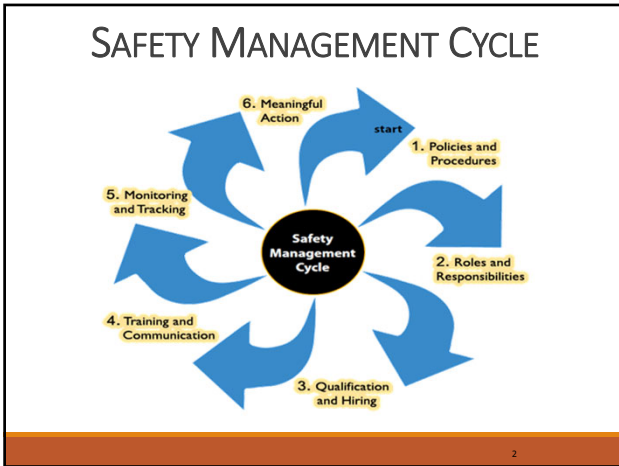




1



2

OPEN DISCUSSION

- ✓ Ask Questions?
- ✓ Give Examples.
- ✓ Tell Stories
- ✓ Learn

3

READY FOR AN INSPECTION

Consider compliance in every aspect of your operation.

Be ready to go through a road side inspection everyday.

Preparation allows you to have a safe and compliant operation 24 hours a day.

Be a professional driver every day.

4

APPLICABILITY

When do rules apply to me?

How would I prepare for an inspection?

Who is responsible for compliance?

What is a truck?

5

US DOT REGISTRATION

MCS 150 on line for everyone to see.

www.fmcsa.dot.gov US DOT Trucks

www.dot.gov/ost/dapc US DOT Drugs

dotcompliance@gmail.com Roy

6

390.3

Rule says you have to know the rules!

Rule says every driver has to know the rules!

Rule says all vehicles have to be in compliance with the rules!

7

POLICY DEVELOPMENT

Samples are around;

- Speed
- Cell Phone
- Drugs & Alcohol
- Hours of Service
- Discipline

Department of Transportation Violations - Discipline Policy

Discipline

This policy is intended to meet and guide drivers for compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations as well as consequences for violations of the rules that are enforced by the FMCSA.

This policy applies to any employer who operates a commercial motor vehicle as defined by the FMCSA.

Applicable Violations

- Failure to wear a seat belt
- Cell phone use without a wireless blue tooth
- Speeding
- Excessive speeding (each point or 20 MPH in excess of speed limit)
- Hours of service
- Out of service order
- Other transportation violations

Discipline

Discipline is subject outlining the minimum discipline associated with the violations listed above. Punalty legend:

P1 = three day unpaid suspension, written warning, last line DR, supervisor review, and incident review call
 P2 = 15 day unpaid suspension, written warning, last line DR, supervisor review, and incident review call
 P3 = termination

Violation	Discipline
Failure to wear a seat belt	Written by vehicle examination, warning or discipline to the driver
Cell phone use without a wireless blue tooth	Written by vehicle examination, warning or discipline to the driver
Speeding	Written by vehicle examination, warning or discipline to the driver
Excessive speeding (each point or 20 MPH in excess of speed limit)	Written by vehicle examination, warning or discipline to the driver
Hours of service	Written by vehicle examination, warning or discipline to the driver
Out of service order	Written by vehicle examination, warning or discipline to the driver
Other transportation violations	Written by vehicle examination, warning or discipline to the driver

The above list is not all inclusive. All FMCSA violations will be reviewed and addressed with appropriate discipline. In addition, discipline may be imposed for failure to abide by the FMCSA rules and regulations even if the infraction does not result in a citation.

Habitual offenders will be subject to more serious discipline, up to and including termination.

Discipline Violations

Citation, tickets, or any other document issued to a commercial driver by a law enforcement officer must be submitted to the responsible Transportation Manager immediately. Failure to do so will result in discipline.

