitment levels, and promoting the early detection of conflict.

**Establish Realistic Milestones** Milestones, or incremental goals, must be established for transition. These milestones must also be realistic in terms of time and potential for success. The project manager should also make it a point to celebrate each milestone that is accomplished. This will help in illustrating progress toward the goal.

## CONCLUSIONS

This study examined the future role of local law enforcement in the enforcement of commercial motor vehicle safety laws in California. From the futures research conducted in this study it is clear that local law enforcement will have a role and that role is likely to grow as more local agencies become aware of the impact this industry has on assorted quality of life issues. All three of the scenarios derived from this study clearly note this local involvement.

However, the scenarios also reveal that the involvement of local law enforcement in this specialized enforcement may present some serious issues for government and industry. Depending upon the scenario that eventually unfolds, these issues could result in state or local agencies being preempted from exerting local control over this industry. For these reasons, it is important to strategically address these issues and plan for this future growth in an effort to avoid any deleterious ramifications.

The CHP will be affected by the involvement of local law enforcement because the CHP is the primary state agency engaged in commercial vehicle enforcement today. It has developed its own infrastructure to provide this enforcement which includes both organization and personnel. It is also recognized by the federal government as the primary agency in this type of enforcement for the California. Yet, this infrastructure and recognition is not likely to preclude the growing interest of local police and sheriff departments in the area of commercial vehicle enforcement. Since many agencies are likely to be involved it would be advantageous to promote a cooperative enforcement effort which, at the very least, does not permit inconsistent enforcement and promote unwarranted difficulties for the industry.

Several strategy and policy alternatives were considered in this study to promote this healthy enforcement environment. Those which were selected for inclusion in the strategic plan were those which could possibly move California law enforcement towards the most desirable future. One of the most inviting alternative strategies centers around training. The CHP could take an even larger role in providing limited training to its own personnel to expand internal awareness of commercial vehicle safety amongst its officers who perform general road patrol. The CHP could also expand its training in commercial vehicle safety law enforcement for local police and sheriff agencies to include initial training and in-service refresher training. This would promote some standardization in enforcement and could enhance the skill and knowledge of those officers performing this specialized enforcement. There is also a compelling argument that suggests that this type of training should become a requirement prior to actually engaging in this type of enforcement, however, this particular issue may be a subject for later discussion.

This examination revealed that local agency enforcement will be a vital component of the future enforcement of commercial vehicle safety laws. It also indicated the CHP, although a major component of this enforcement effort, is limited by the amount of resources it can commit to such an effort. Therefore, the relationship between local agencies and the CHP will have to be cooperative. The CHP can contribute to this cooperative endeavor by supporting local agencies by training local enforcement personnel and providing CHP enforcement services for those communities requesting CHP assistance. Yet, the level of CHP enforcement services provided will be contingent upon the resources available.

Clearly, the interest and demand for enforcement of commercial vehicle safety laws is not about to go away. Actually, the opposite may be true and law

enforcement, both state and local, should be prepared to respond. Yet, there will be a need to satisfy specific training needs prior to actually engaging in this type of enforcement and the role of the CHP in providing this training is likely to be significant.



## **APPENDIX A**

### **NOMINAL GROUP TECHNIQUE**

#### **PANEL MEMBERS**

Motor Carrier Safety Supervisor, Cargo Tank Program Coordinator,  
Hazardous Materials Section, CHP

Motor Carrier Safety Supervisor, Hazardous Materials Program,  
Hazardous Materials Section, CHP

Regional Representative, Federal Highway Administration

Manager, Motor Carrier Safety Program, CHP. This individual also serves on various committees within the Commercial Vehicle Safety Alliance which is an organization committed to commercial vehicle safety representing most U.S. states and Canadian Provinces.

Commander, Traffic Section, Sacramento Police Department

Commander, Commercial and Technical Services Section, CHP. This individual also serves in various official capacities within the Commercial Vehicle Safety Alliance.

