

Guide to **FMCSA BASICS** and Your Safety Scores

What Trucking Fleets Need
to Know About Improving
BASICS Scores



Introduction

With millions of truck drivers sharing the road with more than 250 million motorists, the stakes are high. That's why it's essential that trucking fleets know how to remain in compliance with federal safety regulations. This not only helps reduce the number and severity of truck involved crashes, but also provides the benefits of having better safety scores.

This guide covers the seven Behavior Analysis and Safety Improvement Categories (BASICS) and how they work in the Federal Motor Carrier Safety Administration's (FMCSA) Compliance, Safety, Accountability (CSA) program. This includes details on how fleets can improve their Inspection Selection System (ISS) score, which is used to determine weigh station bypass eligibility and prioritize trucks for safety enforcement.

Table of Contents

3

BASICS OVERVIEW

8

HOURS OF SERVICE COMPLIANCE BASIC

21

DRIVER FITNESS AND CONTROLLED SUBSTANCES & ALCOHOL BASICS

32

UNSAFE DRIVING AND CRASH INDICATOR BASICS

41

VEHICLE MAINTENANCE BASIC

50

HAZARDOUS MATERIALS COMPLIANCE BASIC

61

CONTACT PREPASS

You want to continue bypassing weigh stations, saving time and money. But you have Alerts in some BASICS and your ISS (Inspection Selection System) score is too high. It's time to take action.

WHERE DO YOU START?



What are BASICS and ISS?

As you've seen, the FMCSA has a language of its own, mostly expressed in acronyms. To understand how your company is evaluated by FMCSA, you must first understand its language.

BASICS (Behavior Analysis and Safety Improvement Categories) are areas of a company's safety and regulatory compliance. FMCSA compiles data in seven BASICS and compares the results of similar motor carriers. The result provides an individual motor carrier's overall CSA (Compliance, Safety and Accountability) safety percentile ranking. The seven BASICS are:

- Vehicle Maintenance
- Unsafe Driving
- Hours of Service Compliance
- Driver Fitness
- Controlled Substances & Alcohol
- Hazardous Materials Compliance
- Crash Indicator

Overwhelmingly, the BASICS data results from commercial vehicle enforcement inspections. Data comes from the number of truck inspections and the violations uncovered during those inspections. It also results from citations issued on the road, post-crash analysis and from FMCSA or state investigations of motor carriers. Therefore, good truck inspections are fundamental to good BASICS scores.

Truck inspections commonly occur at weigh stations and roadside inspection sites. But not every truck gets inspected. Why? Two factors: first impressions and ISS.

State enforcement agencies have broad discretion over which trucks to inspect. Often, the officer will make a decision based on their first impression of the truck and the driver.

- Visible mechanical problems will almost always get a truck pulled in for a thorough inspection. A torn mudflap or missing clearance light may not represent an immediate safety issue, but it can cause an inspector to wonder what else may be wrong with the truck.
- Reckless driver behavior is another trigger for immediate enforcement action. But even short of unsafe driving, law enforcement will notice the driver who, when approaching a weigh station or roadside site, appears to be scrambling to get his paperwork in order. You can be sure that truck will be pulled in and the driver's credentials, permits and bills of lading will receive a thorough review.



WHILE NOT A MANDATE, THE ISS SCORE IS THE SINGLE BEST INDICATOR OF THE LIKELIHOOD THAT A CARRIER MAY RECEIVE AN INSPECTION.

ISS is the Inspection Selection System, the numerical score FMCSA provides to agencies responsible for commercial motor vehicle compliance. Those agencies use ISS scores to determine which motor carriers they should prioritize for weigh station pull-in or roadside inspection. ISS scores range from 0 to 100. The lower the score, the better.

While not a mandate, the ISS score is the single best indicator of the likelihood of receiving an inspection. Not surprisingly, carriers must maintain a good ISS score to qualify for or to continue participating in a weigh station bypass program like PrePass. The good news is that a motor carrier's ISS score is within the carrier's control. It starts with doing well on the seven BASICS.

QUICK QUIZ

1. What does the "B" in BASICS stand for?
2. Where does FMCSA get most of its safety data?
3. True or False: FMCSA tells states which trucks must be inspected.

Reduce Inspections

- Clean trucks give a good first impression. Dirty trucks can raise a red flag for inspectors.
- In addition to safety and compliance repairs, pay attention to visible items like peeling decals, which may cause an inspector to conduct further inspection.
- Organize your paperwork and have it easily accessible. If you are disorganized, law enforcement may assume your maintenance is as well.

(Quick Quiz answers: 1) Behavior; 2) truck inspections; 3) False. FMCSA provides the ISS score, but states have broad discretion.)

How does FMCSA calculate the ISS score? What are Alerts?

The BASICs, CSA and ISS scores are all data-driven. The calculations FMCSA goes through can be complex – but there are four aspects of this process you should understand.

1

When determining a carrier's BASIC percentile, FMCSA applies a mathematical formula to a carrier's violations in the last 24 months. Violations that are more recent have greater impact in the equation, as do violations that are more severe. This is commonly referred to as Time and Severity weighting.

Having recent "clean" inspections will tip the scales in your favor as older inspections, those with violations, age out. Similarly, even minor violations can be an improvement over past problems, particularly those that placed a truck or driver out of service (OOS). Improvement in your scores may require close attention over several months, but you are not stuck in the past.

2

You do need enforcement inspections. Because inspections produce the data FMCSA uses to calculate ISS scores, FMCSA will prioritize for inspection those motor carriers who simply do not yet have enough inspections to generate a safety profile.

This is another opportunity to improve your scores. Reach out to your local state commercial vehicle enforcement agency and see whether they will conduct voluntary truck inspections. If not – they may be short on manpower – perhaps they do give demonstrations to motor carrier groups. You can learn directly from the inspectors themselves.

3

FMCSA applies an Alert symbol to a carrier's BASIC when the carrier's percentile is at or above the "Intervention Threshold" established for that category. It can also apply when the carrier has Acute and/or Critical Violations. These are one-time occurrences discovered during an investigation of noncompliance so severe that immediate corrective action is required. The Alert triggers direct contact by federal or state officials with the motor carrier.

The FMCSA "intervention" contact may simply be a warning letter that the carrier needs to pay closer attention to one area of safety compliance or it may entail a targeted or full compliance review. Interventions can result in fines, penalties and, in severe cases, disqualification as a motor carrier. Alerts are not just an opportunity to improve your scores, they are an alarm bell that improvement must occur. Heed that alarm by looking closely at the sections below for any BASIC where you have an Alert.

4

Finally, in the calculation of ISS scores, FMCSA gives greater mathematical weight to three of the BASICS: “Unsafe Driving,” “Hours of Service Compliance,” and “Crash Indicator.” “Unsafe Driving” covers speeding, reckless driving, improper lane change, inattention and not wearing seat belts. “Hours of Service Compliance” means noncompliance with hours-of-service regulations and improper time and duty records. The “Crash Indicator” considers a carrier’s history of crash involvement.

To improve your ISS score, look first to any BASIC where you may be in Alert status. Then see where you stand in these three priority BASICS: “Unsafe Driving,” “Hours of Service Compliance,” and “Crash Indicator,” paying particular attention to “Hours of Service Compliance.” Review the sections for each BASIC, below.

In the end, once FMCSA applies its mathematical formula, the result for that carrier is compared to similar carriers and a percentile ranking is set for that carrier. The percentile ranking says that the carrier’s safety compliance in that BASIC is worse than that percent of similar carriers. So, a high percentile ranking in any BASIC, in the carrier’s CSA score or its ISS ranking is not desirable. And again, a percentile ranking at or above the Intervention Threshold for that BASIC prioritizes that carrier for federal and state interventions.

QUICK QUIZ

1. How long do past inspections affect your ISS score?
2. What is an “Intervention Threshold”?
3. True or False: All BASICS are created equal.

Improving BASICS

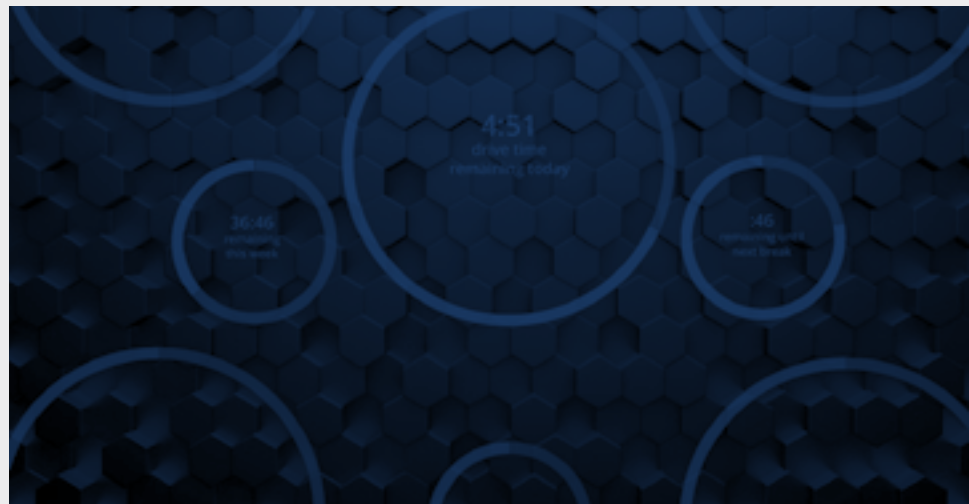
- Stay on top of your BASICS scores. If you see an Alert, immediately focus your attention on improvement in that BASIC.
- Use the 24-month data cycle as the basis for your BASICS improvement plan, charting steps you will take each month to improve your scores.
- Review every violation, citation and audit/investigation finding. Challenge mistakes or inaccuracies through the FMCSA DataQs process.
- Use the FMCSA Crash Preventability Determination Program to remove non-preventable crashes from consideration in the “Crash Indicator” BASIC.

(Quick Quiz answers: 1) 24 months; 2) the percentile for any BASIC that will trigger direct FMCSA or state contact with a carrier; 3) False. FMCSA gives greater priority to three of the seven BASICS, with “Hours of Service Compliance” being #1.)

The Hours of Service Compliance BASIC

How does a motor carrier improve its Hours of Service Compliance BASIC?

Of all seven BASICS, the Federal Motor Carrier Safety Administration (FMCSA) places the most emphasis on the Hours of Service Compliance BASIC. Why? Research shows that fatigued drivers make mistakes, often with safety consequences. Experience shows that drivers who try to cheat the system, by falsifying logs or bending the hours of service (HOS) rules, may take other shortcuts in highway safety. Simply put, at FMCSA and among highway patrols, HOS compliance is an enforcement priority.



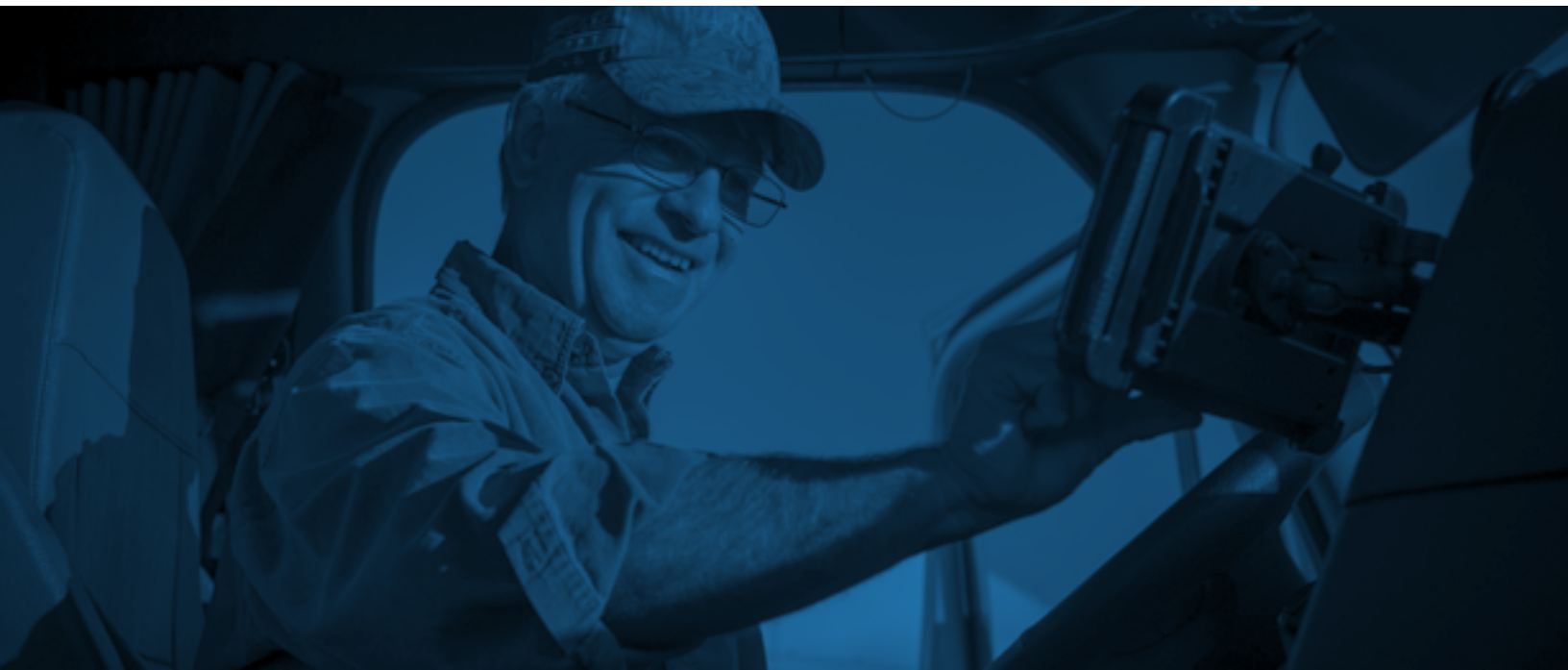
Staying compliant with HOS looks simple: follow the HOS rules and keep log books up to date and accurate. From one perspective, HOS compliance appears to have become even easier in most cases – with an electronic logging device (ELD) keeping track of driver hours.

