INDIANA STATE POLICE	***STANDARD OPERATING PROCEDURE*** State Form 39870(R/ S- 06)	Reference Number CVE-011
	Subject Commercial Motor Vehicle Inspection Selection & Unbiased Traffic Enforcement	
	Special Instructions Replaces CVE-011 dated August 13, 2024	Effective Date **September 14, 2026**

I. PURPOSE

Establish guidelines ensuring department personnel trained to conduct Motor Carrier Safety Assistance Program (MCSAP) inspections and investigations are committed to enhancing public safety through the consistent and objective enforcement of laws, rules, and regulations relating to commercial motor vehicles (CMV), drivers, motor carriers, and general traffic enforcement activities. The purpose of this policy is to establish uniform guidelines for the unbiased selection of CMVs for inspection, motor carriers for investigations, and general traffic enforcement activities.

II. POLICY

It is the policy of the Commercial Vehicle Enforcement Division (CVED) to concentrate inspection efforts on those CMVs that have a negative impact on traffic safety. Inspections will be conducted only by Commercial Vehicle Safety Alliance (CVSA) certified personnel utilizing the North American Standard inspection procedure or investigative process set forth by the CVSA.

III. DEFINITIONS

A. Commercial Motor Vehicle (CMV) – Any self-propelled or towed vehicle used on public highways in interstate or intrastate commerce to transport passengers or property when:

1. The Gross Vehicle Weight Rating (GVWR) or Combination Gross Vehicle Weight Rating (CGVWR) is 10,001 pounds or more or the actual gross vehicle weight (GVW) or actual combined gross vehicle weight (CGVW) is 10,001 pounds or more (exception: non-CDL vehicles used as private intrastate carriers as defined in 8-2.1-24-3;

2. The vehicle is designed or used to transport more than (eight) 8 passengers, including the driver, for compensation;

3. The vehicle is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

4. The vehicle is used in the transporting of material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under 49 CFR, subtitle B, chapter I, subchapter C.

B. Qualified Personnel or Qualified Employee – An Indiana State Police (ISP) officer or MCI employee who has successfully completed the appropriate CVSA approved course to conduct inspections or investigations.

IV. PROCEDURE

A. CVED will comply with all Indiana statutes which grant authority to conduct inspections and investigations.

B. Although such administrative actions, including commercial vehicle inspections, do not require probable cause or reasonable suspicion, it is CVED's practice to identify vehicles for inspection based on factors articulated in this policy. However, this does not exclude qualified personnel from conducting random safety inspections, so long as the random inspection complies with Section IV, subsection E of this policy.

C. Criteria for Selection of CMV's for weigh stations and during mobile operations.

1. Priority for inspections will be given to those situations where there is an observed violation of law or regulations. This could be a violation related to the driver or the vehicle including equipment, size/weight violations, and load violations.

2. When available, qualified personnel will consistently use standardized electronic vehicle screening systems. Those carriers that are either poorly rated or have insufficient data will take priority in the inspection selection.

3. Vehicles displaying a valid CVSA decal will generally not be subject to re-inspection unless an equipment or driver violation is observed or suspected.

4. Qualified personnel shall not interrupt or otherwise disturb any driver of a CMV in an off-duty or sleeper berth status when the CMV is legally parked for the sole purpose of conducting a random inspection.

5. Qualified personnel will follow all of CVSA's operational policies, specifically Operational Policy #13, regarding selecting vehicles for inspections.

6. All procedures listed in the Volunteer Inspection Program (VIP) memorandum shall be followed while working any MCSAP (High Priority) overtime.

D. Documentation

1. All inspections will be documented through the Safespect inspection program unless a temporary exemption is granted by the CVED Commander or his designee.

2. A copy of the inspection shall be provided to the driver at completion of the inspection. If the driver will not accept the driver copy of the inspection, or the driver is not available to accept the driver copy, the inspector shall provide a copy of the inspection report to the carrier via US mail or email.

3. All inspections completed when connected to the internet shall be submitted immediately upon completion. Inspections completed when not connected shall be submitted no later than the end of the shift.

4. Qualified personnel failing to submit acceptable and accurate reports within the prescribed time frame will face a review of their eligibility to conduct inspections/audits, and work MCSAP.

5. Tickets and warnings shall be issued utilizing the procedures within ENF-023 for every inspection containing at least one violation.

6. The CVED Commander may suspend or de-certify the authority of qualified personnel to conduct inspection/audit activities and rescind their eligibility to work MCSAP. If a qualified employee's authority/eligibility is suspended or revoked, the CVED Commander shall notify the employee's commander in writing.

E. ISP is committed to the unbiased and equitable treatment of all persons in enforcement of laws and regulations.

1. It is the policy of ISP to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related non-discrimination authorities as identified in the FMCSA Title VI Program Assurance.

2. These authorities require that no person shall be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any ISP program or activity based on race, color, national origin, sex, age, disability, income level, or limited English proficiency.

3. Qualified personnel shall follow all guidance in the U.S. Department of Transportation – Federal Motor Carrier Safety Administration's memorandum regarding English Language Proficiency Testing and Enforcement Policy (MC-ECE-2016-006).

4. ISP has adopted a Public Notice of Compliance with Title VI Program Rights that informs the public of the department's Title VI program assurances and responsibilities. This public notice is posted for access at this link: https://www.in.gov/dA/7117f91b9f/9.-FMCSA-PUBLIC-NOTICE-OF-TITLE-VI-PROGRAM-RIGHTS-2024.pdf?language_id=1

5. Complaints regarding inspections or violations noted on inspections will be reviewed in accordance with the Complaint Disposition Process section of the Agency's Title VI Program Compliance Plan.

F. This procedure shall be used in conjunction with all relevant Department regulations, rules, policies, and procedures.