President, California Trucking Association

## APPENDIX B

### RANK ORDERED LIST OF TRENDS

1. Federal laws superceding state laws.
2. Uniformity of enforcement.
3. Commercial vehicle technology.
4. Local law enforcement agency involvement.
5. Federal funding.
6. Population/Vehicle density.
7. Money availability for roads and enforcement.
8. Drug alcohol tolerances and use.
9. Commercial enforcement of driver violations.
10. Interface between state and local government.
11. Public involvement/concern for issue.
12. Environmental enforcement efforts.
13. Uniform reporting.
14. Restrictions on truck travel.
15. Capability of processing information in real time.
16. Size of commercial vehicles.
17. Hazardous materials transported on highway.
18. Bilingual enforcement efforts.
19. Worldwide commercial transportation companies.
20. Emerging commercial vehicle laws.'
21. Commodity specific equipment.
22. Regulation efforts at all governmental levels.
23. Societal interest (trust) with laws and regulatory efforts.
24. Cars versus trucks in urban areas.
25. Fuel alternatives for trucks.
26. Worldwide regulation efforts.
27. Private entities involvement in regulation.
28. Automated carrier documentation.
29. Individual accountability for trucking operations.
30. Reusable bulk packaging.
31. Number of brokers/truckers.
32. Carrier fleet age.
33. Size and power of automobiles.
34. Intermodal operations.
35. Smart highways.
36. Smog controls and enforcement.

## APPENDIX C

### RANK ORDERED LIST OF EVENTS

1. Passage of the Federal Highway Transportation Reauthorization Act.
2. Passage of legislation to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.
3. Completion of the CHP's internal audit/inspection of its On-highway Commercial Vehicle Enforcement Program.
4. Passage of legislation providing authority for suspension of operating authority for proprietary carriers.
5. The Commercial Vehicle Safety Alliance (CVSA) successfully challenges federal rulings on the regulation of intrastate commercial operations.
6. A major fuel shortage occurs.
7. A drug testing program is established for intrastate truck drivers in California.
8. A comprehensive North American Trade Agreement is established.
9. The Crescent Project goes operational.
10. The Danforth Safety Act is passed.
11. All motor carriers are required to pass inspections.
12. CHP authorized to use radar on freeways.
13. Inconsistency ruling against California in its cargo tank certification efforts.
14. Recommendations from the Federal Highway Administration's study on driver fatigue are implemented.
15. A national hazardous materials transportation registration program is started.
16. An advisory group is established on driver training standards and driver literacy.

## **APPENDIX D**

### **TREND FORECASTING**

...  
RANGE OF PANEL ESTIMATES

TREND STATEMENT		LEVEL OF THE TREND (today = 100)			
		6 Years Ago	Today	6 Years From Now	10 Years From Now
Federal laws superseding state laws		50 - 95	100	60 - 150 0 - 150	20 - 300 0 - 200
Uniformity of enforcement.		20 - 90	100	40 - 150 0 - 200	40 - 200 0 - 300
Commercial vehicle technology.		15 - 85	100	80 - 200 100 - 200	100 - 250 150 - 300
Local law enforcement agency involvement.		0 - 90	100	35 - 125 0 - 150	10 - 175 0 - 200
Federal funding.		40 - 200	100	70 - 110 70 - 200	50 - 125 70 - 300

Figure 1 - Federal laws superseding state laws.