But as important as proper HOS recordkeeping may be, improvement in the Hours of Service Compliance BASIC begins much earlier in the process:

- HOS improvement starts with honest assessment of the commitments management makes to shippers.
- HOS improvement then requires careful planning of routes and available rest areas, with continual feedback and sharing of what works and what doesn't.
- HOS improvement anticipates the unexpected on the highway and provides clear communication to drivers on what they can and cannot do in those situations.
- HOS improvement incorporates active management oversight of driver violations – in all areas, not just HOS.
- HOS improvement certainly means knowing the HOS rules, but also any exceptions that fit within a carrier's operations and a heightened awareness of what rules may change.

In other words, HOS improvement begins with management's responsibility to provide a framework for safe and legal carrier operations, and the expectation that drivers stay within those guardrails.

HOS COMPLIANCE IS AN ENFORCEMENT PRIORITY.



Management Responsibility

Whether in the Hours of Service Compliance BASIC, or any other BASIC, only management can give the necessary direction, authority, tools and oversight to improve a motor carrier's safety performance. Consistency of results is the goal, and consistency is achieved when employees carry out their directions each and every time.

1

Provide Direction

For hours of service, the following directions, when carried out consistently, will assure that the motor carrier and its drivers achieve and maintain compliance with HOS rules:

- All pickup and delivery times offered to customers by the carrier's sales personnel are legally achievable, allowing for all variables that affect performance, including loading, unloading, fueling, driver rest breaks, traffic and applicable speed limits.
- All routes planned by carrier operations personnel include designated truck parking and rest areas that are safe and legal, including alternative sites when designated areas are unavailable.
- All drivers report any difficulties with routes, parking or rest areas and any newfound parking or rest areas.
- All drivers immediately report unexpected circumstances in transit and follow carrier directions.
- All citations or warnings issued to drivers for any type of violation are immediately reported.
- All drivers immediately report vehicle defects discovered on the road so that repairs can be made quickly and driver schedules adjusted.
- All driver operations outside of standard HOS rules are approved by the carrier and annotated by the driver.
- All carrier functions that affect driver availability or remaining hours of operation, such as vehicle repairs and maintenance, dispatch adjustments or changes in customer demands, are transparently shared among carrier team members.



2

Give Authority

To support employees in carrying out these directions, management must give authority:

- To carrier sales personnel to reject customer demands that are clearly outside of legal HOS compliance.
- To carrier operations personnel to conduct test runs of potential new routes and to obtain permission for truck parking where necessary.
- To drivers to discontinue operations when unsafe, impractical or whenever the driver is ill or fatigued.
- To drivers to return vehicles for service before operation when safety- and compliance-related defects are discovered or when reported defects have not been repaired.

3

Provide Tools

To complete their tasks successfully and efficiently, management must provide employees with the proper tools, both physical and financial. For hours of service compliance, those tools include:

- ELDs, or standard driver record of duty status (RODS) forms where ELDs are not required. (If the carrier also conducts operations in intrastate commerce, the ELD must accommodate any differences in HOS rules for in-state operations.)
- For operations using ELDs, the federally required “ELD information packet” in each truck, containing:
 - » 1) A user’s manual detailing how to operate the ELD.
 - » 2) An instruction sheet describing the data transfer mechanisms supported by the ELD being used, and step-by-step instructions to transfer the driver’s hours-of-service records to a safety official.
 - » 3) An instruction sheet with ELD malfunction reporting requirements and recordkeeping procedures.
 - » A supply of blank driver’s RODS graph-grids to record the driver’s duty status and related information for a minimum of 8 days. Items 1, 2 and 3 can be in electronic form.
- In addition to the “ELD information packet,” clear, written instructions on how to use the ELDs in any rented or leased vehicles, reminding drivers that the ELD operation in those vehicles may differ.
- Routing software to facilitate route planning. Ideally, the software chosen will allow carrier input, such as designated parking and rest areas, and will clearly display which roads do not allow operations by commercial motor vehicles.
- Secure, mobile communications allowing direct coordination between all team members.

4

Conduct Oversight

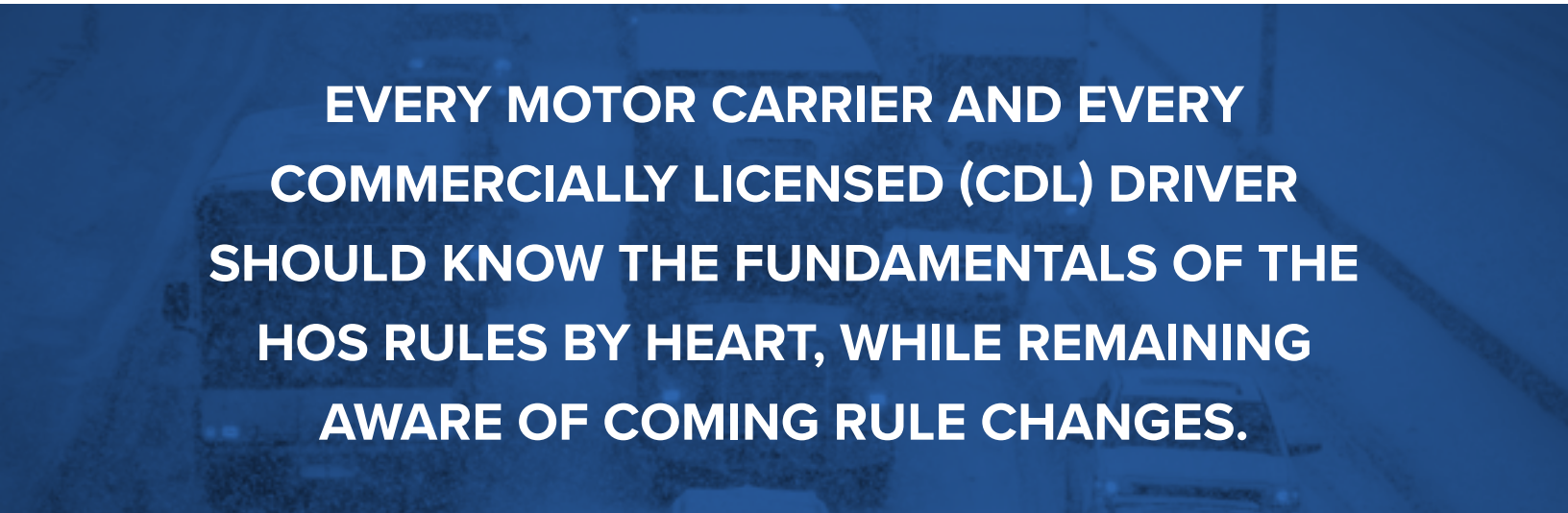
Management holds responsibility for oversight. To assure consistency of results in hours of service compliance, management must:

- Review the thoroughness of all route planning.
- Coordinate with carrier sales personnel and customers on any pickup and delivery requests that are not standard.
- Work with customers to reduce driver detention time. Clarify which customer facilities are open to drivers, where trucks can park while waiting to load/unload at docks, and whether drivers may park and take rest breaks on customer property.
- If truck parking is not possible on customer property, seek customer assistance in locating safe and legal truck parking nearby.
- Review all driver violations, of any type, and challenge discrepancies through the FMCSA DataQs process as needed.
- Ask whether driver violations are potentially system-wide or specific to a person, HOS rule, route or customer.
- Take action appropriate to findings, whether as reminders, enhanced training, improved ELD equipment or routing software, customer contact or discipline.
- Drivers must review and accept ELD edits suggested by the carrier. Follow up with drivers to develop a common understanding of how to record time and ELD mode.
- Review a sampling of driver HOS records, paying attention to edits and annotations made by drivers. These may reveal attempts to cast HOS noncompliance in a different light.
- Pay attention to unidentified driving hours in ELD records. Those log entries can indicate a driver attempting to use HOS time that another driver has available, a mechanic failing to log in when driving the truck, or they can simply lead to inaccurate driver records, with potential violations down the road.
- If an ELD malfunctions, provide clear directions to drivers. The “ELD information packet” required in each truck must contain a supply of blank driver’s RODS graph-grids to record the driver’s duty status and related information for a minimum of 8 days.
- Document all employee training and all corrective actions taken, whether in regard to personnel, specific HOS rules, routes, customers, or in response to driver violations.



Be assured, FMCSA or state investigators will look for policies and procedures supporting these same management steps – directions, authority, tools and oversight -- when investigating hours of service compliance issues at a motor carrier. Investigators will also take note of documented carrier actions to correct HOS issues.

In particular, during federal and state audits of carrier hours of service compliance, investigators will review HOS records from new drivers and any drivers who have a violation history, regardless of the type of violation. New drivers have less experience with HOS rules. Drivers with any sort of violation history may also display HOS shortcomings. For these reasons, management must support enhanced HOS training and stay on top of all driver violations when seeking to improve the carrier's Hours of Service Compliance BASIC.



**EVERY MOTOR CARRIER AND EVERY
COMMERCIALLY LICENSED (CDL) DRIVER
SHOULD KNOW THE FUNDAMENTALS OF THE
HOS RULES BY HEART, WHILE REMAINING
AWARE OF COMING RULE CHANGES.**

Hours of Service Rules and Exceptions

Every motor carrier and every commercially licensed (CDL) driver should know the fundamentals of the HOS rules by heart, while being aware of coming rule changes. Violation of any of these HOS rules will negatively impact a carrier's Hours of Service Compliance BASIC:

The 14-hour rule (can be extended to 16 during adverse conditions)

- In interstate commerce, drivers for property carriers have a 14-hour window in which to complete their driving. Once 14 hours are up, the driver must take 10 consecutive hours off-duty. Drivers for passenger carriers operate within a 15-hour window and then must take eight consecutive hours off-duty.
- Property carrying drivers that report to and are relieved from duty at the same work reporting location for five consecutive days may extend the 14 hours to 16 hours once during any 'tour of duty'.

The 11-hour rule (can be extended to 13 during adverse conditions)

- Within the 14-hour window, a property-carrying driver can drive up to 11 hours. For a passenger-carrying driver, the driving limit is 10 hours within the 15-hour window.



The 7/8 consecutive day limits

- A driver may not drive after 60 hours on duty in seven consecutive days for carriers who do not operate every day of the week, or 70 hours on duty in eight consecutive days for carriers who do operate every day of the week.

The 34-hour restart rule

- A driver can “restart” the seven or eight consecutive day limit if they take 34 or more consecutive hours off-duty, allowing new driving time to begin.

The Short-Haul Exception

- Short-haul drivers are those who return to a normal work reporting location at the end of each workday and operate within a defined air mile radius. Short-haul drivers have an allowable workday of 14 hours and may operate within an air mile radius of 150 miles.
- Short-haul drivers have a maximum 11 hours of driving time for short-haulers remains in effect. These drivers are not required to have electronic logging devices (ELDs) in their trucks or to maintain paper logs (RODS), but their employer is required to maintain time records. Short-haul drivers also are not required to take 30-minute rest breaks.
- There are two categories of short-haul drivers, those that require a CDL and those that do not. Drivers who do not require a CDL may drive after the 14th hour after coming on duty on 5 days of any period of 7 consecutive days, and after the 16th hour after coming on duty on 2 days of any period of 7 consecutive days.