8

VIOLATIONS AND CONVICTIONS

Roadside Inspection reports become DOT violations unless contested by you.

DOT violations are a civil administrative process that can and will fine you.

Consider DATA Q <https://dataqs.fmcsa.dot.gov/>

Convictions are from courts where you has paid a fine.

9

CSA

Compliance, Safety and Accountability

The USDOT's New way to measure and address motor carrier safety, looks for patterns in violations (by area of the rules)

It is much different, point system by severity of violations.

10

7 BASICS

The screenshot shows the FMCSA 7 BASICS dashboard for PIKE INDUSTRIES INC. The dashboard includes a header with the FMCSA logo and navigation tabs for SMS, AAJ, CMA, SMS, OVERVIEW, SEARCH, TOOLS, and HELP CENTER. The main content area displays the company's safety rating as 'SATISFACTORY' and provides details on out-of-service rates and licensing/insurance status. A 'BASIC STATUS' section at the bottom highlights seven key areas: UNLAWFUL DRIVING, CDL/CLASS INDICATOR, FAILURE OF TO INQUIRY COMPLIANCE, COMMERCIAL DRIVER'S LICENSE, VEHICLE MAINTENANCE, NON-PUBLIC HAZARDOUS MATERIALS COMPLIANCE, and DRIVER FITNESS.

Type	OOS %	National Avg %
Vehicle	31.4	29.7
Driver	0.0	5.5
Harvest	0.0	4.5

Category	Status
Type	Active For Hire Authority
Property	No
Passenger	No
Household Goods	No
Reverer	No

11

DRIVER ENFORCEMENT CASES

- US DOT Taking action directly against Drivers
- Non adjudicated records from road side inspections
- Fines sometimes in the thousands of dollars
- Revocation of CDL licenses

12

PSP-PRE-EMPLOYMENT SCREENING PROGRAM

Tracking by US DOT of all driver violations by driver.
(Troopers see it to) www.psp.fmsca.dot.gov

Driver violations can be available for companies to
review before considering hiring drivers.

Tracks more than traditional "convictions".

13

CSA FMCSA INTERVENTION

Warning Letters

Off-site investigations

On-site Investigations-focused

On-site Investigation-Comprehensive

14

CSA THE QUESTIONS

Why did the Violation occur?

What Have you done to correct it?

What policies and procedures have been
implemented to prevent future violations?

15

CSA

All violations count towards your rating

Know what the inspection report says

Understand the process for getting information corrected on inspection reports-Data Q

16

CSA Expectation

Your driver is properly qualified

Your driver is trained on the CMV and load

Your CMV is properly maintained

Your CMV is designed and used to safely handle the cargo

17

PART 390

Definitions

Applicability

Exemptions

Insurance

18

GVWR OR ACTUAL WEIGHT

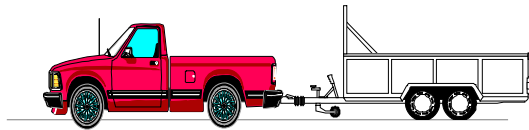
Manufacturers rating= GVWR

Actual weight-on a scale

Whichever is greater (regulated over 10,000 lbs)

19

COMMERCIAL MOTOR VEHICLES



5,000 lbs. GVWR + 5,001 lbs. GVWR

20

ACCIDENT REGISTER-390.5

Dead, Bed, Sled

Fatal

Injury treated away from scene

Vehicle towed with disabling damage

21

AUTHORITY

Private Carriers

For Hire Carriers

Passenger/ Property Carrier

Hazardous Materials/ Household Goods

22

PART 390

390.21

- Markings of CMV
 - Trade name of Motor Carrier
 - DOT numbers (if applicable)
 - Contrasting colors
 - Both sides of vehicle
 - Visible from 50 feet (daylight hours)
- Rented CMV (less than 30 days)
 - Rental agreement must be in vehicle

23

MONITORING

Who?

What?

When?