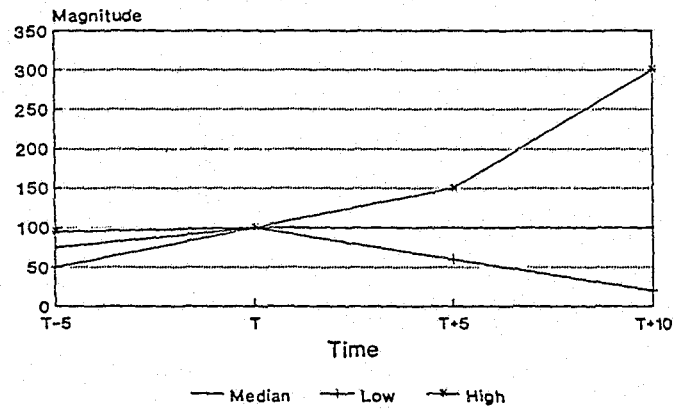


Figure 2 - Uniformity of enforcement

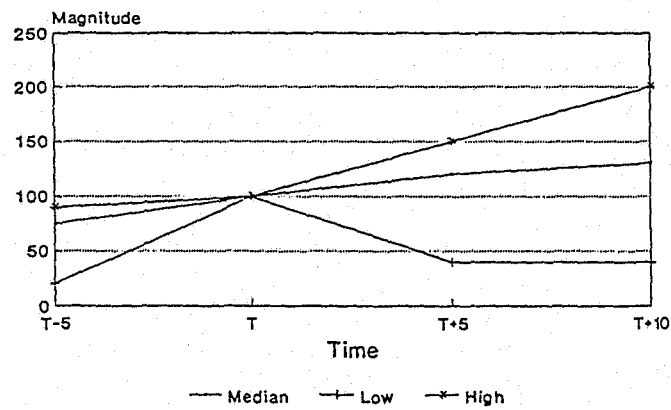


Figure 3 - Commercial Vehicle Technology

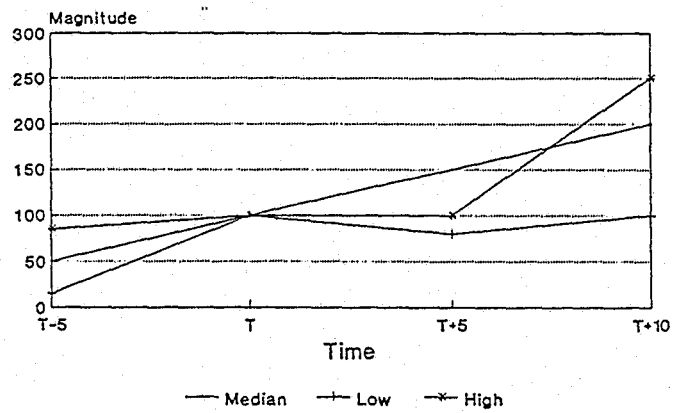


Figure 4 - Local law enforcement agency involvement.

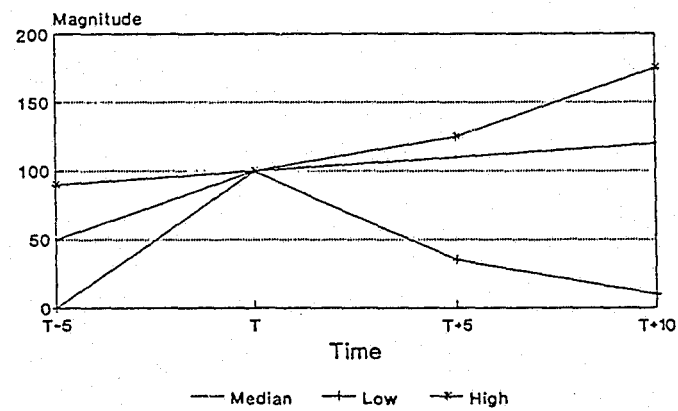


Figure 5 - Federal Funding

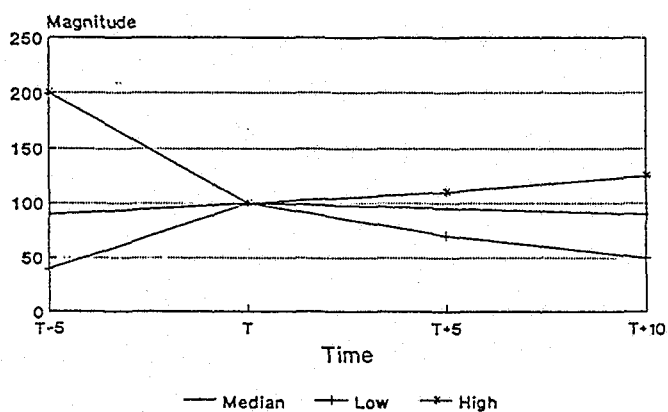


Figure 6 - Federal laws superseding state laws.

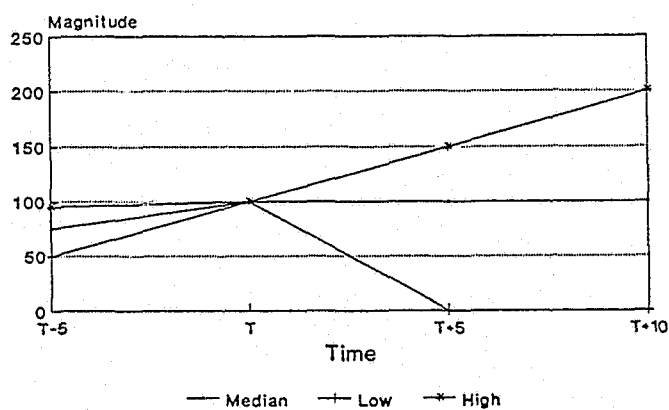




Figure 7 - Uniformity of enforcement.

