CHARTER OF THE MOTOR CARRIER SAFETY ADVISORY COMMITTEE

1. COMMITTEE'S OFFICIAL DESIGNATION (TITLE): The committee shall be known as the Motor Carrier Safety Advisory Committee (MCSAC or the Committee).

2. AUTHORITY: U.S. Department of Transportation Order 1120.3B and Section 4144 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, as amended by Section 32912 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141. This charter renews MCSAC and provides for its operation in accordance with the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, as amended.

3. OBJECTIVES AND SCOPE OF ACTIVITIES: The Committee will provide advice and recommendations to the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) about needs, objectives, plans, approaches, content, and accomplishments of the motor carrier safety programs carried out by the Administration and motor carrier safety regulations. The MCSAC is FMCSA's only representative stakeholder body.

4. DESCRIPTION OF DUTIES: The members of the Committee shall:

a. Attend committee meetings;
b. Gather information as necessary to discuss issues presented by the Designated Federal Officer (DFO);
c. Deliberate on issues relevant to commercial motor vehicle safety; and
d. Provide written consensus advice to FMCSA.

5. AGENCY/OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee shall report to the FMCSA Administrator through the Associate Administrator for Policy.

6. SUPPORT: The FMCSA Administrator shall provide staff support 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. The FMCSA's Office of Policy shall furnish support services for the operation of the Committee.

7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS: The annual operating costs associated with the Committee's functions are estimated to be $150,000, including all direct and indirect expenses. The Agency estimates that 1.25 full-time equivalent positions will be required to support the Committee.

8. DESIGNATED FEDERAL OFFICER AND SPONSOR: The DFO for the Committee is FMCSA's Associate Administrator for Policy or his or her designee. The DFO shall designate an independent facilitator for Committee meetings. The DFO will approve or call all of the Committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meetings when he or she determines

adjournment to be in the public interest, and chair meetings when directed to do so by the FMCSA Administrator.

9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:

a. Committee meetings will be held approximately three times each year. As necessary, special and subcommittee meetings may be called by the DFO.
b. 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.
c. Meetings shall be open to the general public, except as provided under section 10(d) of FACA, as implemented by 41 CFR § 101-6.10, the Government in the Sunshine Act (5 U.S.C. § 522b(c)), 41 CFR Part 102-3, and DOT Order 1120.3B.
d. 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.

10. DURATION: The Committee shall terminate on September 30, 2013.

11. TERMINATION: This charter shall terminate on September 30, 2013.

12. MEMBERSHIP AND DESIGNATION: The committee shall be comprised of no more than 20 members appointed by the Administrator for up to 2-year terms.

a. Members serve at the pleasure of the Administrator, subject to their stated terms.
b. Members may be reappointed to one consecutive term, up to a maximum of 5 consecutive years.
c. 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. Those members appointed solely for their expertise shall serve as Special Government Employees.
d. The members shall include representatives of the motor carrier industry, safety advocates, safety enforcement officials, and nonprofit employee labor organizations representing commercial motor vehicle drivers. Representatives of a single enumerated interest group may not constitute a majority of the committee.
e. To ensure the recommendations of the Committee have taken into account the needs of diverse groups served by the Department, membership shall include, to the extent practicable, individuals and/or organizations to represent minorities, women, and persons with disabilities.
f. Members may continue to serve until their replacements have been appointed or removed for cause by the Secretary, the FMCSA Administrator, or his or her designee.
g. The Administrator, through the Associate Administrator for Policy, shall designate a chairman and vice chairman from among members of the committee. They will serve 2-year nonrenewable terms. The vice chairman will succeed the chairman at the end of the term.

13. SUBCOMMITTEES: The FMCSA has the authority to create subcommittees. Subcommittees must report back to MCSAC and must not provide advice or work products directly to FMCSA.

14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. FILING DATE: The filing date of this charter is November 19, 2012, which constitutes the Committee's renewal date. It will expire on September 30, 2013.