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Why Commercial Motor Vehicle Enforcement Matters: A Perspective from Roadside

By Jake Elovirta, Director of Enforcement Programs, Commercial Vehicle Safety Alliance (CVSA)

Introduction

Commercial Motor Vehicle (CMV) enforcement agencies operate on a straightforward premise that a fully loaded tractor-trailer weighing up to 80,000 lbs. shares the same roadways as passenger cars, motorcycles, and school buses. The margin for error when something goes wrong is virtually nonexistent. Enforcement exists to ensure that margin is never tested unnecessarily.

Every day, enforcement officers conduct roadside inspections, traffic enforcement stops, size and weight checks, and compliance reviews under the authority of federal and state regulations

administered through the Federal Motor Carrier Safety Administration (FMCSA). The goal is not to burden commerce; it is to prevent the kind of serious or fatal crashes that too often occur due to ignored maintenance, falsified records, or impaired operators. This article presents the enforcement community's perspective on why that mission is so essential, and why prosecution of serious violations is the necessary partner to the work done by roadside enforcement.

The Regulatory Framework That Guides Enforcement

CMV enforcement in the United States operates within a well-established federal framework. The Federal Motor Carrier Safety Regulations (FMCSRs), codified under *49 C.F.R. Parts 300–399*, govern virtually every aspect of commercial motor vehicle operations from driver qualifications and hours of service to vehicle maintenance and hazardous materials transport. The FMCSA was officially established under the Motor Carrier Safety Improvement Act of 1999 (*Pub. L. 106–159*), which holds primary federal authority for CMV safety oversight.

At the state level, enforcement agencies have adopted the federal regulations under compatible state regulations and participate as members of the Commercial Vehicle Safety Alliance (CVSA), which standardized inspection procedures and out-of-service criteria across jurisdictions. This coordination ensures that a vehicle placed out of service in one state cannot simply cross a state line to continue operating illegally. For enforcement officers, this framework is not bureaucratic red tape; it is the legal architecture that gives their work meaning and consequence.

What CMV Enforcement Officers Actually Do

CMV enforcement is not simply issuing citations at weigh stations. Officers are trained to identify safety violations at roadside that can turn an 80,000-pound vehicle into a hazard to the motoring public.

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Roadside Inspections

Roadside inspections follow CVSA's standardized protocols and can range from a Level I inspection—with a comprehensive 37-step examination of both driver and vehicle—to more targeted checks based on observed behavior or data-driven risk scoring.

Under *49 C.F.R. Part 396*, carriers are required to maintain vehicles in safe operating condition, and inspections verify that those obligations are being met. Officers routinely find brake systems exceeding the adjustment limits set in *49 C.F.R. Part 393*, defective tires, inoperable lighting, and compromised coupling devices. These are not minor inconveniences; brake defects alone can extend stopping distances significantly, with potentially fatal consequences at highway speeds.

When a violation meets an out-of-service threshold as defined by CVSA Out-of-Service (OOS) Criteria, officers have the authority to remove the driver or vehicle from operation immediately. During CVSA's 2025 International Roadcheck event, vehicles inspected had an OOS rate of 18.1%,¹ meaning that nearly one in every five trucks inspected was placed out of service for critical violations. Each of those removals represents a potential crash that did not occur.

¹ CVSA 2025 International Roadcheck Results Press Release, [CVSA Releases 2025 International Roadcheck Results](#), CVSA–Commercial Vehicle Safety Alliance.

Hours-of-Service and Electronic Logging Device Enforcement (ELD)

Driver fatigue is among the most well-documented contributors to CMV crashes. Research from FMCSA has found that fatigue is a factor in a significant percentage of large-truck crashes.^{2,3} Hours-of-service (HOS) regulations under *49 C.F.R. Part 395* set strict limits on driving time and mandatory rest requirements precisely because the consequences of fatigued commercial driving are so severe.

Since the ELD mandate took full effect under *49 C.F.R. § 395.8(a)(1)*, enforcement officers have a more reliable tool for verifying compliance. But ELD data is only useful if violations are acted upon. When officers discover falsified supporting documents, manipulated ELD data, or drivers operating far beyond legal hours, those findings deserve prosecutorial attention proportionate to the danger involved. A driver who has been behind the wheel for 20 hours is not a minor regulatory offender; that driver presents a risk comparable to an impaired operator.⁴

Drug and Alcohol Enforcement

Commercial drivers are subject to a 0.04% blood alcohol concentration (BAC) limit under *49 C.F.R. § 392.5*, half the standard 0.08% limit applicable to non-commercial drivers. This stricter standard reflects the obvious reality that the consequences of impaired operation scale with vehicle size.⁵ The FMCSA's drug and alcohol testing program, governed by *49 C.F.R. Part 382*, requires pre-employment, random, post-accident, and reasonable suspicion testing.