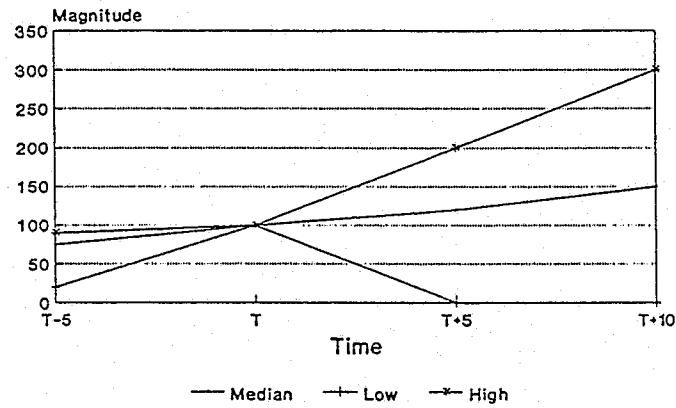


Figure 8 - Commercial Vehicle Technology

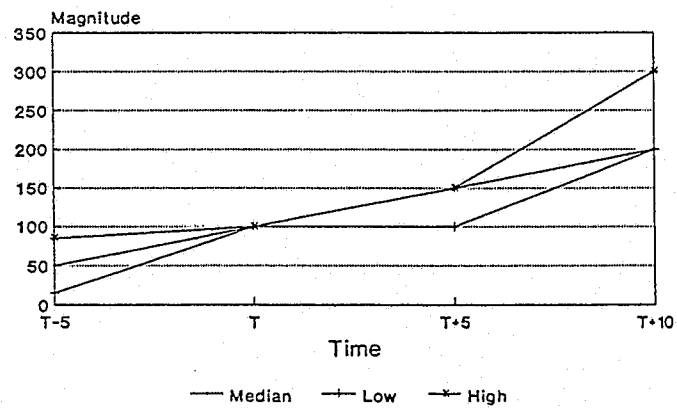


Figure 9 - Local law enforcement agency involvement.

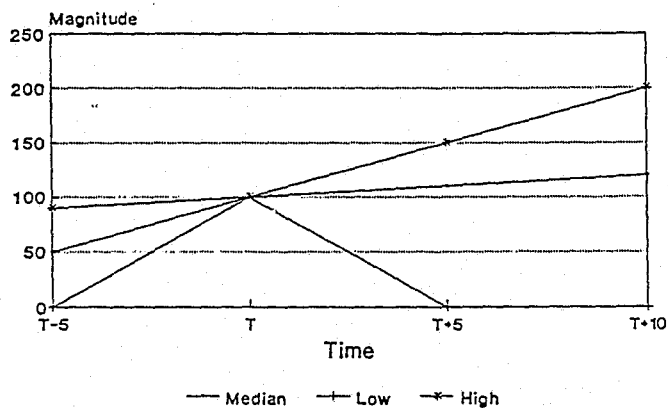
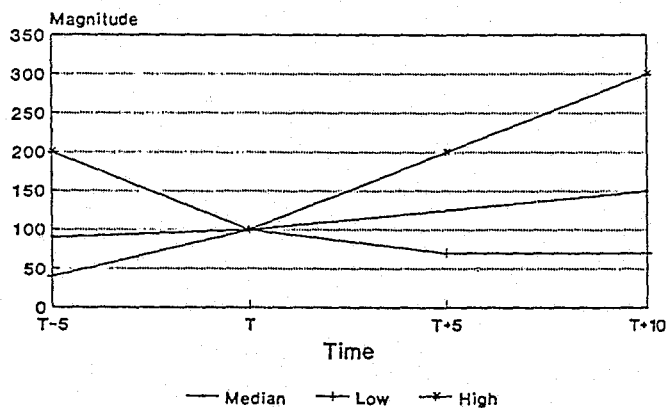


Figure 10 - Federal Funding



**APPENDIX E**  
**EVENT FORECASTING**

RANGE OF PANEL ESTIMATES

EVENT STATEMENT	YEARS UNTL. PROBABLE- ITY FIRST EXCEEDS ZERO	PROBABILITY		IMPACT ON THE ISSUE AREA IF THE EVENT OCCURRED	
		Five Years From Now (0-100)	Ten Years From Now (0-100)	Positive (0-10)	Negative (0-10)
Passage of the Federal Highway Transportation Reauthorization Act.	NR	NR	NR	5 - 10	0 - 8
Passage of legislation to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.	1 - 5	50 - 100	65-100	5 - 10	0 - 5
Completion of the CHP's internal audit and inspection of its On-Highway Commercial Vehicle Enforcement Program.	1 - 2	80 - 100	90-100	0 - 9	0 - 5
Passage of legislation providing authority for suspension of operating authority for proprietary carriers.	1 - 3	50 - 100	65-100	4 - 10	0 - 5
The CVSA successfully challenges federal rulings on the regulation of intrastate commercial operations.	1 - 3	50 - 100	50-100	0 - 10	0 - 5