Where?

24

PART 391

Driver Qualification

DQ files

Hiring process

Medical Standards

25

DQ FILE CONTENTS

DOT Application

Inquiry into previous employers

State Driving record

Annual review-Motor Carrier

Annual Certification- driver

Road Test (copy of license both sides)

Medical Exam Certificate

CDL Drivers-Drug Testing Documentation

26

CLEARINGHOUSE January 2020

lq#lqg lqg#r#kch#suykxv#p s# |hu#kxfrw#|rx#p xw#
txhu|#hz #guyhw#ehirh#kch|#guyh

Hyhu|#g0vhuyl#h#guyh#p xw#kdyh#xhu|#lqgxd#

Uhj lwhu#|rxu#frp sdq|

27

DOT PHYSICALS

Motor Carrier is required to document DOT Medical Examiner is certified-use National Registry site

CDL drivers are required to submit medical cards to DMV. Many drivers being downgraded for no current Med Cert. on file at DMV

Motor Carrier is required to obtain DMV record for each driver within 15 days of new Med Cert, demonstrating new Cert. is on the record

28

MEDICAL CARD

December 22,2015- Drivers no longer given extensions (90 day cards) beyond expiration of current card to provide documentation for certification.

Determination pending allows 45 days to provide documentation but does not extend the expiration date.

Driver may need an entire new exam.

29

DRIVERS SHOULD HAVE A PCP

PCP=Primary Care Physician

Get annual health screenings

Manage chronic health issues

Keep them healthy

30

MEDICAL ISSUES

Sleep Apnea

Diabetes

Vision

Drug Use

31

WELLNESS

What does it mean to you?

DOT Medical Cards

Waivers?

Get Healthy

32

WAIVERS

Federal Health Waivers-Vision/ Diabetes

NH State Waiver Program

All Driver's need to be medically qualified

HAZ-MAT/ Passengers not allowed

33

PART 392

- ✓ Speeding
- ✓ No drugs or alcohol in CMV
- ✓ No cell phone use/ no texting
- ✓ Seat Belt use required

34

PART 392

DRIVING OF CMVs

- ✓ Ill or Fatigued Driver
- ✓ No Drugs or Alcohol / Out-of-Service
- ✓ Schedules to Conform to Speed Limits
- ✓ Equipment, Inspection and Use
- ✓ Safe Loading
- ✓ Use of Seat Belts
- ✓ Emergency Signals - Warning Flashers, etc.
- ✓ Prohibited Practices - Radar Detectors

35

PART 392

Schedule to conform with speed limit.

Drivers should not be ill or fatigued.

Drivers required to inspect cargo securement equipment: Before-within 50 miles-every change in duty status-(3 hours)

36

PART 392

Stopped Vehicles-Use of reflective triangles required (immediately-at the most 10 minutes)

Stopped required at RR Tracks for HAZ MAT and passenger vehicles.

Seat belt use required for drivers of CMV.

37

CSA BASICS FOR SAFE DRIVING

State Laws

Local Laws

US DOT safe driving rules (part 392)

38

MONITORING

Do you have GPS?

Does your dispatch consider travel time?

Do you have a cell phone policy?

Who supervises your drivers?

39

DEFENSIVE DRIVING

CMV under control at all times.

Proper following distance.

Obey traffic control devices.

No speeding.

40

PRE-TRIP REQUIREMENT:

You as a professional Driver are required to make sure that the vehicle is safe to be driven:

The truck

The load

Driver's responsibility!

41

EQUIPMENT, INSPECTION, AND USE

392.7- Pre-Trip Inspection

- No CMV shall be driven unless the driver is satisfied that the following parts and accessories are in good working order:
 - Service Brakes (including trailer brake connections)
 - Parking Brake
 - Steering mechanism
 - Lighting devices and reflectors
 - Tires
 - Horn
 - Windshield wipers
 - Rear vision mirror or mirrors
 - Coupling devices

42

MOT-MATERIALS OF TRADE EXEMPTION

Part 392.51

Small and specific amounts of HAZ MAT when used incidental to the main function of the Motor Carrier

Drivers must know about MOT.