Officers trained in impaired driving detection encounter commercial drivers who are operating under the influence of alcohol, controlled substances, or prescription medications that impair their ability to safely control a large vehicle. Prosecution of cases sends a message that the commercial transportation industry demands, and the public deserves.

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Hazardous Materials Compliance

The transportation of hazardous materials is regulated under the Hazardous Materials Regulations (HMR) at *49 C.F.R. Parts 100–185*, administered jointly by the Pipeline and Hazardous Materials Safety Administration (PHMSA) and FMCSA. Officers enforcing these regulations are not checking paperwork as a mere formality. They are verifying that explosives, flammable liquids, toxic substances, and radioactive materials are properly packaged, labeled, placarded, and routed because the consequence of failure can be a community-level disaster.

Hazardous materials violations are among the most serious that enforcement officers encounter. A single incident involving improperly secured or documented hazardous cargo can result in mass casualties, environmental contamination requiring years of remediation, and the displacement of entire neighborhoods.⁶ These violations warrant aggressive prosecution.

² Federal Motor Carrier Safety Administration. (2006). *Large Truck Crash Causation Study*. U.S. Department of Transportation.

³ National Academies of Sciences, Engineering, and Medicine. (2016). *Commercial Motor Vehicle Driver Fatigue, Long-Term Health, and Highway Safety: Research Needs*. National Academies Press.

⁴ Dawson, D., & Reid, K. (1997). *Fatigue, alcohol and performance impairment*. *Nature*, 388(6639), 235.

⁵ *A Review of Alcohol-Impaired Driving: The Role of Blood Alcohol Concentration and Complexity of the Driving Task*, *Journal of Forensic Sciences*, Vol. 58, No. 5 (Sept. 2013). Summary: A review of the scientific literature indicates that a blood alcohol concentration (BAC) of 0.05% impairs the faculties necessary for safe motor vehicle operation.

⁶ National Transportation Safety Board. (2025). *Cargo Tank Combination Vehicle Roadway Departure, Rollover, and Release of Anhydrous Ammonia*, Teutopolis, Illinois [Final report].

The Enforcement Community's Case for Strong Prosecution

Enforcement officers understand that their authority ends at the roadside. A vehicle placed out of service is returned to operation once repaired. A citation issued is only as meaningful as the accountability that follows. Prosecution is the mechanism that converts enforcement action into lasting consequences.

Deterrence Is Not Abstract

The commercial transportation industry is tightly networked. Drivers communicate through forums, apps, and industry organizations. Carriers monitor FMCSA's Safety Measurement System (SMS) scores, which affect shipper contracting decisions. When prosecutions occur—particularly for serious violations like logbook falsification, knowing operation of defective vehicles, or impaired driving—word travels, and the deterrent effect is real, measurable, and industry-wide.

FMCSA's SMS, established under the Compliance, Safety, Accountability (CSA) program, scores carriers across seven Behavior Analysis and Safety Improvement Categories (BASICS). Carriers with poor scores face increased scrutiny, compliance reviews, and potential operating authority revocation under *49 C.F.R. Part 385*. Prosecution reinforces this regulatory pressure and reaches individual drivers in ways that administrative penalties sometimes cannot.

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Repeat Violations and the Pattern Problem

Crash investigations conducted by the National Transportation Safety Board (NTSB) and FMCSA have repeatedly identified a troubling pattern: carriers and drivers involved in fatal crashes often had documented prior violations.^{7,8,9} The violations were detected. Citations were issued. But without meaningful prosecution, particularly in cases involving deliberate falsification, repeated brake defects, or habitual hours-of-service violations, the pattern continued until someone died.

Enforcement agencies see this pattern regularly; the out-of-service order that is ignored; the carrier that repairs the cited defect minimally and redispaches the vehicle; and the driver whose logbook violations are treated as administrative matters rather than evidence of systematic deception. Early, serious prosecution of these patterns disrupts them before they become fatality investigations.