NR - No range

Figure 11 - Event Probability  
Hwy Reauth. Act

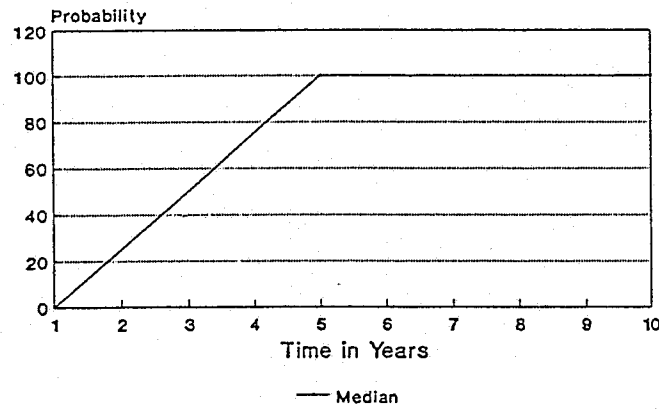


Figure 12 - Event Probability  
Legislation/CHP sole provider

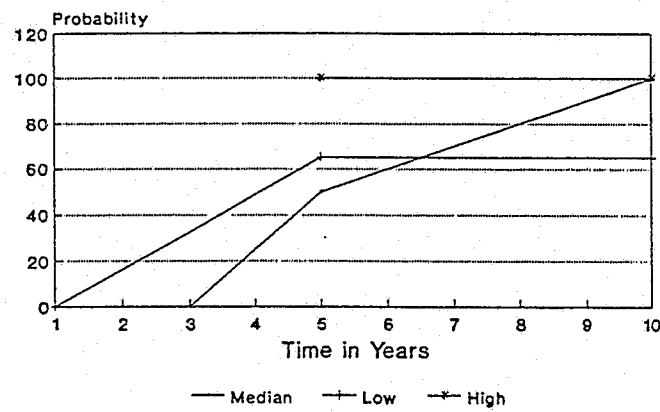


Figure 13 - Event Probability  
Completion/CHP Program Audit

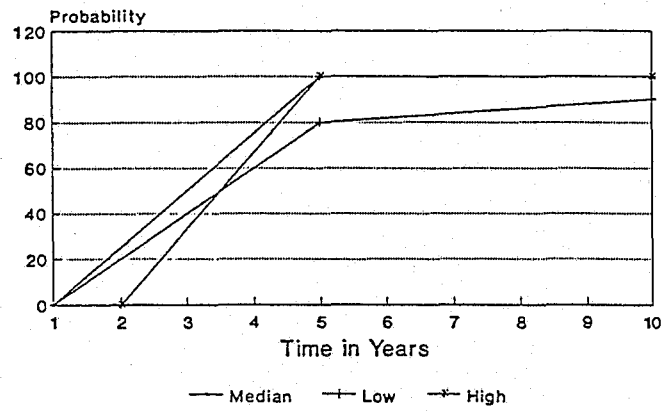
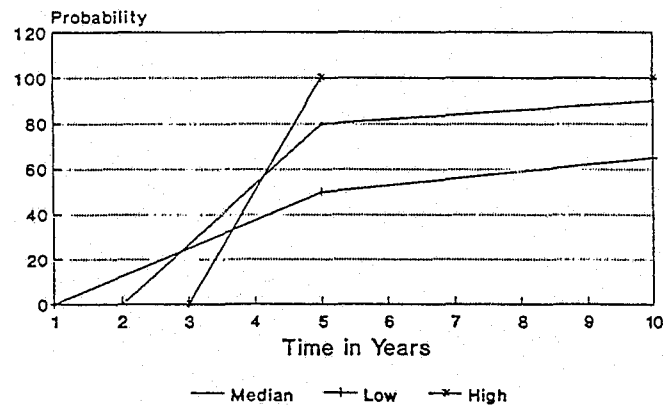
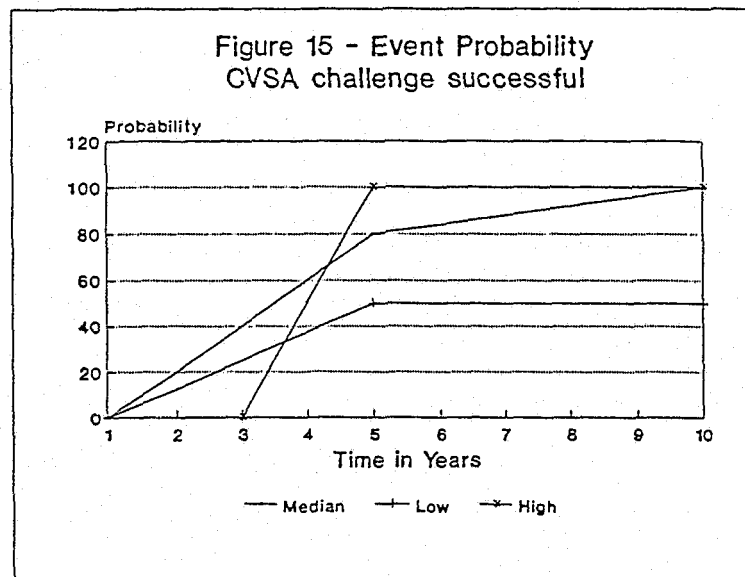