The 30-Minute Rest Break

- Drivers must take a 30-minute rest break after eight hours of driving time. The rest break may be taken while performing on-duty/not driving tasks (such as fueling or loading).

The Sleeper Berth Exception

- The sleeper berth exception requires drivers to spend seven hours in the sleeper berth. Drivers may spend the balance of the required ten-plus consecutive hours off-duty inside or outside of the berth. For example, a driver may choose a seven/three split. Neither time period counts against the driver’s 14-hour driving window, with the intent that drivers do not feel tempted to speed or operate unsafely as the end of their workday approaches.

The Adverse Road Conditions Exception

- Drivers who encounter adverse road conditions may extend their driving time by two hours, from 11 hours to 13. Drivers may also extend the 14-hour driving window by two hours, to 16 hours for the same reason. This exception allows drivers nearing the end of their workday to have time to proceed slowly or find a safe location to park.
- FMCSA defines “Adverse road conditions” as road conditions which were unknown, or could not have been reasonably known, immediately before a motor carrier dispatched a driver or which drivers themselves discover immediately before starting a duty day or right after a sleeper berth break. “Adverse road conditions” can include weather-related issues, accidents, road closures or extreme traffic – but all must be unforeseen to qualify.

The Emergency Conditions Exception

- Federal and state governments can lift some or all of the hours of service restrictions during emergencies, such as fires, floods, hurricanes or tropical storms, by formally declaring a state of emergency. These emergencies often cause road closures and detours, so the HOS relief granted may be paired with operational limitations.

The federal hours of service rules have changed considerably over time and continue to be adjusted. Motor carriers and drivers must stay on top of HOS developments by following FMCSA announcements and reliable industry sources. Occasionally, as with the implementation of ELDs, FMCSA may offer a stated period of enforcement leniency. Motor carriers who seek to improve their Hours of Service Compliance BASIC are best served by demonstrating their adjustment to HOS rule changes as of the effective date of those changes.



Driver Responsibility

Motor carrier management should provide a framework where all team members can operate within the law, including attainable transit times, practical routes, designation of safe and legal truck parking and rest areas, and clarity of operations at customer facilities. Management must set clear expectations for driver communication from the road, whether when a driver encounters unusual operational circumstances, uncovers a vehicle defect, or has a question about operations outside of standard HOS rules. Clearly, by law, management must allow a driver to call in and discontinue driving when sick or fatigued.

Communication is a two-way street. For improved HOS compliance, driver communication includes:

- Report any vehicle problems and defects from the road so carrier maintenance can plan repairs, dispatch can make adjustments, and drivers can take rest breaks.
- Report any violations or warnings immediately so management can intervene as needed and any unnecessary delays for drivers, vehicles and loads.
- Report any difficulties with routes, parking or rest areas and any newfound parking or rest areas so management can make adjustments and other drivers can utilize improvements.
- Report unusual operational circumstances so management can chart a course of action and minimize lost operational time.
- Report problems at customer facilities so management can intervene.
- Discuss HOS compliance issues so a legal solution can be determined for the benefit of both driver and motor carrier.
- If sick or fatigued, stop driving at a safe location and call in.





Just as management is responsible for providing a framework where carrier operations can be conducted legally, driver feedback is necessary to keep carrier operations on course, prevent HOS compliance problems, and preserve driver hours. Each instance of communication, from management to driver and driver to management, can save time and prevent mistakes, thereby improving HOS compliance.

Driver responsibility includes accurate HOS recordkeeping. Driver logs (RODS) are not a thing of the past:

- Drivers must still understand how to complete accurate paper logs if the ELD malfunctions. Each “ELD information packet” must contain RODS for a minimum of 8 days.
- Drivers should stay current on how changes in HOS rules are to be entered on RODS.

ELDs are the principle means of HOS recordkeeping. HOS compliance is improved when drivers take the following steps in ELD operation:

- Verify that the commercial motor vehicle (CMV) has the required “ELD information packet.”
- Understand how to log on, log off, transfer HOS data to safety officials, change modes of operation such as on-duty to off-duty, and how to edit HOS records and annotate entries.
- If operating a rented or leased CMV, review the instructions for the model ELD in that vehicle. Operational steps may be different than the ELDs in fleet vehicles.
- In particular, drivers should be well-versed in how to transfer, display or print HOS data for safety officials. Enforcement officers take note of drivers who have difficulties in data transfer and look more closely at their HOS records.

ELDs automatically record CMV movement (above 5 mph) and location. Even with ELDs, accurate HOS records require that the correct operator is logged on, the ELD is in the right operating mode (e.g., on-duty, on-duty/not driving, off-duty), and non-standard operations – “personal conveyance” and “yard moves” – are accompanied by explanatory annotations. HOS compliance is improved when drivers take these ELD steps:

- Log on at the beginning of each workday and log off at the end.
 - » If the motor carrier uses relay or slip seat operations, where different drivers immediately take over CMV operations, drivers who do not properly log on and log off may find additional HOS time attributed to themselves or the other drivers, creating a violation.
- Logging off is also important back at the carrier terminal.
 - » Maintenance personnel may drive the CMV in for repairs and possibly out for a test run. Those mechanics should themselves log on to the ELD and annotate the purpose for vehicle movement – but first the driver should log off or else risk having the maintenance time and “yard moves” shown on the driver’s HOS records.
- Take care to enter the right ELD mode.
 - » Enforcement officers will question vehicle movements during “off-duty” time. Drivers can edit mistakes, with explanatory annotations, but HOS compliance is improved by getting it right the first time.
 - » When conducting the required en route vehicle inspection (after three hours or 150 miles), enter the “on-duty/not driving” mode on the ELD and annotate the reason. Enforcement officials will check that the inspection was conducted, while the correct ELD mode will protect valuable driving time.
- Use “personal conveyance” with extreme care.
 - » Drivers are allowed to move a CMV while in the “off-duty” ELD mode, but only for personal reasons -- travel to en route lodging, restaurants, entertainment, commuting between home and the driver’s terminal or work site, or from a shipper or receiver location to reach the nearest, safe rest location, for example.

The ELD must first be in the “off-duty” mode before a “personal conveyance” move begins and an explanatory annotation must be entered by the driver. Enforcement officers will question any move that may further the carrier’s commercial or business purposes or to enhance “operational readiness,” such as repositioning equipment.

Not using an ELD? Annotations should also be entered on RODS for “personal conveyance,” “yard moves” or any non-standard HOS operations.

When in doubt of what to do, drivers should contact the carrier and discuss the HOS situation.



Team member responsibility

Other motor carrier employees – sales, maintenance, safety, dispatch – have their own responsibility for HOS compliance: open, transparent communication.

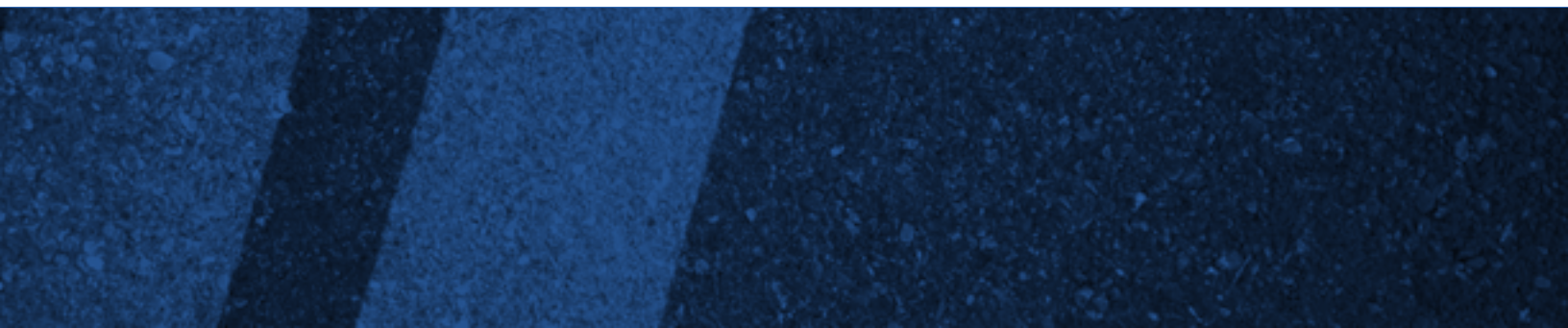
Of all the employees at a carrier, only drivers operate under regulatory time constraints. However, any employee who holds a CDL and may on occasion drive a CMV must be treated as a driver for HOS and other purposes, even if not employed as a driver. That includes mechanics who may take a repaired truck out for a test run, safety personnel who may drive a truck alongside a new hire, and even a company president who likes to make a delivery now and then.

The other, non-driver, employees must share information that can help any driver operate more safely, more efficiently, and within those time limits.

Updates on customer facilities, time needed for vehicle repairs, road closures or heavy traffic, or new schedules for dispatch can help drivers manage their time. When drivers stay within HOS limits, the carrier's Hours of Service Compliance BASIC improves. Team communication can help that happen.

Improving the Hours of Service Compliance BASIC requires consistency, with every customer commitment, route planned, rest area identified, and ELD entry. This BASIC also improves with communication between management and drivers and among other team members. Safe and legal hours of service compliance contributes to a good Inspection Selection System score. That leads to qualifying for and continuing in a weigh station bypass program like PrePass. Most important, it means improved safety and efficiency for all team members and for everyone sharing the road.

**IMPROVING THE
HOURS OF SERVICE
COMPLIANCE
BASIC REQUIRES
CONSISTENCY,
WITH EVERY
CUSTOMER
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ELD ENTRY.**



QUICK QUIZ

1. What does carrier sales have to do with hours of service?
2. Does anyone still use paper logs?
3. True or False: ELDs operate independently of drivers.

Helpful Hints

- Logging on and logging off an ELD may seem too routine and rudimentary to mention as an important HOS compliance step. But federal investigators compare carrier records of which driver was assigned to a CMV to ELD records showing who was actually logged on at the time. When one driver attempts to use the hours another driver may have available, the result is a major violation and a setback for the carrier's Hours of Service Compliance BASIC.
- Don't mess with an ELD's internal electronics! ELDs are set to record all vehicle movements beginning at 5 mph. Resetting the ELD threshold to a higher mph may reduce the nuisance record of some "yard moves," but it will also generate an HOS violation, plus a thorough investigation the carrier's operations.
- When planning a new route, consider the legal speed limit for commercial vehicles, but also check any records of previous trips over the route and the average speed actually attained. Be sure to figure in the fleet's governed speed limit, if lower than the posted limit. Conduct a test run to confirm plans, and to show safety officials that the origin and destination can be driven within HOS limits.

(Quick Quiz answers: 1) Carrier sales works directly with customer pickup, delivery and transit time expectations, which must match what can be legally achieved under hours of service rules; 2) Yes. In fact, all drivers should be trained in properly filling out RODS in case the ELD malfunctions; 3) False. ELDs automatically track vehicle movements and GPS locations, but driver input is necessary to identify the operator, the proper ELD mode and to make annotations and edits.)

The Driver Fitness and Controlled Substances & Alcohol BASICS

How does a motor carrier improve its Driver Fitness and Controlled Substances & Alcohol BASICS?

The Driver Fitness BASIC addresses the licensing, training, experience, and medical qualifications of commercial motor vehicle (CMV) drivers. The Controlled Substances & Alcohol BASIC deals with the operation of CMVs by drivers who, use, possess, display evidence of use, or are impaired due to alcohol, controlled substances, or the misuse of prescription or over-the-counter medications. These BASICS are safety and compliance measures often affecting a driver prior to hiring and outside of CMV operations – but they quickly receive enforcement attention and trigger investigations when problems are found.

Improving these BASICS means more than just checking boxes; it requires management attention to detail, thorough documentation, and alertness of the entire motor carrier team to any changes in driver behavior or vehicle operation. A critical factor in motor carrier safety is having the right people with the right skill set. The Driver Fitness BASIC assesses that skill set, while these two BASICS combined make sure those people are fit and focused.



Management Responsibility

Whether in the Driver Fitness BASIC, the Controlled Substances & Alcohol BASIC or any other BASIC, only management can give the direction, authority, tools and oversight to improve a motor carrier's safety compliance. This responsibility extends to ensuring that all drivers remain qualified and medically fit, with no alcohol or substance abuse problems. Consistency of results is the goal, and consistency is achieved when employees carry out their directions each and every time.

