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State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

ROBERT L. QUINN
COMMISSIONER

October 20, 2023

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court and

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 14:30-a, VI, authorize the Department of Safety to accept and expend \$243,555.00 from the U.S Department of Transportation, Federal Motor Carrier Safety Agency (FMCSA) for software upgrades to the Division of Motor Vehicle's (DMV) State to State program, effective upon Fiscal Committee and Governor and Council approvals through June 30, 2025. 100% Federal Funds.

02-23-23-233010-74680000 – Safety Dept – Division of Motor Vehicles- CDLIS Data Improvement Grant

Class	Description	SFY 2024 Current Authorized	Requested Action	SFY 2024 Adjusted Authorized
000-404492-16	Federal Funds	(\$2,914.00)	(\$243,555.00)	(\$246,469.00)
040-500800	Indirect Costs	2,764.00	3,312.00	6,076.00
041-501587	Audit fund Set Aside	150.00	243.00	393.00
072-509073	Grants Federal	-	240,000.00	240,000.00
	Total Expenses	\$2,914.00	\$243,555.00	\$246,469.00

EXPLANATION

The Division of Motor Vehicles is committed to ensuring that all state and federal rules, laws, and regulations are being met. Currently, the DMV's main database will not allow it to meet the upcoming Federal compliance of the Exclusive Electronic Exchange (EEE) and Drug and Alcohol Clearinghouse (DACH) mandates. The DMV has been able to determine that with some changes to the system it will be able to comply with these mandates.

The EEE is an FMCSA statutory requirement that mandates State Driver Licensing Agencies (SDLA) implement a system and practices that allows the electronic exchange of driver history record information through the Commercial Driver's License Information System (CDLIS) including the postings of convictions, withdrawals, and disqualifications.

The DACH is an FMCSA database that contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of commercial driver licenses. This database is used by FMCSA and employers to identify drivers who are prohibited from operating a

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The Honorable Ken Weyler, Chairman
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October 20, 2023
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Commercial Motor Vehicle (CMV) based on DOT drug and alcohol violations to ensure they are receiving the required evaluation and treatment before operating a CMV on public roads.

Updates will allow the DMV to create a linkage table for clerks on the CDLIS Helpdesk to manually link convictions and withdrawals that exceed the first 14 underlying convictions for EEE. Updates will also allow the DMV to comply with DACH requirements, which mandates that states downgrade a CMV driver that shows as prohibited in the Clearinghouse and check the clearinghouse for every CDL and CLP transaction. To meet this mandate, the DMV will need to create an automated batch job to check the DACH for any prohibited drivers and then allow another batch job to downgrade those drivers within 60 days. These updates will also allow the DMV to build a verification check into all of the commercial driver license transactions that will force counter clerks processing documents to verify that driver is not in prohibited status before issuing an original, renewal, replacement, upgrade, or duplicate license.

Funds were not budgeted in FY24 because this was a competitive grant with no guarantee of being awarded and the application was submitted after the Department of Safety's budget was submitted to the Governor's Office.

Funds are to be budgeted in the following accounts:

- Class 040 Funds are available to fund the .1% Audit Fund Set Aside for this grant program
- Class 041 Funds are available to fund 14.22% Indirect Costs associated with this grant program
- Class 072 Funds are available to award a contract with the state's current vendor to make the appropriate updates to become compliant with federal rules and regulations.

Highway Funds or General Funds will not be used should federal funds become unavailable.

Respectfully Submitted,



Robert L. Quinn
Commissioner of Safety

**Division of Motor Vehicles
Commercial Driver's License Information System
Fiscal Situation**

Federal Funds Awarded:	
69A3602341118CDLONH	<u>\$243,555.00</u>
Total Grant Funds Awarded	\$243,555.00
Prior Fiscal Year Actual Expenses:	
Less expenses in FY 2023	<u>\$0.00</u>
Total Prior Fiscal Year Actual Expenses	\$0.00
Net Grant Funds Remaining as of July 1, 2023	\$0.00
Less SFY 2022 Appropriation including prior year encumbrances Account 02-23-23-233010-74680000	\$0.00
Excess grant funds available to appropriate	<u>\$243,555.00</u>
This Request	\$243,555.00



U.S Department of Transportation

Federal Motor Carrier Safety Administration

Grant Agreement

1. RECIPIENT NAME AND ADDRESS NEW HAMPSHIRE DEPARTMENT OF SAFETY 33 Hazen Dr NH State Police Concord, NH 03305-0011	2. AGREEMENT NUMBER: 69A3602341118CDL0NH1	3. AMENDMENT NO. 0
	4. PROJECT PERFORMANCE PERIOD: FROM 09/01/2023 TO 09/30/2027	
	5. FEDERAL FUNDING PERIOD: FROM 09/01/2023 TO 09/30/2027	

1A. IRS/VENDOR NO. 026000618	6. ACTION New
1B. UEI. V9GSW38ZEVCS I.C. DUNS. 060340564	

7. CFDA#: 20.232	TITLE	FEDERAL	NON-FEDERAL	TOTAL
8. PROJECT TITLE FY2023 CDLPI Grant Program	9. PREVIOUS AGREEMENTS	0.00	0.00	0.00
	10. THIS AGREEMENT	243,555.00	0.00	243,555.00
	11. TOTAL AGREEMENT	243,555.00	0.00	243,555.00

12. INCORPORATED ATTACHMENTS
THIS AGREEMENT INCLUDES THE FOLLOWING ATTACHMENTS, INCORPORATED HEREIN AND MADE A PART HEREOF:

FMCSA Financial Assistance Agreement General Terms and Conditions, Recipient project narrative and indirect cost rate agreement (if applicable) are incorporated by reference unless/except as noted below.