Figure 14 - Event Probability  
Suspension Authority





## APPENDIX F

### POLICY ALTERNATIVES

- o The CHP works through the California delegation to delete references to the application of federal regulations over state regulations where interstate commerce issues are not present in the Federal Highway Transportation Reauthorization Act.
- o The CHP works through the CVSA to delete references to the application of federal regulations over state regulations where interstate commerce issues are not present in the Federal Highway Transportation Reauthorization Act.
- o The CHP should, to the greatest extent possible, reduce its reliance upon federal funding.
- o The CHP should modify its On-highway Commercial Enforcement Program to accommodate growth in the area of expanded enforcement in local jurisdictions.
- o The CHP should develop a comprehensive, ongoing training program to guide local agencies in the application of commercial vehicle regulations and enforcement.
- o The CHP should seek legislative support for it to assume a major, if not the primary role, in the enforcement of commercial vehicle safety laws/regulations in local jurisdictions.



## Cross Impact Evaluation Policy Alternatives

### Impact by Consensus - Consultants Used

	<u>E1</u>	<u>E2</u>	<u>E3</u>	<u>T1</u>	<u>T2</u>
P1		50		10	-15
P2	5	80			-60

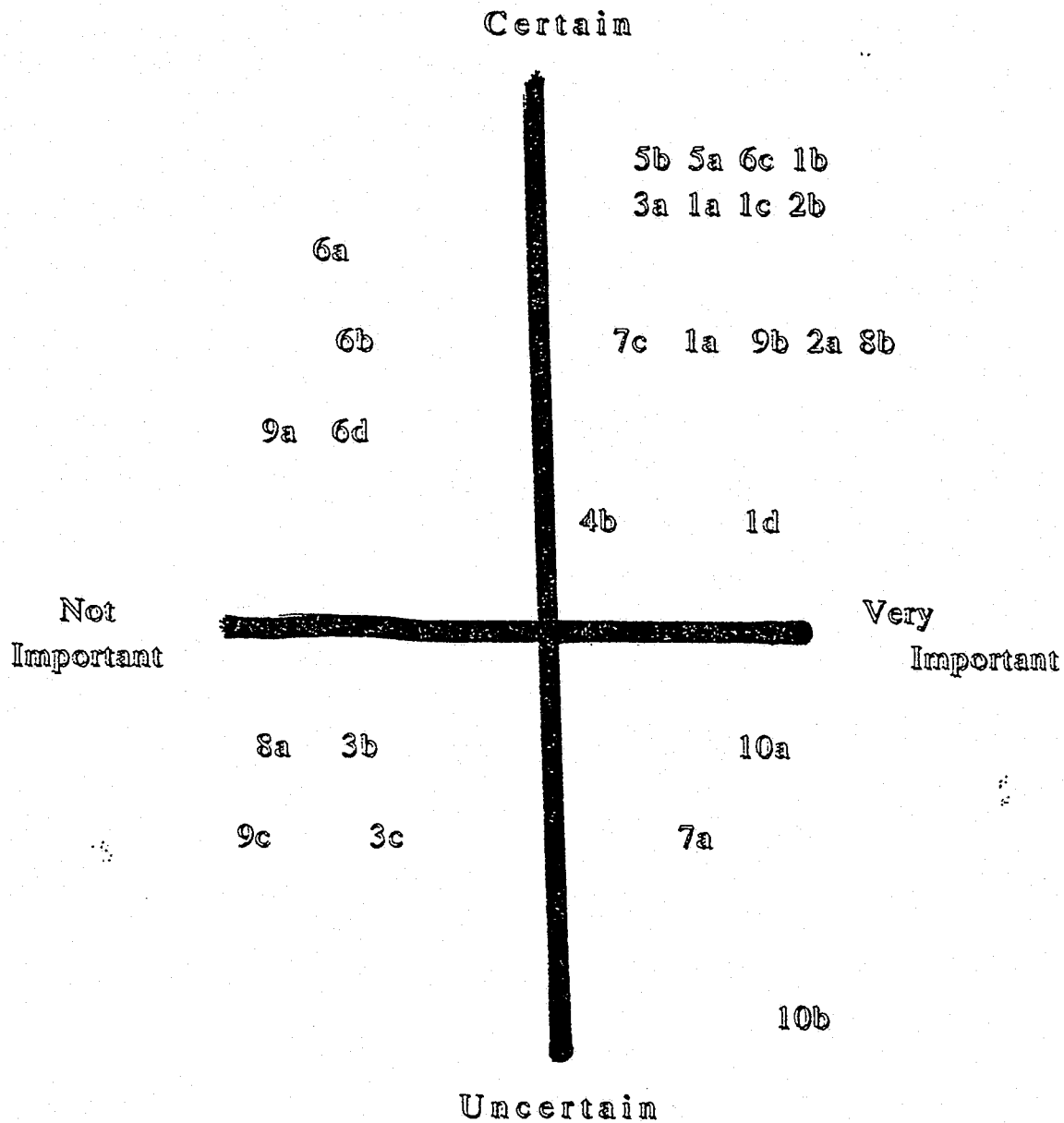
NOTE: The numbers correspond to the expected impact of each event/trend upon the policy alternatives under consideration.