1

Provide Direction

For driver qualification, medical fitness and absence of substance abuse, the following directions, when carried out consistently, will assure that motor carriers hire and retain drivers and employees with the right skill set, fit and focused for the task at hand:

- Only hire safe, qualified drivers, and retain thorough documentation retained.
- Conduct and document all required pre-employment, random, return-to-duty, follow-up, reasonable suspicion, and post-crash drug and alcohol testing. That testing includes independent contractor drivers and all employees who hold a commercial driver's license (CDL), even those employed in a capacity other than as a driver who may occasionally drive a CMV
- Conduct all annual and pre-employment queries of driver records in the FMCSA Drug and Alcohol Clearinghouse in a timely manner, with appropriate driver or driver applicant consent.
- Immediately report any reasonable suspicion of drug or alcohol abuse by a driver to management.
- Immediately remove any drivers who test positive for drugs or alcohol or refuse to submit to a test from safety-sensitive positions, specifically including the operation of CMVs.
- Provide the name of a Substance Abuse Professional (SAP) to any drivers who test positive for drugs or alcohol.
- All driver medical examinations must be conducted by a licensed medical examiner listed on the Federal Motor Carrier Safety Administration (FMCSA) National Registry of Certified Medical Examiners.
- Note all driver medical conditions in the Driver Qualification File which the medical examiner deems to require monitoring, with a calendar alert whenever the CDL renewal, medical exam or exemption period is shortened.
- Reminded all drivers that their medical certificate depends on strict adherence to the directions of the medical examiner regarding any over-the-counter (OTC) and prescription medications and prescribed treatments for conditions such as obstructive sleep apnea (OSA) and insulin-dependent diabetes mellitus. Failure to renew a medical certificate will require the motor carrier to remove the driver from duty, specifically including the operation of CMVs.

- Remind all drivers who have a medical exemption for vision, hearing, seizures or impaired limbs to renew those exemptions in a timely manner. Failure to renew an exemption will require the motor carrier to remove the driver from duty, specifically including the operation of CMVs.
- Carrier staff, and contractors such as a Medical Review Officer (MRO) or consortia/ third party administrator (C/TPA), immediately report to management any driver who tests positive for drugs or alcohol, who misses a scheduled drug test or medical exam, or who refuses to consent to a review of driver records in the FMCSA Drug and Alcohol Clearinghouse.
- Only assign drivers to vehicle combinations and loads for which they are appropriately licensed and trained, with the CDL endorsements needed.

2

Give Authority

To support employees in carrying out these directions, management must give authority to:

- Carrier hiring staff to hire only drivers who have a clean safety record and a willingness to adhere to federal and state laws and regulations and company policies.
- All employees and drivers to report to management any reasonable suspicion of drug or alcohol abuse by a driver or any driver medical condition that could negatively impact safety.
- Carrier safety personnel to remove from CMV operation any driver whose speech, behavior or handling of equipment suggests the presence of drugs, alcohol or a medical condition that could negatively impact safety.
- Carrier safety personnel to remove from CMV operations any driver whose license, training or CDL endorsement is not appropriate for the vehicle combination or load or whose actions suggest a need for refresher training.
- Dispatchers to withhold driver assignments for vehicle combinations or loads for which carrier records show the driver is not appropriately licensed and trained, with the CDL endorsements needed.



3

Provide Tools

To complete their tasks successfully and efficiently, management must provide employees with the proper tools, both physical and financial. For driver qualification, medical fitness and absence of substance abuse, those tools include:

- Access to a list of medical examiners on the FMCSA's National Registry of Certified Medical Examiners
- Training for all employees and drivers about required drug tests and Clearinghouse queries.
- Reminders to drivers which drugs lead to a failed test, that marijuana remains a prohibited drug, that federal regulators urge extreme caution in the use of CBD oil and products, and what federal regulations say about alcohol consumption before duty.
- Training for all employees in the recognition of possible drug or alcohol abuse or medical conditions which might affect a driver's ability.
- A list of drivers showing their licenses and CDL endorsements for carrier safety personnel and dispatchers.
- Secure computerized communications to assure privacy when carrier hiring staff contact prior employers and access state Motor Vehicle Records (MVRs) on driver applicants.
- Refresher training for drivers of vehicles with special handling characteristics, particularly vehicles with high centers of gravity or carrying fluid loads.
- Secure, mobile communications allowing direct coordination between all team members.
- An Employer Notification Services (ENS) program that automatically sends updates to the motor carrier when a driver's license status changes, a crash occurs, and/or a conviction appears to the driver's record. The use of these services, in particular, those with "push" notifications, satisfies the FMCSA's requirement for a motor carrier to make an annual inquiry into each driver's record.

4

Conduct Oversight

Management is responsible for oversight. To assure consistency of results in driver qualification, medical fitness and absence of substance abuse, management must:

- Provide carrier hiring staff with guidance on how to attract, screen and qualify prospective drivers who are most likely to drive safely and within company policies, and how to identify potential high-risk drivers.
- When hiring, obtain MVRs from the state of license issuance for all prospective drivers and review for unsafe driving, violations and crashes over the past three years. Keep a current MVR in each driver qualification file.
- Review the employment records of all prospective drivers for the past three years and contact prior carriers for instances of unsafe driving, violations and crashes.
- Review new hire documentation for licensing and CDL endorsements appropriate to the carrier's operations.
- Maintain a calendar of medical exams, FMCSA Drug and Alcohol Clearinghouse queries and license renewals. Management must send reminders of deadlines to drivers and prohibit operation of CMVs when deadlines are missed. Missed deadlines negatively impact the motor carrier's Driver Fitness and Controlled Substances & Alcohol BASIC scores. Document any reasons a driver missed deadlines.
- In particular, provide reminders for license renewals at least one month in advance of the expiration date. States vary in their renewal process and drivers may be on the road for some of that time.
- Review FMCSA emergency declarations and waivers for extension dates and any eligibility, recordkeeping, and reporting requirements. Certain events (such as a pandemic or a natural disaster) may affect access to state driver licensing agencies, certified medical examiners and drug testing facilities. This should be considered when driver CDL renewal and medical exam deadlines approach or drug tests are scheduled.
- Document in either the Driver Qualification Files or confidential Controlled Substances and Alcohol files the following:
 - » all employee refresher training
 - » all driver background, licensing and hiring queries and results
 - » all FMCSA Drug and Alcohol Clearinghouse queries and results
 - » all drug tests and results
 - » all corrective actions taken, whether in regard to hiring decisions, Clearinghouse queries, drug test results or missed deadlines for tests, exams, queries or renewals.

Be assured, FMCSA or state investigators will look for policies and procedures supporting these management steps – directions, authority, tools, and oversight – when investigating driver fitness and controlled substances and alcohol compliance at a motor carrier.

Motor carrier alert. Many motor carriers may not realize that federal regulations on driver licensing, medical fitness and drug and alcohol testing apply to any carrier employee who operates a CMV and/or holds a CDL. This include any CDL holder not employed as a driver but may on occasion drive a CMV such as a mechanic taking a repaired truck out for a test run, the safety manager driving alongside a new hire, or even the company president who makes a delivery now and then.

While employees other than drivers who hold CDLs may personally receive notices from the state when their time comes for CDL renewals and medical exams, the motor carrier also has a duty to ensure timely completion of renewals and exams. In addition, FMCSA requires motor carriers to include these employees in the random drug testing pool, and the annual query of driver records in the FMCSA Drug and Alcohol Clearinghouse.

Any carrier employee who holds a CDL and may on occasion drive a CMV, even if not employed in the capacity as a driver, should be treated as a driver for purposes of the Driver Fitness and the Controlled Substances & Alcohol BASICs. Any carrier employee who may operate a CMV for a carrier must have an up-to-date Driver Qualification File.

The most critical compliance element in the Driver Fitness and Controlled Substances & Alcohol BASICs is consistent, thorough and accurate documentation in the Driver Qualification Files.

Enforcement officers will review driver licenses and CDL endorsements during roadside inspections and issue citations for any violation, such as expired licenses or lack of appropriate CDL endorsement for the vehicle combination or cargo. They will also remove from service any driver who shows evidence of drugs or alcohol use or possession.

During carrier investigations, FMCSA and state officials will follow up on these specific roadside instances to ascertain whether the motor carrier has kept corresponding records in the Driver Qualification Files or confidential Controlled Substances & Alcohol files. They will also determine appropriate action, such as removal of the driver from CMV operation, termination, or assignment to a Substance Abuse Professional (SAP) for return-to-duty processing.

IMPROVING A MOTOR CARRIER'S DRIVER FITNESS AND CONTROLLED SUBSTANCES & ALCOHOL BASICS IS DEPENDENT ON CONSISTENT, THOROUGH AND ACCURATE DOCUMENTATION IN THE DRIVER QUALIFICATION FILES.

But, as mentioned, these BASICs are safety and compliance measures that may involve employee activity before hiring and outside of CMV operations. So, roadside inspections may not uncover carrier compliance shortcomings in the Driver Fitness and Controlled Substances & Alcohol BASICs. This leads FMCSA to also compare what the carrier has entered into the Driver Qualification File with a selection of data retrieved from state driver licensing agencies, and from the FMCSA Drug and Alcohol Clearinghouse.

The following compliance issues can constitute a major blow against the motor carrier's Driver Fitness and Controlled Substances & Alcohol BASICs scores:

- Failure of the motor carrier to document and respond appropriately to roadside enforcement actions.
- Failure of the motor carrier to document and respond appropriately to information the carrier should have retrieved from state driver licensing agencies, the FMCSA Drug and Alcohol Clearinghouse or from prior employers.
- Failure of the carrier to document and respond appropriately to reports received from MROs and drug testing facilities.

Team Responsibility

Motor carriers get paid to deliver safely and on time. Shortcomings in carrier safety affect all team members. At motor carriers with a robust safety culture, team members know that the ultimate goal is not just federal compliance or self-interest, but protecting each other, the company, its customers, and everyone on the road. Reporting suspected drug or alcohol abuse by drivers is not only required of all employees, but also the right thing to do for everyone's safety.

Driver Responsibility

Drivers, including any carrier employee who may on occasion drive a CMV, even if not employed as a driver, have a personal and legal responsibility to: remain properly licensed; medically fit; and free from drug and alcohol abuse, including the misuse of over-the-counter (OTC) and prescription medications.

Failure in any of these regards will require the motor carrier to remove the driver from duty, specifically including the operation of CMVs. Under the carrier's progressive disciplinary policy, these failures may lead to warnings, suspensions and ultimately to termination.

If a motor carrier continues to allow a driver who is not properly licensed, medically fit or free from drug use and alcohol abuse to operate a CMV, it will negatively impact the carrier's Driver Fitness and Controlled Substances & Alcohol BASICS scores. So, both the driver and the motor carrier have a vested interest in the driver's timely and successful completion of their license renewal, medical exam, and drug test.

1

LICENSE RENEWALS

While federal regulations cover the training and testing required to obtain a commercial driver's license (CDL), as well as the age of a regulated driver in interstate commerce, states conduct the actual testing, issuance, and renewal of licenses. CDLs do expire, with the length of CDL validity ranging from five to eight years, depending upon the state of issuance.

The process to renew a license also depends on the state of issuance. Some states allow online renewals, others by mail, while some require an in-person appointment. For that reason, management must make it a priority to actively remind drivers of upcoming license renewal deadlines. Those reminders should go out at least a month in advance of the expiration date. After all, drivers may be on the road for part of that time.

1

LICENSE RENEWALS CONTINUED...

Just as management should remind drivers of upcoming license renewal deadlines, drivers should make themselves aware of their specific state renewal requirements:

- The license renewal requirements reside on the website of the state driver licensing agency. State's often print that website address on the face of the license, otherwise it may require a phone call.
- Commonly, states require:
 - » completion of an application for CDL renewal,
 - » a recent eye exam to show that the driver has acceptable vision to drive commercial vehicles. (drivers may need to take an eye test at the state agency),
 - » a copy of the driver's Medical Certificate, and
 - » payment for all applicable license renewal fees (which vary by state).
- States may require more information if the driver has a record of driver violations or crashes.
- If the driver also seeks a new CDL endorsement, more than just renewal of the CDL itself, they must allow for additional time for training and testing, plus additional fees.
- If the driver misses the CDL renewal deadline, they may need to take a new CDL test, possibly including a test drive. The fees will exceed those for a simple renewal.
- Drivers who miss a license renewal deadline should immediately contact the carrier and report the reason they missed the renewal deadline.

2

MEDICAL EXAMS

FMCSA regulations state that an individual with a clinical diagnosis or medical history of any condition that could interfere with their safe driving ability cannot medically qualify to operate a CMV in interstate commerce. Driver medical examinations are valid for up to 24 months.

Just as management should remind drivers of upcoming medical examinations, drivers themselves should understand some basic facts about medical examinations:

- The medical examiner may issue a medical certificate for a time period shorter than 24 months after a clinical diagnosis or review of a driver's medical history showing a condition that could interfere with safe driving ability.
- Any driver unable to perform their normal duties due to physical or mental injury or disease may be required to receive an exam.
- The medical examiner may make the driver's medical certificate dependent upon the driver taking certain OTC or prescribed medications, or adhering to a treatment schedule for the condition.