Helping Courts and Prosecutors Understand the Stakes

One of the most consistent challenges enforcement agencies face is the technical nature of CMV violations. A brake adjustment violation under *49 C.F.R. § 393.52* may not sound alarming to someone unfamiliar with commercial vehicle physics. A logbook discrepancy sounds clerical. An overweight citation sounds like a fine.

CMV enforcement agencies are prepared to help prosecutors and courts understand what these violations mean in practice—such as what an out-of-adjustment brake does to stopping distance, what a falsified ELD record conceals about a driver's true fatigue level, or what an improperly placarded hazmat load means for first responders at a crash scene. That technical translation is a resource enforcement officers are willing to provide. The courtroom collaboration between enforcement agencies and prosecutors is not a convenience; it is a force multiplier for public safety.

⁷ National Transportation Safety Board. (2016). *Commercial Truck Collision with Stopped Vehicles on Interstate 88, Naperville, Illinois, June 25, 2014* (Report No. NTSB/HAR-16/01).

⁸ National Transportation Safety Board. (2017). *Motorcoach Run-Off-the-Road and Collision with Vertical Highway Signpost, Livingston, California, August 2, 2016* (Report No. NTSB/HAR-17/03).

⁹ National Transportation Safety Board. (2024, August 28). *NTSB Finds Multiple Safety Lapses in 2022 Fatal Collision Between Truck and Party Bus* [Press release].

Beyond Traffic Enforcement: CMV Stops and Broader Public Safety

CMV enforcement officers are trained to observe. A roadside interaction with a commercial driver involves close attention to behavior, documentation, cargo, and context. That attention occasionally reveals something far more serious than a brake defect.

Commercial vehicle stops have led to the interdiction of drug trafficking operations, the identification of human trafficking victims, the recovery of stolen cargo, and the apprehension of fugitives. Enforcement personnel who receive training in human trafficking indicators consistent with [TAT](#) (formerly Truckers Against Trafficking) and CVSA training efforts are positioned to recognize warning signs that other first responders might not encounter. The prosecution of offenses uncovered during CMV enforcement stops disrupts criminal networks that exploit commercial transportation infrastructure.

Conclusion: Enforcement and Prosecution as a Unified Mission

Commercial motor vehicle enforcement agencies do not view their work as separate from the work of prosecutors and courts. They view it as the first chapter of a story that requires a meaningful ending. When officers remove an unsafe vehicle from the road, identify a falsified logbook, or arrest an impaired commercial driver, they are doing their part. The question is whether the system will do its part in return.

The regulatory framework—from *49 C.F.R. Part 382* governing drug and alcohol testing, to *49 C.F.R. Part 395* governing hours of service, to *49 C.F.R. Part 393* governing vehicle equipment—exists because Congress, the FMCSA, and decades of crash data have established that these requirements save lives. Every prosecution of a serious CMV violation affirms that those requirements are real, enforceable, and taken seriously by the justice system.

The majority of commercial drivers and carriers are professionals who take their safety obligations seriously. They deserve a competitive environment where cutting corners carries genuine consequences, not just administrative notices. The traveling public deserves highways where the vehicles sharing the road with them are being operated safely and lawfully.

CMV enforcement agencies are committed to identifying violations before they become tragedies. The partnership with prosecutors and courts is what ensures those efforts result in lasting accountability. That partnership is not a procedural nicety—it is a public safety imperative.

Key Regulatory References: *49 C.F.R. Parts 300–399 (FMCSRs); 49 C.F.R. Parts 100–185 (HMRs); Motor Carrier Safety Improvement Act of 1999, Pub. L. 106–159; FMCSA Compliance, Safety, Accountability (CSA) Program; CVSA Out-of-Service Criteria (current edition).*

About the Author

Jake Elovirta is the Director of Enforcement Programs at the Commercial Vehicle Safety Alliance (CVSA), a position he has held since joining the organization in January 2021. He brings 32 years of law enforcement experience to the role, with much of his career focused on highway safety initiatives. Prior to joining CVSA, Jake served as director of the Vermont Department of Motor Vehicles–Enforcement and Safety Division, retiring at the rank of colonel in 2020. He was a CVSA Level I certified inspector and held several CVSA leadership positions during his time as a jurisdiction member, including Region I president and vice president, and the Information Systems Committee chairperson. In his current role, he provides leadership and guidance to law enforcement personnel and the motor carrier industry on all aspects of commercial motor vehicle safety and traffic enforcement and manages CVSA's Human Trafficking Prevention program and the Operation Safe Driver program.