43

PARTS 393 AND 396

Parts and Equipment

Daily Vehicle inspection reports.

Vehicle Maintenance files

Who cares for your vehicles

44

SAFE LOADING

General rules

Specific Cargo rules

What do your drivers know

Frequently an out of service violation

45

PART 393

393.100-110 General Load securement rules

- Working load limit of all tiedown assemblies must be equal or greater than 1/2 weight of cargo being transported.
- Must have 1 tiedown for each 10 linear feet of lading if blocked or braced against header board. If not then must add additional tiedown unless cargo is less than 5 feet and 1,100 pounds.

46

PART 393

- Cargo must be secured to prevent it from shifting, leaking, spilling, blowing or falling from a motor vehicle.
- Prohibition on the use of damaged securement devices.
- Tiedowns must not have any cuts, cracks or knots.
- Edge protection must be used whenever a tiedown would be subject to abrasion or cutting at the point where it contacts the cargo.

47

SPECIFIC COMMODITIES

393.116 Logs	393.128 automobiles
393.118 Dressed Lumber or building materials	393.130 heavy equipment and machinery
393.120 Metal coils	393.132 crushed cars
393.122 Paper rolls	393.134 roll-off containers
393.124 concrete pipe	393.136 boulders
393.126 intermodal containers	

48

MONITORING

What happens when your truck has a defect?

Who takes your vehicles out of service?

Who maintains your maintenance records?

49



50

PART 395 HOURS OF SERVICE

Applicability;

CDL Vehicles

Non-CDL vehicles

Passenger carriers

Property carriers

Over the road/ short haul carriers

51

CHANGE to Hours of Service September 29,2020

630p lpxv#hvw#shuq#fdq#h#rq0pxw|0xw#yulyqj #

Vohshu#elwk#daz v# 25 #kxw#sdw

Dgyhw#z hdvku#h{fhswrq#qfhdvng#e|#kxw

Vkruw#Kdx#Suryv#lrg#433#ll#p lh#h{hp swrq,#Ekdqj#hv#

52

Short Haul Provision 150 air miles!

Hihfwyh#Wshwp ehv#< /#5353#Sushw|#F duhw

4Whsrw#lqg#Thodv#urp #kh#z run#hsrw#qj#rfdw#q#z
z lkl#7 kxw

5R shudv#z lkl#83 dl#p lv# #kh#z run#hsrw#qj#
rfdw#q

6043#Kxw#i#htx#lqg#ehw#hg#k#lw

7Dffxudv#p h#hfrugv# #hsrw#h#odv#lqg#r#d#p h#
rq#pxw|

-dv#l#z d|v#32:3#kxw#lx#dv#l#ssq

53

ELD-ELECTRONIC LOGGING DEVICE

Required effective December 18,2017

Drivers using log sheet for less than 8 days of 30
are exempted

ELD must be in service on date noted!

54

LOG BOOK GENERAL RULES (PROPERTY CARRIER)

- 14 hours on duty
- 11 hours driving time
- 10 hours off between shifts
- 30 minute rest period within every 8 hours
- 60/ 70 rules apply
- One 34 hour reset
- Time records must be monitored

55

SHORT HAUL PROVISIONS

- 100 Air mile exemption (CDL Vehicles) **Expires 9/29/2020**
- 150 Air mile exemption (non-CDL vehicles) **Becomes applicable to all property carriers effective 9/29/2020**
- Time records must be monitored

- 60/ 70 hours rules apply

56

COMMERCIAL DRIVER'S LICENSE

Required when operating CMV:

- ✓ Vehicle or Combo Over 26,001 lbs.; or
- ✓ Designed to transport 16 or more passengers including the driver; or
- ✓ Any vehicle required to be placarded for HM
- ✓ CDL Exemptions in New Hampshire:
 - * Military, Fire, RVs, and Farmers

57

CDL?