2

MEDICAL EXAMS CONTINUED...

- Common conditions that, untreated, would disqualify a driver include moderate to severe obstructive sleep apnea (OSA) and insulin-dependent diabetes mellitus. FMCSA offers treatment guidance for both conditions, but the medical examiner makes the final decision.
- At the next medical exam, which could be sooner than 24 months, the medical examiner will require the driver to provide records of adherence to the treatment prescribed. Failure to provide adequate treatment records could prevent the medical examiner from issuing a renewed medical certificate.
- The medical examiner may also determine that a driver's vision, hearing, history of seizures or impaired arms and legs may interfere with safe driving. The driver may seek an exemption from FMCSA for those conditions.
- FMCSA requires up to 180 days to rule on an exemption application, during which time the driver cannot operate a CMV in interstate commerce. FMCSA does not have authority to grant waivers or exemptions from state intrastate commerce requirements.
- Drivers with missing or impaired limbs, hands, feet, fingers or toes and who have an installed prosthetic device may apply for the FMCSA Skill Performance Evaluation (SPE) program, which allows the driver to demonstrate the ability to drive the truck safely by completing on-and off-road activities.
- Drivers who miss a scheduled medical exam should immediately contact the carrier and report the reason they missed the medical exam.

3

DRUG TESTS

While obtaining a CDL, every driver learns about federal regulations on drug and alcohol use and the conduct of pre-employment, random, post-crash, reasonable suspicion and return-to-duty tests. Still, drivers are often exposed to misinformation and folklore. That misinformation can lead to violations and undermine a carrier's efforts to improve its Driver Fitness and Controlled Substances & Alcohol BASICS score.

Just as management should remind drivers of the rules surrounding controlled substances and alcohol, through the issuance of a Controlled Substance and Alcohol Policy, drivers themselves should commit some basic facts to heart:

- The blood alcohol concentration (BAC) limit for CMV drivers is 0.04%, half of the legal level for non-CDL drivers, including motorists.
- CMV drivers must not consume alcohol within four hours of beginning duty. That four-hour prohibition is regardless of the CMV driver's BAC at the time.
- The federal drug tests look for (a) marijuana metabolites, (b) cocaine metabolites, (c) amphetamines, (d) opioids (including synthetic opioids hydrocodone, hydromorphone, oxycodone and oxycodone), and (e) phencyclidine (PCP).
- Marijuana remains a Schedule 1 drug on the federal level and its use can trigger a positive drug test and disqualify a CMV driver. The use of recreational or medical marijuana, even if legal in a state or locality, can result in a positive federal drug test and disqualify the driver.
- The U.S. Department of Transportation strongly cautions CMV drivers against the use of CBD oil and associated products. The Food and Drug Administration (FDA) does not certify the levels of tetrahydrocannabinol (THC), the primary psychoactive component of marijuana, present in CBD products, thus the label on the CBD product regarding THC levels may or may not be accurate. Above a 0.3% concentration of THC, the CBD product is legally marijuana, a Schedule 1 drug.
- Controlled substances and alcohol, even below their proscribed concentration levels, can interact with the over-the-counter (OTC) and prescription medications used by a CMV driver. Drivers should follow the strict guidance of a medical professional in their use of any medication.
- Failure of a driver to appear for a federally mandated drug test is a violation and will disqualify the driver from safety-sensitive positions, specifically including the operation of CMVs. Drivers should immediately contact the carrier and provide the reason they missed the drug test.



Motor carriers face a continual challenge in attracting and retaining quality drivers. Complying with federal regulations on Driver Fitness and Controlled Substances & Alcohol requires detailed management attention and documentation, as well as a commitment by the entire motor carrier team and drivers. Those regulations, when followed, do produce drivers with the right skill set and who are fit and focused.

Improving the Driver Fitness and the Controlled Substances & Alcohol BASICs requires consistency, with every hiring procedure, drug test administered, record reviewed, and Clearinghouse query conducted. That consistency contributes to a good Inspection Selection System score, which in turn leads to qualifying for and continuing in a weigh station bypass program like PrePass. Most important, it means improved safety for all team members and for everyone sharing the road.

QUICK QUIZ

1. Name the six occasions for drug tests.
2. For how long is a Medical Certificate valid?
3. True or False: Only employed drivers are subject to Driver Fitness and Controlled Substances & Alcohol requirements.

Helpful Hints

- Many motor carriers assign senior drivers to familiarize new hires with the carrier's safety culture. Talking to someone who does the same job and faces the same requirements, like drug testing, is often easier than talking to management.
- Drivers may need to be reminded of upcoming CDL renewals, medical exams, and drug tests. But a spoonful of sugar – “Congrats on another great year!” – and help routing the driver near those appointments can make things go better.
- Checklists and calendars. Those are the essentials for management to keep Driver Qualification Files complete and up-to-date.

(Quick Quiz answers: 1) Pre-employment, random, reasonable suspicion, post-crash, return-to-duty and follow-up.; 2) Up to 24 months, but the medical examiner may set a shorter time before re-examination; 3) False. Independent contractor drivers and all employees who hold a CDL and may on occasion drive a CMV, even if employed in a capacity other than as a driver, must meet these requirements.)

The Unsafe Driving and Crash Indicator BASICS

How does a motor carrier improve its Unsafe Driving and Crash Indicator BASICS?

Of the seven BASICS, the Federal Motor Carrier Safety Administration (FMCSA) places emphasis on three: the Hours of Service Compliance BASIC, the Unsafe Driving BASIC, and the Crash Indicator BASIC. These three BASICS hold the greatest mathematical weight in FMCSA calculations of Inspection Selection System (ISS) scores. This paper will consider two of them; the Unsafe Driving BASIC and the Crash Indicator BASIC.

The Unsafe Driving BASIC covers speeding, reckless driving, improper lane change, inattention and failure to wear seatbelts. The Crash Indicator BASIC considers a carrier's history of crash involvement.

Improvement in these two BASICS may seem as simple as drivers not speeding or operating recklessly. But unsafe driving does not account for all crashes. For example, poor vehicle maintenance, drug and alcohol use, and incomplete training can lead to crashes – or some crashes may be completely non-preventable. To improve a motor carrier's Unsafe Driving and Crash Indicator BASICS requires a whole team effort, founded on the safety culture set by management.



Management Responsibility

Whether in Unsafe Driving, Crash Indicator or any other BASIC, only management can give the direction, authority, tools and oversight necessary to improve a motor carrier's safety performance and make safety central to the company's culture. Consistency of results is the goal, and consistency is achieved when employees carry out their directions each and every time.



1

Provide Direction

For safe driving and crash avoidance, the following directions, when carried out consistently, will assure that the motor carrier, its drivers and all employees place safety first in their decisions and actions:

- Make sure all commitments made to customers are legally achievable, both as to hours of service (HOS) and vehicle speed, while protecting the safety of carrier employees.
- Address any possible delay in service to customers by contacting the customer and not by speeding or reckless vehicle operation.
- When planning routes, keep speed limits and variables that affect performance, including loading, unloading, fueling, driver rest breaks and normal traffic, in mind. Account for the fleet's governed speed in route planning, when lower than posted speed limits. Pay attention to routes which prohibit commercial motor vehicle operation or hazardous materials transportation.
- All drivers operate at speeds appropriate for conditions, including traffic, roads and weather, even if lower than the fleet's governed speed or the posted limit.
- No radar detectors are allowed in company trucks. Federal law prohibits motor carriers from requiring or even allowing radar detectors in CMVs. If discovered in a truck cab, an Unsafe Driving violation would be issued.
- All drivers follow federal, state and local driving laws, including wearing seat belts.
- All drivers immediately report unexpected circumstances in transit and follow carrier directions.
- Immediately report all citations or warnings issued to drivers for any type of violation.
- All drivers immediately report crashes and follow carrier directions.
- All drivers immediately report vehicle defects affecting safety or compliance discovered on the road.
- Only hire safe, qualified drivers.

2

Give Authority

To support employees throughout the organization in carrying out these directions, management must give appropriate authority:

- To carrier sales personnel to reject customer demands that clearly cannot be achieved within legal speeds and on appropriate routes.
- To drivers to discontinue operations when unsafe, impractical or whenever the driver is ill or fatigued.
- To drivers to return vehicles for service before operation if they discover safety- and compliance-related defects or when reported defects have not been repaired.
- To dispatchers to withhold equipment from operation until technicians complete required maintenance.
- To dispatchers to withhold driver assignments for loads which cannot be completed without speeding or other violations of law, such as operation on prohibited routes.
- To carrier sales personnel to contact customers and make adjustments for loads that are delayed or cannot be completed within legal speeds and on appropriate routes.
- To carrier hiring staff to hire only drivers who have a clean safety record and a willingness to adhere to federal and state laws and regulations and company policies.

3

Provide Tools

To complete their tasks successfully and efficiently, management must provide employees with the proper tools, both physical and financial. For safe driving and crash avoidance, those tools include:

- Speed governors for fleet vehicles, when appropriate to carrier operations.
- Routing software to facilitate safe and efficient route planning. Ideally, the software chosen will allow carrier input, such as designated parking and rest areas, and will clearly display which roads do not allow operations by commercial motor vehicles or the transportation of hazardous materials.
- Refresher training for drivers of vehicles with special handling characteristics, particularly vehicles with high centers of gravity or carrying fluid loads.
- Secure, mobile communications allowing direct coordination between all team members.

4

Conduct Oversight

Management is responsible for oversight. To assure consistency of results in safe driving and crash avoidance, management must:

- Provide up-to-date mileage figures and any major changes in type of operation on the carrier's MCS-150 form at FMCSA to make sure the carrier's safety record is being compared to similar motor carriers. The FMCSA relies on accurate mileage to calculate a carrier's Crash Indicator BASIC.
- Review the thoroughness of all route planning to ensure drivers can be legally complete trips without speeding or reckless operation.
- Coordinate non-standard pickup, delivery or transit time requests with carrier sales personnel and customers.
- Provide carrier hiring staff with guidance on how to attract, screen and qualify prospective drivers who are most likely to drive safely and within company policies, and how to identify potential high-risk drivers.
- When hiring, obtain motor vehicle records (MVRs) from the state of commercial driver's license issuance for all prospective drivers and review them for unsafe driving violations and crashes over the past three years. Keep a current MVR in each driver qualification file.
- Request all prospective drivers to supply their Pre-Employment Screening Program (PSP) file and review it for unsafe driving violations and crashes. Keep a copy in the driver qualification file, if hired.
- Review the employment records of all prospective drivers for the past three years and contact prior carriers for instances of unsafe driving and crashes.
- Review all current driver violations, of any type, and challenge discrepancies through the FMCSA DataQs process as needed.
- Review all crashes and assess whether carrier practices, such as vehicle maintenance, hours of service compliance, hazardous materials compliance, hiring, or dispatch, contributed to the event. Review the relevant BASICS paper for any carrier practice that potentially contributed to a crash.
- Submit eligible non-preventable crashes to the FMCSA Crash Preventability Demonstration Program through DataQs. Along with thorough documentation, specifically include the police accident report for the crash to have it removed from FMCSA Safety Measurement System (SMS) and Crash Indicator BASIC calculations.
- Ask whether driver violations and crashes are specific to a person, route, customer, equipment issue or potentially system-wide.
- Take action appropriate to findings, whether as reminders, enhanced training, customer contact, improved equipment or discipline.
- Adopt a progressive disciplinary policy dependent on the severity of driver violations, including warnings and suspensions leading up to termination for cause.
- Document all employee training, all hiring queries, and all corrective actions taken, whether in regard to personnel, routes, customers, carrier practices, or in response to driver violations and crashes.

Be assured, FMCSA or state investigators will look for policies and procedures to support these management steps – direction, authority, tools and oversight -- when investigating unsafe driving and crash issues at a motor carrier.

When Carriers create a strong safety culture among all team members they take the single most important management step related to safe driving and crash avoidance.

Moving to a safety culture starts with company leadership. Employees notice whether management truly places a premium on safety:

1	Does company leadership get out of the office and visit the shop floor, the loading dock, the drivers' lounge and see what they are asking of employees?
2	Is safety the top item on every meeting agenda?
3	Do employees feel comfortable raising safety issues with their managers?
4	Do line managers and supervisors preach safety before looking at production numbers?
5	When making tough business decisions, including whether to meet a particular customer's demands, is the first question, "Can we do so safely?"