#### Legend:

- P1 The CHP should modify is On-highway Commercial Enforcement Program to accommodate growth in the area of expanded enforcement in local jurisdictions.
- P2 The CHP should seek legislative support for it to assume a major, if not the primary role, in the enforcement of commercial vehicle safety laws/regulations in local jurisdictions.
- E1 Passage of the Federal Highway Transportation Reauthorization Act.
- E2 Passage of legislation in to designate the CHP as the sole provider of commercial vehicle safety enforcement in local jurisdictions in California.
- E3 The Commercial Vehicle Safety Alliance (CVSA) successfully challenges federal rulings on the regulation of intrastate commercial operations.
- T1 Federal laws superceding state laws.
- T2 Local law enforcement agency involvement.

# APPENDIX G

## ASSUMPTION MAP



NOTE: Numbers and letters correspond to the numbered assumptions listed in Part Two.

## ASSUMPTION MAP STAKEHOLDER LEGEND

Number	Stakeholder
1	California Highway Patrol
2	California Trucking Association
3	Federal Highway Administration
4	CVSA
5	Local law enforcement
6	City Councils/Boards of Supervisors
7	Major Interstate Commercial Operators
8	Other State Agencies
9	California Legislature
10	Individual Owner Operators

## APPENDIX H

### STRATEGY ALTERNATIVES

1. The department establishes a training unit specifically designed to provide training in commercial vehicle safety laws for all CHP officers.
2. The CHP completely reorganizes internally and a Commercial Enforcement Division is established. This Division oversees the departmental commercial enforcement program with coordinators serving in each of the department's field Divisions.
3. The department revises its personnel assignments with respect to enforcement of commercial vehicle laws. It assigns another Assistant Chief to Enforcement Services Division (ESD), a Captain in each field Division that specifically oversees the Division's commercial enforcement activity, additional Traffic Officers are assigned to the commercial enforcement program, and inspection facilities become individual commands under the control of Lieutenants.
4. The department recognizes the need to increase its staffing in the commercial program and begins budgeting for such an increase.
5. Personnel now assigned to commercial vehicle enforcement at individual Area commands now fall under Division command and control.
6. Assignment to the departmental commercial program activities are by administrative decision which provides management with more latitude in employee selection and leverage to promote good performance.
7. The department and Caltrans develop and build a permanent training facility for both on-highway and off-highway commercial enforcement personnel.
8. The department's commercial enforcement training program for enforcement line personnel is expanded in length and scope.

9. Commercial enforcement training programs are created for CHP managers and supervisors and an in-depth training program is provided for managers and supervisors involved with the program.
10. Commercial and Technical Services Section in ESD is expanded to respond to the greater emphasis on the departmental commercial enforcement program. The organization of this Section within ESD remains the same.
11. The department develops a plan and accompanying legislation which essentially adopts all federal transport regulations for application in California.
12. The department pursues the adoption of a uniform, nationwide bail schedule.
13. The department actively reviews all of its certification and licensing programs involving commercial vehicles to ensure these programs are operated effectively and do not create an undue hardship on business.
14. The department modifies its commercial vehicle enforcement program to include enforcement activity which is even more aggressive and focused.
15. The CHP develops a mechanism to provide updated training on new commercial vehicle technology and regulations to local law enforcement.
16. The CHP successfully works with the Public Utilities Commission (PUC) have the PUC adopt regulations which more closely parallel those used by the Interstate Commerce Commission.
17. The CHP sponsors legislation which allows local agencies to take enforcement action for certain observed commercial violations, but will preclude agencies other than the CHP from conducting comprehensive commercial vehicle inspections.
18. The CHP sponsors legislation which removes all exceptions in law or regulation currently provided to intrastate commercial carriers. Uniform regulations applying to both intra and interstate carriers are adopted.
19. The CHP seeks legislation which establishes the Department as the sole agency for enforcing commercial vehicle safety law and regulations.