If the combination over 26,000 lbs

If the trailer is over 10,000 lbs

CDL A is required

Actual weight or Registered weight or Manufacturers weight rating

58

LICENSING GROUPS

Class A- Combination of vehicles with a GCWR of 26,001 pounds or greater towing a trailer with a GVWR in excess of 10,000 lbs.

Class B- Single vehicle in excess of 26,000 lbs.

Class C- Vehicle designed to transport 16 or more passengers including the driver or a vehicle required to be placarded along as the vehicle does not meet any of the above criteria.

59

ORIENTATION TO COMMERCIAL MOTOR VEHICLES



GVWR 55,000 lbs

60

COMMERCIAL MOTOR VEHICLES



61

DISQUALIFICATION-CDL PART 383

Proposed Rule to require formal Driver Education for obtaining a CDL

383.51- speeding offenses

383.51-Alcohol and Drug Offenses

62

ANY IMPAIRMENT HERE?



63

DRUG & ALCOHOL TESTING

Applicability - CDL Drivers

Exemptions - Exempted by issuing State



- Military Personnel
- Fire Service Personnel
- Recreational Vehicles
- Farmers

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FMCSA Clearinghouse January 2020

<https://clearinghouse.fmcsa.dot.gov/>

NOW YOU ARE REQUIRED TO DOCUMENT VIA THE CLEARINGHOUSE

Query every driver annually (limited query)

Owner Operators must assign TPA (Third Party Administrator)

Every new hire requires full query before driving in conjunction with pre-employment testing

For the next three years Motor Carrier still required to conduct paper previous employer checks

Multiple reporting requirements noted in 49CFR382.705

65

DRUG & ALCOHOL TESTING

TYPES OF TESTS

- ✓ Pre-employment (not for alcohol)
- ✓ Post Accident
- ✓ Random - 10% Alcohol, 50% Drugs (change 2020)
- ✓ Reasonable Suspicion - Made by company official who is properly trained (2 hours)
- ✓ Return To Duty - Driver Must Test Negative
- ✓ Follow-up - Minimum 6 Tests in 12 Months

66

DRUG & ALCOHOL TESTING

Post Accident Testing Required if:

1. Any fatality (or)
2. Bodily injury with immediate medical treatment away from the scene and cmv driver receives a ticket for a moving traffic violation (or)
3. A vehicle sustains disabling damage as a result of the accident requiring it to be transported away from the scene and cmv driver receives a ticket for a moving traffic violation.

Time limitations: Immediately no longer than:

8 hrs Alcohol 32 hrs. Drugs

67

WEIGHT LIMITATIONS

Each US State has different weight laws

Overweight Certification

Road Postings/ Bridge limits

68

WHAT ABOUT AXLES

Tandem

Tri-dem (3)

Canadian Spread

Weight limits vary with length and gross weight of vehicle of vehicle

69

WHAT IS AN OUT OF SERVICE VIOLATION?

CVSA Out of Service Criteria.

Any condition likely to cause an accident or breakdown.

Appears on a Carrier Profile.

Higher points / Poor Safety Rating

70



71

ROADSIDE INSPECTION

What do I need?

License, registration, shipping paper, manifest, supporting documents, log book, proof of insurance (interstate), medical certificate, medical waiver, hearing aid, glasses??????

72

WHAT IF THE TROOPER IS WRONG?

Be polite, he has the pen!

Communicate well with the officer, making sure he and you are talking about the same thing.

Request to see any noted violations. (On the truck and the paper)

73

PROTECTION FOR WHISTLEBLOWERS!!!

Federal Law protects employees reporting their employers for failing to comply with Safety Rules.

NH Department of Labor can be accessed for potential violations of the whistleblowers act.

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QUESTIONS?

Thank you for participating with:
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Belmont, NH

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