When management delivers a consistent safety message, drivers and all other employees will know that strict adherence to laws, regulations and company policies is just the *first* step toward safe driving and crash avoidance. The *ultimate* goal is protecting each other, the company, its customers, and everyone on the road. Achieving that goal requires open communication, mutual support and the willingness to take steps toward safety that go beyond mere compliance. These safety values start at the top.

A strong safety culture relies on values and intangibles and will produce the measurable results needed to improve a motor carrier's Unsafe Driving and Crash Indicator BASICS.

One more management responsibility: celebrate. A fleet's safety culture does not end with adherence to rules or identifying and correcting problems. Communication and celebration of success are important components. Incentives, recognition and bonuses for clean inspections, safe driving milestones, and improvements in the company's BASICS scores build trust and unity and result in further improvement.

**SAFETY
CULTURE
DEPENDS ON
CONSISTENCY
OF MESSAGE
AND VALUES
FROM THE
TOP DOWN.**

Team Responsibility

A motor carrier gets paid to deliver safely and on time. Extra time needed for vehicle maintenance, changes at customer facilities, heavy traffic along a carrier route – all the challenges and adjustments that a workday brings -- affect carrier performance and ultimately everyone who works there. They can also create a negative incentive to take safety shortcuts, such as speeding, reckless driving or deferred vehicle maintenance. Safety shortcuts increase the potential for crashes.

The only way to meet challenges with an eye toward safety is open, transparent communication throughout the organization. Team members, including drivers, can make appropriate decisions when they share the same set of facts and the same commitment to protecting each other, the company, its customers, and fellow motorists on the highway.

Here are specific team member responsibilities by job function:



Drivers

Driver responsibility begins with communication to management and team members:

- Report any vehicle problems and defects from the road so carrier maintenance can plan repairs, dispatch can make adjustments, and other drivers can take rest breaks. Sharing information allows the team to make adjustments in the interest of safety.
- Report any violations or warnings immediately. Management can then intervene as needed, determine the next safe course of action, and drivers, vehicles and loads are not unnecessarily delayed or stranded.
- Report difficulties with routes, parking or rest areas and any newfound parking or rest areas so management can make adjustments and pass them on to other drivers. Safe and legal truck parking means rested drivers and improved safety.
- Report unusual operational circumstances so dispatch can chart a legal and safe course of action.
- If involved in a crash, report immediately and follow management directions.
- Report problems at customer facilities so management can intervene.
- If sick or fatigued, stop driving at a safe location and call in.



Driver responsibility obviously includes safe vehicle operation:

- Before even starting the engine:
 - » Conduct a pre-trip vehicle inspection and report any maintenance issues.
 - » Adjust seat and mirrors.
 - » Review route.
 - » Stow unneeded mobile devices.
 - » Place bills of lading, permits and other official documents where they can be readily accessed for safety officials.
 - » Buckle seatbelt.
 - » Look around vehicle for obstacles, pedestrians, traffic before starting to drive.

These simple pre-trip steps help avoid several Unsafe Driving errors, including not wearing a seatbelt, inattention and distraction on the road.

- On the road, follow all federal, state and local laws and ordinances. Stay alert for signs indicating roads closed to commercial motor vehicles or to hazardous materials transportation.
- Watch for road construction in summer, snow plows and road closures in winter.
- Follow the directions of enforcement officers and emergency officials. Their goal is safety, too.
- Drive at an appropriate speed, considering road conditions, weather and traffic, even if that speed is lower than posted or below the company's governed speed limit.
- Do not use, or even keep in the cab, a radar detector. Even the presence of one in a CMV is illegal under federal law and will result in an Unsafe Driving violation when discovered.
- Keep a cushion between vehicles. Anticipate inattentive drivers. Take cues from surroundings that suggest heavier traffic, merging vehicles or pedestrians may be ahead. Use turn signals and blinkers to alert other drivers to your intentions or to conditions ahead.
- Remember to conduct the required en route vehicle inspection (after three hours or 150 miles). Especially check cargo security and load shifting. These issues can lead to difficulties in vehicle handling and potentially a crash and enforcement officers will cite them as Unsafe Driving upon review.
- If you suspect a driver to be under the influence, sick or otherwise incapacitated, pull safely off the road and contact the highway patrol for intervention.
- Conduct post-trip vehicle inspection and report any maintenance problems on a DVIR (Driver Vehicle Inspection Report) so the next driver can have a safe, repaired vehicle to operate.

Dispatch

- Withhold equipment from operation until technicians complete required maintenance.
- Withhold driver assignments for loads that would require speeding or other violations of law, such as operation on prohibited hazardous materials routes.
- Coordinate with management and carrier sales personnel on delayed loads or those that cannot be completed within customer expectations so that a safe course of action can be chosen.
- Openly share changes in dispatch with team members, especially with affected drivers.

Maintenance

- Prioritize repairs related to safety and compliance.
- Address visual defects, such as peeling decals, which may trigger a roadside inspection, and put the driver behind schedule.
- Openly share the time required for repairs with team members, especially with dispatch and affected drivers, so drivers can take rest breaks and adjust their schedules.

Sales

- Refuse customer demands that clearly cannot be achieved within legal speeds and on appropriate routes.
- Contact customers and make adjustments for delayed loads or those that cannot be completed within legal speeds and on appropriate routes. Coordinate responses with management and dispatch.
- Openly share changes at customer facilities, changes in the description, packaging or handling of customer freight, or changes to other customer expectations. Those changes can affect carrier operations, driver time and availability, and the safety of fellow employees.

Carriers will always face challenges to performance. Open, transparent communication among all team members allows appropriate decisions to be made to meet those challenges in ways that do not jeopardize safety or induce unsafe driving. Improvement in a motor carrier's Unsafe Driving and Crash Indicator BASICS requires a whole team effort, founded on the safety culture set by management. That can lead to qualifying for and continuing in a weigh station bypass program like PrePass.

A final reminder: crashes, and the motor carrier's overall ISS score, are not always about unsafe driving, so be sure to review the roles team members play in each of the seven BASICS.





QUICK QUIZ

1. What creates a strong safety culture?
2. How are good decisions made about safety?
3. True or False: Crashes are always caused by unsafe driving.

Helpful Hints

- Team attitude makes a difference in safe driving. One carrier reported improvement in driver performance after dispatch began wishing drivers a safe trip. Another saw better results when maintenance sincerely thanked drivers for pointing out needed repairs.
- Speeding is not always about hours of service pressures or over-the-road operations. Sometimes drivers, perhaps at the urging of carrier sales, may try to squeeze one more local trip into a workday. Management should emphasize that all operations, of whatever length on whatever road, should never require drivers to exceed legal speed limits.
- No one expects to crash. Drivers must anticipate the unexpected. How? By driving for the non-professionals on the road, who may make unexpected and dangerous decisions.

(Quick Quiz answers: 1) Safety culture depends on consistency of message and values, from the top down; 2) Good safety decisions begin with open communication among team members; 3) False. Crashes can be caused by many factors, including weaknesses in other carrier practices, or be completely non-preventable.)

The Vehicle Maintenance BASIC

How does a motor carrier improve its Vehicle Maintenance BASIC?

The most common BASICs shortcoming occurs in “Vehicle Maintenance.” Vehicle maintenance is often considered the work of mechanics and equipment technicians. You may have also heard the phrase “BLT,” to indicate the most common mechanical issues - Brakes, Lights and Tires. Both statements are true. But vehicle maintenance is first a management issue and then the responsibility of the entire motor carrier team, including mechanics and technicians, and also drivers and dispatchers.



Management Responsibility

Whether in Vehicle Maintenance or any other BASIC, only management can give the direction, authority, tools and oversight to improve a motor carrier's safety performance. Consistency of results is the goal, and consistency is achieved when employees carry out their directions each and every time.

1

Provide Direction

For vehicle maintenance, the following directions, when carried out consistently, will assure that motor carrier equipment is properly maintained, compliant with regulations, and safe to operate:

- All equipment is subject to periodic maintenance, inspection and recordkeeping.
- All vehicle defects which impact safety or regulatory compliance are immediately reported, fixed and recorded before the vehicle is again operated.
- All visible defects, such as peeling decals, are immediately reported and fixed so that the vehicle is not pulled in for unnecessary inspections.
- All drivers complete Driver Vehicle Inspection Reports (DVIRs) and pre-trip inspections for each trip and communicate the results to management, including inspection results showing no defects.
- All incoming drivers review any DVIR from the prior trip, check for the mechanic's signature that repairs were made, and confirm the vehicle condition.
- All roadside inspection reports, including those with no violations, are submitted as soon as the workday is completed.
- Any vehicle out-of-service (OOS) orders are brought to management attention ASAP.

2

Give Authority

To support employees in carrying out these directions, management must give authority:

- To the head of vehicle maintenance for the purchase of parts as needed.
- To maintenance staff in holding vehicles out of service when necessary.
- To dispatchers to make scheduling adjustments as necessary to ensure that only safe, repaired vehicles are sent out.
- To drivers to return vehicles for service before operation when safety- and compliance-related defects are discovered or when reported defects have not been repaired.



3

Provide Tools

To complete their tasks successfully and efficiently, management must provide employees with the proper tools, both physical and financial. For vehicle maintenance, those tools include:

- Vehicle maintenance software, with links to websites for truck, trailer, brake and lighting manufacturers used by the motor carrier and the ability to receive equipment updates, recalls and alerts.
- Diagnostic equipment specifically geared to the electronic circuitry and computers used in the fleet's vehicles.
- Secure, mobile communications allowing direct coordination between all team members.

4

Conduct Oversight

Management has its task, too. It's called oversight:

- Regularly review all inspection reports for accuracy.
- Challenge inaccuracies through the FMCSA DataQs process as needed.
- Regularly review DVIRs and corresponding maintenance records to assess driver and maintenance performance.
- Ask whether maintenance violations are specific to a vehicle or potentially system-wide.
- Take action appropriate to findings, whether as reminders, enhanced training, improved equipment, or discipline.

Be assured, FMCSA or state investigators will look for policies and procedures supporting these same management steps – directions, authority, tools and oversight – when investigating maintenance issues at a motor carrier.

Team Approach

The single most important management step related to vehicle maintenance is communicating the team approach.

Management must establish a team-based safety approach across all employees and drivers. A motor carrier is paid to deliver safely and on time. A vehicle problem that delays or strands a driver at roadside, or worse, contributes to an accident, eventually affects everyone involved. Maintenance processes are therefore a shared responsibility with the goal of finding and fixing those vehicle problems. Likewise, all share credit for a job well done.

TO ENSURE THE TEAM FUNCTIONS AS A UNIT, MANAGEMENT MUST REINFORCE THE ROLE EVERY TEAM MEMBER PLAYS IN DOCUMENTING, COMMUNICATING, REPAIRING AND RECORDING ALL VEHICLE MAINTENANCE ISSUES.

Tips for Drivers

Drivers have a key role in finding and communicating vehicle maintenance issues. After all, drivers spend the most time with equipment and receive the most direct indication that a truck is not operating properly, much less unsafely.

Conducting inspections

Federal regulations require that a driver conduct both a pre-trip and a post-trip inspection. The post-trip inspection must be recorded in a DVIR – Driver Vehicle Inspection Report. The DVIR must cover at least the following parts and accessories –

- Service brakes, including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear-vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

Any defects or deficiencies found during the inspection or reported to the driver which would affect the safe operation of the vehicle or result in a mechanical breakdown must be documented in the DVIR. As the industry saying goes, drivers should especially check the “BLT,” brakes, lights and tires. The driver must sign the DVIR and submit it to the motor carrier at the end of the workday.

Drivers must conduct a pre-trip inspection each time they begin operating the equipment. If there was a DVIR submitted on that truck that noted any deficiencies, the incoming driver must **1)** review the form, **2)** check for the mechanic’s signature attesting that the repairs were made, and **3)** certify that the required repairs were indeed made.