13. STATUTORY AUTHORITY FOR GRANT/ COOPERATIVE AGREEMENT
49 U.S.C. § 31104 and 31313 (as amended by the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. No. 117-58 (2021), § 23001(b)), Title VIII of Division J of IIJA, and the Consolidated Appropriations Act, 2023, P.L. 117-328 (2023)

14. REMARKS
See Award Conditions

GRANTEE ACCEPTANCE		AGENCY APPROVAL	
15. NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Mrs. Tammy Holso Administrator III		17. NAME AND TITLE OF AUTHORIZED FMCSA OFFICIAL Mr. Thomas Martin Division Chief, Grants	
16. SIGNATURE OF AUTHORIZED GRANTEE OFFICIAL Electronically Signed	16A. DATE 09/20/2023	18. SIGNATURE OF AUTHORIZED FMCSA OFFICIAL Electronically Signed	18A. DATE 09/20/2023

AGENCY USE ONLY

19. OBJECT CLASS CODE: 41000	20. ORGANIZATION CODE: M500000000
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21. ACCOUNTING CLASSIFICATION CODES				
DOCUMENT NUMBER	FUND	BY	BPAC	AMOUNT
FM-CDL-0548-23-01-00	17815823CD	2023	0905710CDL	243,555.00

Federal Financial Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
09/01/2023	09/30/2023	Quarterly	10/30/2023
10/01/2023	12/31/2023	Quarterly	01/30/2024
01/01/2024	03/31/2024	Quarterly	04/30/2024
04/01/2024	06/30/2024	Quarterly	07/30/2024
07/01/2024	09/30/2024	Quarterly	10/30/2024
10/01/2024	12/31/2024	Quarterly	01/30/2025
01/01/2025	03/31/2025	Quarterly	04/30/2025
04/01/2025	06/30/2025	Quarterly	07/30/2025
07/01/2025	09/30/2025	Quarterly	10/30/2025
10/01/2025	12/31/2025	Quarterly	01/30/2026
01/01/2026	03/31/2026	Quarterly	04/30/2026
04/01/2026	06/30/2026	Quarterly	07/30/2026
07/01/2026	09/30/2026	Quarterly	10/30/2026
10/01/2026	12/31/2026	Quarterly	01/30/2027
01/01/2027	03/31/2027	Quarterly	04/30/2027
04/01/2027	06/30/2027	Quarterly	07/30/2027
07/01/2027	09/30/2027	Final	12/29/2027

Performance Progress Report Cycle			
Reporting Period Start Date	Reporting Period End Date	Reporting Type	Reporting Period Due Date
09/01/2023	09/30/2023	Quarterly	10/30/2023
10/01/2023	12/31/2023	Quarterly	01/30/2024
01/01/2024	03/31/2024	Quarterly	04/30/2024
04/01/2024	06/30/2024	Quarterly	07/30/2024
07/01/2024	09/30/2024	Quarterly	10/30/2024
10/01/2024	12/31/2024	Quarterly	01/30/2025
01/01/2025	03/31/2025	Quarterly	04/30/2025
04/01/2025	06/30/2025	Quarterly	07/30/2025
07/01/2025	09/30/2025	Quarterly	10/30/2025
10/01/2025	12/31/2025	Quarterly	01/30/2026
01/01/2026	03/31/2026	Quarterly	04/30/2026
04/01/2026	06/30/2026	Quarterly	07/30/2026
07/01/2026	09/30/2026	Quarterly	10/30/2026
10/01/2026	12/31/2026	Quarterly	01/30/2027
01/01/2027	03/31/2027	Quarterly	04/30/2027
04/01/2027	06/30/2027	Quarterly	07/30/2027
07/01/2027	09/30/2027	Final	01/28/2028

AWARD CONDITIONS

1. This Notice of Grant Award (NGA) is to award the Recipient with the total award amount authorized in Block 11 to implement the FY 2023 Commercial Driver's License Program Implementation Grant Program.

The FMCSA approves the project plan, line-item budget and budget narrative as requested in the original application. The FY 2023 total recommended amount is \$243,555 (Federal award = \$243,555/State match = \$0).

If the recipient is requesting indirect costs, the recipient may not request these costs for reimbursement until it has submitted a current approved indirect cost rate agreement to the FMCSA Division Office, and the GMO mailbox below:

FMCSAESCGRMOHelpDesk@dot.gov

The recipient and any sub-recipient must also comply with the applicable FMCSA general terms and conditions attached to this NGA. Failure to comply with the terms and conditions attached and any additional provisions directly reflected in this NGA may result in enforcement actions as outlined in 2 CFR §§ 200.338 and 200.339.