## APPENDIX I

### ENDNOTES

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1 Licici Ponzani, "Banned in L.A.: City Posts New Proposal to Restrict Trucks", Transport Topics, 12 April 1991, p. 3

2 U.S. Department of Transportation, Moving America, (Washington D.C.: February 1990), p.70

3 Ibid., p. 90

4 California Office of the State Printer, Governor's Budget - FY 1991/92, (Sacramento, CA: 1991). pp. BTH 103-104

5 Ibid.

6 Ibid.

7 M.J. Hannigan, letter to Bruce E. Cannon, 30 January 1991, Certification of Compliance of Size and Weight for the State of California, California Highway Patrol, Section D.

8 Personal interview with Commercial Enforcement Training Class Coordinator, California Highway Patrol, 9 July 1991.

9 California, The Judicial Council of California, Uniform Traffic Bail Schedule (Vehicle Code Sections), (Sacramento, CA: June 1991), pp. 11-13

## BIBLIOGRAPHY

- California Highway Patrol, The California Commerical Motor Vehicle Safety Act of 1988 - Report to the Legislature. Sacramento, CA: August 1991
- California Highway Patrol, HPM 82.6 - Commercial Enforcement Manual, Sacramento, CA : July 1991
- California Highway Patol, HPG 84.6 - Preventative Maintenance Inspection Guide for Motor Carriers, Sacramento, CA: May 1990
- Allen, W. Bruce, Preechemetta, Arayah, Shao, Gang, and Singer, Scott. The Impact of State Regulation of Motor Carriage on Interstate Commerce. U.S. Department of Transportation Publication No. DOT-T-90-12: Washington D.C.: Department of Transportation, May 1990
- California Office of State Printer, Governor's Budget - FY 1991/92. Sacramento, CA: 1991
- Judicial Council of California. Uniform Bail Schedule, Sacramento, CA: June 1991
- U.S. Department of Transportation. Commercial Vehicle Enforcement: A Guide for Law Enforcement Managers. Publication No. DOT-HS-807-274 Washington D. C. : May 1988
- U.S. Department of Transportation. Commercial Vehicle Enforcement: A Guide for Police Traffic Personnel. Publication No. DOT-HS-807-673, Washington D.C.: January 1991
- U. S. Department of Transportation. Moving America - New Directions, New Opportunities. Washington D. C. : February 1990
- California Highway Patrol. Status Report on Truck and Truck Driver Safety - A Report to the Governor and the Legislature. Sacramento, CA: January 1991
- U.S. Department of Transportation. Heavy Truck Safety Plan. Publication No. DOT-HS-807-741, Washington D. C.: August 1991
- Motor Vehicle Manufacturers Association of the United States, Versatility of Trucks - Getting the Job Done. Washington D. C.: September 1991
- "State Interest in Highway Safety Rising." Truck Safety News, June 1991. p. 7
- Swanson, Scott D.. "Back to the Future Part IV - An Expanded Role for Law Enforcement?" Western City, January 1990, pp. 14-18

Ponzani, Licia. "Banned in LA: City Posts New Proposal to Restrict Trucks."  
Transport Topics, 12 August 1991, p. 3

"Los Angeles Proposes Peak Hour Truck Ban." Land Line, September/October 1991,  
p.28

Strah, Thomas M.. "Serious Safety Violations Will Bring Immediate Fines."  
Transport Topics, 23 September 1991

"Tennessee Truck Inspectors Say Jobs Depend on Ticket Quotas." Heavy Duty  
Trucking, September 1991, p. 3

Tyson, Rae. "Problems Pave Road to Trucking Safety." USA Today, 3 January 1990

McCullough, Patricia. "Trucking Against a Wall." Heavy Duty Trucking,  
September 1991, p. 48-50

California , Vehicle Code, 1990

Hannigan, M. J.. Letter to Bruce E. Cannon. 30 January 1991. California Highway  
Patrol, Sacramento, CA