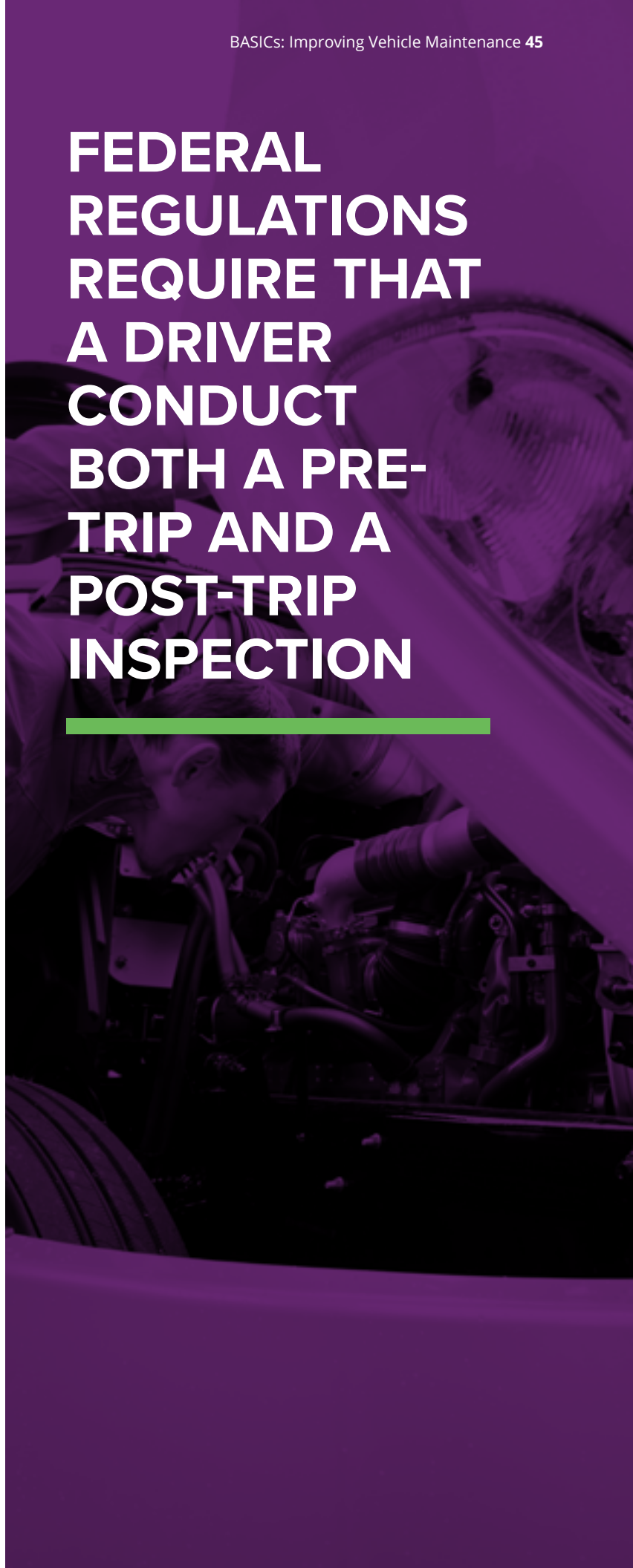
During an audit, FMCSA will compare previous roadside inspection reports with the DVIRs submitted. If defects found at roadside are not reported on a DVIR or not confirmed as being repaired by an incoming driver, FMCSA will assess an acute violation against the motor carrier’s Vehicle Maintenance BASIC.

Reporting Inspection Results

FMCSA no longer requires that a driver submit a DVIR to the motor carrier if no vehicle defects were found during the post-trip inspection. While less paperwork is welcome, for some drivers the FMCSA action created the temptation to forego any post-trip inspection. But federal law still requires both pre-and post-trip inspections on every trip.

Regardless of whether required by federal regulations, drivers should still report all inspection results, pre- and post-trip to their management. They can submit inspection reports by phone, email or text if the DVIR is not required. Management needs full information to assess and improve the carrier’s vehicle maintenance practices. Plus, if FMCSA or state investigators call on the carrier, management can protect the carrier’s Vehicle Maintenance BASIC score by showing the complete record of inspections performed, including those clear of defects.

FEDERAL REGULATIONS REQUIRE THAT A DRIVER CONDUCT BOTH A PRE-TRIP AND A POST-TRIP INSPECTION



Drivers have a responsibility to team members, including other drivers, to communicate vehicle conditions. If FMCSA discovers that the inspections were not, in fact, conducted or that vehicle defects were not reported, the carrier's Vehicle Maintenance BASIC will be negatively impacted.

Here are other reasons for drivers to conduct and report all vehicle inspections:

- The fleet may run a slip-seat or relay operation. In what condition did the last driver leave the equipment?
- Quite often drivers pull shipper's trailers – a rolling billboard advertising the shipper's product – but are the trailer tires, brakes and hoses in as good a shape as that colorful ad on the side?
- Yesterday the driver may have pulled pups and today it's a 53-footer. That pre-trip inspection reminds the driver that different combinations handle differently, which can prevent Unsafe Driving errors.

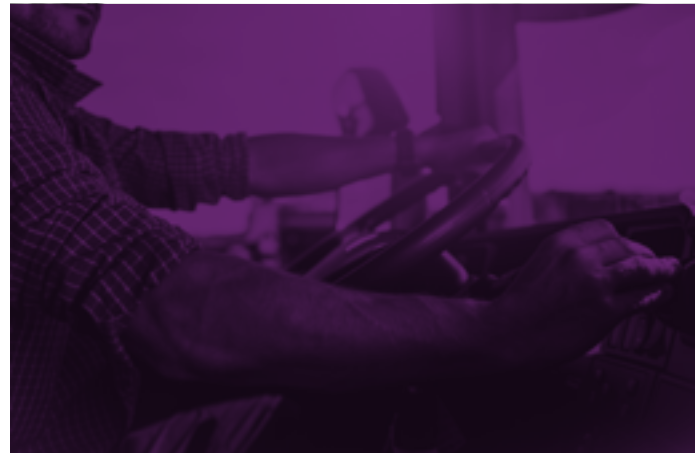
In the end, no driver wants to operate an unsafe truck. That alone calls for a thorough pre-trip inspection. It also calls for the post-trip inspection to pass information to the next driver or to maintenance, if necessary. Both steps will help improve the carrier's Vehicle Maintenance BASIC.

Tips for Dispatchers

Dispatchers are traffic control operators for motor carriers. Just as an airport traffic control officer will delay or halt airplane movements on the ground until the runway is clear and conditions safe, the motor carrier dispatcher has a responsibility to be sure the truck is in condition for take-off.

First, management must give the dispatcher the direction and authority to adjust schedules to accommodate vehicle maintenance. Second, the entire team must communicate when maintenance will occur and how long it may take so that the dispatcher can make the adjustments. Safe, on-time performance requires safe, well-maintained equipment.





Adjusting Schedules to Assure Safe Equipment

Dispatchers, technicians and drivers must be in open, transparent communication about equipment maintenance needs and availability:

- Under management direction, maintenance should prioritize safety- and compliance-related vehicle defects for attention. Visible problems, even if not safety-related, should be fixed to avoid unnecessary roadside inspections.
- Dispatchers must withhold that equipment from operation until the maintenance is complete.
- Dispatchers should be aware of any available substitute equipment, bearing in mind that using a substitute may require unloading and reloading of some or all the freight.
- Drivers, of course, will log off from their ELDs when turning the truck in for maintenance and then log back on when the truck or a substitute is ready for operation. They should take care to not let improvement of the Vehicle Maintenance BASIC turn into an Hours of Service Compliance BASIC violation!
- Clear communication of the time required for the maintenance will allow dispatchers to adjust schedules and drivers to take rest breaks.
- Drivers can help technicians and dispatchers by reporting needed repairs as soon as discovered, even from the road.

Tips for Equipment Technicians

Mechanics and equipment technicians perform the actual vehicle maintenance work. Their workload is divided between scheduled periodic maintenance and defect repairs. Both are important, but prioritization must be given to fixing safety- and compliance-related defects because equipment cannot be operated safely or within regulation until they complete those repairs.

Mechanics and technicians have additional responsibilities:

- Monitor manufacturer recalls through www.nhtsa.dot.gov and keep current on service bulletins.
- Maintain training and needed licensing.
- Update the carrier maintenance software as needed.
- Support management with maintenance records, analysis of equipment breakdowns and parts inventory.
- Accept reported defects as an opportunity to improve vehicle maintenance.

Improving the Vehicle Maintenance BASIC requires consistency, with each inspection, each periodic maintenance, and each required repair. It starts at the top with management but then flows throughout the whole motor carrier team. Safe, well-maintained equipment contributes to a good ISS score. That leads to qualifying for and continuing in a weigh station bypass program like PrePass. Most important, it means improved safety and efficiency for all team members and for everyone sharing the road.

**IMPROVING
THE VEHICLE
MAINTENANCE
BASIC REQUIRES
CONSISTENCY,
WITH EACH
INSPECTION,
EACH PERIODIC
MAINTENANCE,
AND EACH
REQUIRED REPAIR.**



QUICK QUIZ

1. What does “BLT” refer to?
2. Who is most responsible for proper vehicle maintenance: drivers, management, or maintenance staff?
3. True or False: Inspectors only look for safety and compliance violations.

Helpful Hints

- Decals have a history of peeling and falling off. A missing IFTA (International Fuel Tax Agreement) decal is a motor carrier compliance issue – but IFTA now allows an electronic image on a smartphone or tablet as proof of compliance. Some weigh stations are equipped with CVSA inspection decal readers, so make sure those decals are clean and intact. Speaking of clean, clean trucks give a good first impression to inspectors.
- Weigh stations may also have tire anomaly readers, showing mismatched, missing or underinflated tires. Thorough pre- and post-trip inspections by drivers will catch these frequent “BLT” concerns before they are detected by the tire anomaly readers and become a violation.
- Many independent drivers appreciate the look of additional clearance lights along the roofline of their cabs. Inspectors will notice missing/burned out lights, even when they are not the lights required by regulation. Make sure all lights are working.

(Quick Quiz answers: 1) “Brakes, Lights, Tires,” the most frequent areas of vehicle maintenance violations; 2) all of the team, adding in dispatchers, are responsible for proper vehicle maintenance; 3) False. Inspectors look for any sign that a vehicle is not properly cared for as an indication that a safety or compliance violation may exist.)

The Hazardous Materials Compliance BASIC

How does a motor carrier improve its Hazardous Materials Compliance BASIC?

Some carriers consider hazardous materials compliance as simply placing the correct placard on the trailer and having the shipping papers handy for inspection. Both of those steps are required. But more fundamentally, maintaining compliance is all about communication.

DOT DEFINITION OF “HAZARDOUS MATERIALS”:

“THOSE MATERIALS DESIGNATED BY THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION AS POSING AN UNREASONABLE THREAT TO THE PUBLIC AND THE ENVIRONMENT.”

IN CANADA, HAZARDOUS MATERIALS ARE CALLED “DANGEROUS GOODS.”



HAZARDOUS MATERIALS INCLUDE EVERYDAY ITEMS LIKE MAGNETS, ALCOHOL, THERMOMETERS, DENTAL WHITENING STRIPS, ADHESIVES, AEROSOLS, AND BLEACH.

When handling, storing and transporting such an “unreasonable threat,” a motor carrier must be able to communicate:

1	to its employees on how to handle, store and load the materials;
2	to its drivers on what placards to display, papers to carry, and how to respond in an emergency;
3	to law enforcement on what hazardous cargo is inside the trailer;
4	to first responders on what measures they should take to contain any potentially released hazardous materials; and
5	to receivers on the nature of the freight being delivered.

The Hazardous Materials Compliance BASIC measures how well a motor carrier follows this chain of communication. Because of the nature of hazardous materials, each link in the communication chain requires exacting detail. To be sure, motor carriers transport hazardous materials (“hazmat”) safely every day. But exacting detail adds two components to hazardous materials compliance: knowledge before communication and documentation of the process. In the big picture, a motor carrier seeking to improve its Hazardous Materials Compliance BASIC must examine its performance at each link in the communication chain.

Who is responsible for this chain of communication? Ultimate responsibility resides with motor carrier management. Then, at each link in the chain, responsibility flows to the employees in identifying, handling, loading and transporting the hazardous materials or interacting with law enforcement, responders and receivers.

Management Responsibilities

Whether in Hazardous Materials Compliance or any other BASIC, only management can give the direction, authority, tools and oversight to improve a motor carrier's safety performance. Consistency of results is the goal, and consistency is achieved when employees carry out their directions each time and every time.

1

Provide Direction

For hazardous materials, the following directions, when carried out consistently, will assure that the commodities are safely handled and transported, and regulatory compliance is achieved:

- All hazardous materials are appropriately packaged, marked and labeled.
- All hazardous materials are blocked and braced within the trailer and properly segregated from non-compatible commodities.
- All trailers are placarded, when required, for the hazardous materials within and all unrelated placards are removed.
- All trucks used for hazardous materials transportation carry a copy of the motor carrier's USDOT hazardous materials registration number.
- All trucks used for hazardous materials transportation carry a readily available copy of the emergency response information relevant to commodities being transported.
- All hazardous materials loads are accompanied by the corresponding shipping papers.
- Only drivers with a hazardous materials endorsement to their CDL operate trucks carrying placarded amounts of hazardous materials.
- All employees are aware of the motor carrier's hazardous materials security plan, when required, and trained in how to report a hazardous materials incident.

