Charter
Motor Carrier Safety Advisory Committee

1. PURPOSE: This charter renews the Motor Carrier Safety Advisory Committee and provides for its operation in accordance with provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C.); 41 C.F.R. Part 102-3; DOT Order 1120.3B; and Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub. L. 109-59. The charter also sets forth the principles governing the committee's operation.

2. SCOPE AND OBJECTIVES: The committee will provide advice and recommendations to the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) on motor carrier safety programs and motor carrier safety regulations.

3. DUTIES: The members of the committee shall:

    a. Attend committee meetings.
    b. Gather information as necessary to discuss issues presented by the Designated Federal Official (DFO).
    c. Deliberate.
    d. Provide written consensus advice to the Administrator.

4. SUPPORT: The Administrator shall provide support staff for the committee. On request of the committee, the Administrator shall provide information, administrative services, and supplies that the Administrator considers necessary for the committee to carry out its duties and powers. The FMCSA's Strategic Planning and Program Evaluation Division shall furnish support services for the operation of the committee.

5. DESIGNATED FEDERAL OFFICER AND SPONSOR: The DFO for the committee and its subcommittees is FMCSA's Associate Administrator for Policy and Program Development or his or her designee. The DFO shall designate an independent facilitator for advisory committee meetings. The committee sponsor is FMCSA's Director for the Office of Policy Plans and Regulation, or his or her designee.

6. COST: The annual operating costs associated with the committee's functions are estimated to be $150,000 including all direct and indirect expenses. We estimate that .25 part-time equivalent positions will be required to support the committee.

7. MEMBERSHIP: The committee shall be comprised of up to 20 members (special government employees and/or representatives) appointed by the Administrator for up to 2-year terms. Members serve at the pleasure of the Administrator, subject to their stated terms. Members may be reappointed to one or more consecutive terms. Members will be selected from among individuals who are not employees of FMCSA and who are specially qualified to serve on the committee based on their education, training, or experience. The members shall include representatives of the motor carrier industry, safety advocates, and safety enforcement officials. Representatives of a single

enumerated interest group may not constitute a majority of the committee. Members may continue to serve until appointment of their replacements.

8. OFFICERS: The Administrator shall designate a chairman among members of the committee.

9. ORGANIZATION: The chairman may recommend subcommittees subject to approval of the Agency. Subcommittees will be established for limited purposes within the scope and objectives of the full committee. The chairman of any subcommittee shall be a member of the full committee and shall be appointed by the full committee chairman with the approval of the DFO. Members of a subcommittee may be appointed from any source by the full committee chairman with the approval of the DFO. Members of a subcommittee do not become members of the full committee and are not eligible for expenses under item 10 of this charter. Subcommittees will submit all recommendations only to the full committee. Subcommittees may be terminated by the full committee chairman, subject to approval by the DFO.

10. COMPENSATION FOR MEMBERS: Committee members are not officers or employees of the Federal Government and shall serve without pay; except that the Administrator may allow a member, when attending meetings of the committee or a subcommittee, reimbursement of expenses authorized under Section 5703 of Title 5, United States Code, and the Federal Travel Regulation, 41 C.F.R. Part 301, relating to per diem, travel, and transportation. All travel by individual members when engaged in official committee business shall be approved in advance by the DFO, and arranged and funded by the sponsor.

11. MEETINGS: The DFO anticipates calling committee meetings at least four times each year. The agenda for all meetings shall be set by the DFO. Meetings shall be open to the general public, except as provided under FACA. Notice of each meeting shall be published in the Federal Register at least 15 calendar days prior to the date of the meeting. Notice shall include the meeting agenda. The DFO or his or her designee shall attend and preside at each meeting. The DFO or his or her designee shall adjourn any meeting when determined to be in the public interest. Detailed minutes of each meeting shall be certified by the DFO or his or her designee and maintained by the sponsor. The minutes, as certified, shall be available for public inspection and copying in the office of the sponsor.

12. REPORTS: All committee and subcommittee reports and recommendations shall be submitted by the chairman to FMCSA's Administrator through the DFO or his or her designee. The DFO or his or her designee shall direct the committee to prepare such documents and any other reports. Within 60 days following the last meeting of each fiscal year, the DFO or his or her designee shall submit to FMCSA's Administrator an annual report describing the committee's membership, activities, and accomplishments for the year. Committee and subcommittee reports and other documents, which are made available to or prepared by the committee, shall be included in FMCSA's public docket

and shall be available for public inspection and copying in accordance with the Freedom of Information Act (5 U.S.C. 552).

13. DATE OF TERMINATION: The committee shall terminate on September 30, 2010.

14. CHARTER FILING DATE: The filing date of this charter is 9/8/08, which is also the charter's effective date. The Motor Carrier Safety Advisory Committee will terminate 2 years after this date unless prior to that time the charter is extended in accordance with the FACA and other applicable requirements.

John H. Hill
Administrator
Federal Motor Carrier Safety Administration