TOP 10 HAZMAT VIOLATIONS

Package not secure in vehicle

No copy of USDOT Hazardous Materials Registration Number

Shipping paper accessibility

No or improper shipping papers

Vehicle not placarded as required

Placard damaged, deteriorated or obscured

No placards/markings when required

Prohibited placarding

Maintenance/ accessibility of Emergency Response Information

Offer or transport without Emergency Response Information



2

Give Authority

To support employees in carrying out these directions, management must give authority:

- To the motor carrier's sales team to accept only those shipper requests for hazardous materials transportation for which the motor carrier is properly equipped.
- To drivers to refuse hazardous materials shipments that are not properly labeled or accompanied by accurate shipping papers and emergency response information.
- To operations personnel to remove from a hazardous materials load any non-compatible freight, even when that delays delivery of the freight.
- To the loading dock supervisor to purchase necessary containment units for the temporary storage of certain hazardous materials.
- To drivers to actively assist law enforcement and first responders, if required, in the event of a hazardous materials incident on the road.
- To all employees to report a hazardous materials incident on the motor carrier's property.

3

Provide Tools

To complete their tasks successfully and efficiently, management must provide employees with the proper tools, both physical and financial. For hazardous materials, those tools include:

- The hazardous materials training required for each employee function and refresher training as needed.
- Signs and posters showing the types of hazardous materials handled by the motor carrier, with their hazard class or division and proper placard.
- Depending on the hazardous materials, proper protective gear and emergency containment and clean-up supplies.
- Secure, mobile communications allowing direct coordination between all team members.

4

Conduct Oversight

Management is responsible for oversight. To assure consistency of results in hazardous materials compliance, management must:

- Maintain a hazardous materials security plan for its place of business and train employees in how to report hazardous materials incidents.
- Regularly review a sampling of shipping papers to ensure that information provided by the shipper matches actions taken by the motor carrier.
- Contact the shipper on any missing or inadequate hazardous materials information.
- Review all hazardous materials violations and challenge discrepancies through the FMCSA DataQs process as needed.
- Ask whether hazardous materials violations are specific to a vehicle, a person or job function or potentially system-wide.
- Take action appropriate to findings, whether as reminders, enhanced training, improved equipment, or discipline.
- Document all employee training and all corrective actions taken, whether in regard to personnel, the shipper or in response to incidents and violations.

Be assured, FMCSA or state investigators will look for policies and procedures supporting these same management steps – direction, authority, tools and oversight - when investigating hazardous materials issues at a motor carrier.

Documentation as a Management Responsibility

Coordination with hazardous materials shippers

A common motor carrier mistake is assuming that the shipper has all responsibility for hazardous materials identification, labeling, shipping papers and emergency response. Hazardous materials shippers are regulated by the USDOT, as are hazardous materials carriers. But the USDOT lists carrier responsibilities as overlapping with shippers in most significant respects. (A private carrier, who is an arm of the parent shipper company, performs both sets of responsibilities in their entirety.) A motor carrier must document its close coordination with the hazardous materials shipper, particularly on corrective actions taken, to avoid violations and achieve full hazardous materials compliance.



4 Documentation Responsibilities:

1. Shipper coordination of loads
2. USDOT hazmat registration
3. Hazmat CDL endorsements
4. Completion of employee training

Registration with USDOT

A motor carrier must be registered with the USDOT to transport hazardous materials. That registration process can be found at <https://www.phmsa.dot.gov/registration/registration-overview>. Management should document completion of this registration and place copy of the carrier's USDOT hazmat registration number in every truck used for hazardous materials transportation.

CDL hazmat endorsement

Only drivers with a hazardous materials endorsement should be allowed to operate trucks hauling hazardous materials. Information on obtaining a Hazmat Endorsement can be found at <https://www.fmcsa.dot.gov/registration/commercial-drivers-license/drivers>. Management should document adherence to this requirement by placing a copy of the CDL endorsement in each driver's qualification file.

Hazardous materials training

Hazardous materials training for each employee function is a federal requirement, as more fully discussed below. Management should document the completion of training in each employee's personnel file.

Five Communications Links

From management on down the line, information and instructions on handling, storing and transporting hazardous materials flow through these communication links:



All Employees



Company Drivers



Law Enforcement



First Responders



Receiver/Customer

Communication link #1: to all employees on how to handle, store and load hazardous materials.

Hazardous materials communication generally consists of shipping papers, marking and labeling of packages and placarding of transportation vehicles. These means of communication utilize symbols found in the "Table of Hazardous Materials and Special Provisions" (49 CFR 172.101) that determine applicability, proper shipping name and shipping description, hazard class or division, identification number, packing group, label(s) required, special provisions, packaging authorizations, as well as quantity limitations aboard aircraft, and vessel stowage requirements for those transportation modes. In other words, these symbols are shorthand for what the hazmat commodity is and how it should be handled.

According to FMCSA, many of the hazmat violations uncovered during inspections can be attributed to the motor carrier's failure to read, understand and follow the symbols found in the Table of Hazardous Materials and Special Provisions.

Reading, understanding and following the hazmat symbols necessitates knowledge on the part of the motor carrier and its employees. In fact, the USDOT requires formal training for all “hazmat employees,” defined as anyone – full-time, part-time, temporary or self-employed – who “directly affects hazardous materials transportation safety,” including loading, unloading, handling or transporting hazardous materials.

The required training for hazmat employees falls into these six categories:

- **general awareness/familiarization**
- **function-specific**
- **safety**
- **security awareness**
- **in-depth security training, when a security plan is required**
- **driver training**

New hazmat employees, or those who have changed their job function, must complete training within 90 days of employment or new function. Until training is complete, the hazmat employee can only work under the direct supervision of a properly trained and knowledgeable hazmat employee. If a security plan is changed, new training in that aspect must be completed within 90 days of the change.

READING, UNDERSTANDING AND FOLLOWING THE HAZMAT SYMBOLS NECESSITATES KNOWLEDGE ON THE PART OF THE MOTOR CARRIER AND ITS EMPLOYEES.

Every three years, all hazmat employees must have refresher (called “recurrent”) training in all applicable categories.

Management must document this new and recurrent training in the employee files. Specifically, federal regulations require the hazmat employee files to show:

1. The hazmat employee’s name;
2. The most recent training completion date of the hazmat employee’s training;
3. A description, copy, or the location of the training materials used to meet the requirements;
4. The name and address of the person providing the training; and
5. Certification that the hazmat employee has been trained and tested.

Federal and state investigators will examine hazmat employee files to see that the required training has been completed and documented. That is how officials check that hazardous materials knowledge is present at the motor carrier and has been communicated to all employees.



Communication link #2: to drivers on what placards to display, papers to carry, and how to respond in an emergency.

Driver training is one of the six required hazmat employee training categories and management should give directions that only drivers with a hazardous materials endorsement to their CDLs should operate a truck hauling hazardous materials.

Still, even with the required training and the hazardous materials endorsement, several of the [most frequent hazmat violations](#) either relate to the driver or are discoverable by the driver. Those frequent hazmat violations include:

- **Improper placards.** No matter who places the placards initially, the driver must cross-check the placards against the shipping papers for accuracy. Placards are the principle means of hazmat communication.
- **No USDOT hazmat carrier registration number in the truck.** Again, management should direct that a copy of its hazardous materials carrier registration is in every truck used to transport hazmat, but the driver should verify its presence.
- **Shipping papers and emergency response information not readily accessible.** Law enforcement conducting a hazmat inspection will ask to see both the shipping papers and the emergency response information for that load. If a driver has to dig through a duffel bag for them, a hazmat violation will be noted. After all, how can hazmat details be communicated, particularly in an emergency, if the paperwork cannot be readily located?
- **Hazmat freight not properly blocked and braced.** No matter the freight being transported, a driver should always check how it was loaded. That's simply good trucking. But, surprisingly, failure to properly secure hazmat freight is among the most frequent of hazmat violations.
- **Unnecessary placards displayed.** Talk about communication! Once the driver delivers any hazmat freight, the corresponding placards must be removed or covered. Otherwise, the truck is sending the wrong signal to law enforcement upon inspection and to first responders when a hazmat incident occurs.

Drivers and their trucks are the most visible elements of hazardous materials compliance. They are the ones inspected on the road. Regardless of who at the motor carrier made the initial mistake in placarding, loading or paperwork, all of these frequent hazmat violations are discoverable by the driver and all of them are part of the training a driver receives in obtaining a hazardous materials CDL endorsement. When these violations do occur, they are marked against the motor carrier's Hazardous Materials Compliance BASIC. As it's been said, hazmat violations represent a "failure to *communicate*."

Communications link #3: to law enforcement on what hazardous cargo is inside the trailer.

Whether at time of an inspection or when responding to a hazmat incident or accident, the motor carrier must communicate to law enforcement just what hazardous materials are inside the trailer. That will determine the actions taken by law enforcement and whether first responders are also needed at the scene.

Law enforcement may have the trailer opened for inspection. Discrepancies in these four items will trigger a look at the freight itself, as the whole point of hazardous materials compliance is communicating exactly what commodities of "unreasonable threat" are being transported.

Why does law enforcement want to see the USDOT hazmat carrier registration number? If there are errors in the placards, shipping papers or emergency response information, law enforcement investigators will potentially review the motor carrier's documentation and that of the hazardous materials shipper to see if the errors are systemic. That is particularly true when a look at the hazmat freight itself reveals problems in packaging or blocking and bracing – which can be shared responsibilities between the shipper and carrier.

LAW ENFORCEMENT WILL WANT TO SEE FOUR ITEMS:

**1****PROPER PLACARDING****2****SHIPPING PAPERS****3****EMERGENCY RESPONSE INFO****4****USDOT HAZMAT CARRIER
REGISTRATION NUMBER**

Communications link #4: to first responders on what measures they should take to contain any potentially released hazardous materials.

First responders also want to see the same four items:

- Proper placarding
- Shipping papers
- Emergency response information
- USDOT hazmat carrier registration number

Their need for accurate communication is obvious. The proper method of containing, mitigating and cleaning up the release of a hazardous material varies with the exact commodity being transported. Mistakes can be catastrophic and fatal.

This is all the more reason why a driver must remove unneeded placards once hazmat freight has been delivered. An accident may make the paperwork inaccessible. The placards must *communicate* the right information for the correct first responder actions.

In their case, the first responders will want to see the USDOT hazmat carrier registration number so they can notify the motor carrier, if not already contacted by law enforcement or the driver. And in some instances first responders may need to know the experience of the motor carrier or shipper in handling this specific hazardous material.

Communications link #5: to receivers on the nature of the freight being delivered.

Finally, a safe journey completed! The hazardous materials freight is unloaded at the receiver's facility. But the motor carrier has one last step in communication: telling the receiver what exactly is being delivered. The driver must hand over:

- Shipping papers
- Emergency response information

In turn, the driver must receive a receipt for the transaction (which may be directly communicated electronically to the carrier). The motor carrier must document the completion of this freight delivery – every communications link should be followed and documented when commodities of "unreasonable threat" are involved. That is the essence of hazardous materials compliance.

(REMINDER: NOW IS THE TIME FOR THE DRIVER TO REMOVE UNNEEDED PLACARDS.)

Improving the Hazardous Materials BASIC requires consistency, with the documentation for each hazmat shipment, the training (knowledge) for each hazmat employee, and accurate, complete communication at each step in the process. It starts at the top with management but then flows throughout the whole motor carrier team. Safe and compliant hazardous materials transportation contributes to a good ISS score. That leads to qualifying for and continuing in a weigh station bypass program like PrePass. Most important, it means improved safety and efficiency for all team members and for everyone sharing the road.

QUICK QUIZ

1. How soon and how often must a hazmat employee be trained?
2. What is the principle means of hazmat communication?
3. True or False: Hazmat shippers are responsible for all hazardous materials identification, labeling, shipping papers and emergency response.

Helpful Hints

- Some weigh stations are now equipped with hazmat placard readers, allowing inspectors to quickly cross-check the placard symbols against the shipping papers. Motor carriers can accomplish the same feat through posters on loading docks, allowing employees to place the proper placards before transportation begins.
- Which commodities are considered hazardous can be counter-intuitive... did you know that human hair wigs (in the right quantity) are considered a flammable? Guessing is not an option. Call the shipper if there are questions.
- Hasty loading practices can create problems. Consider what freight is already on a trailer before adding that "one last item." It could introduce freight that is not compatible with a hazmat load already on the trailer or it could trigger the need for a different placard.

(Quick Quiz answers: 1) Within 90 days of employment or new position and every three years thereafter; 2) placards; 3) False. These responsibilities are shared by the shipper and motor carrier.)

Strategic Consultants at Work for You

PrePass Safety Alliance works every day to make highways safer and more efficient through innovative data-driven solutions. We achieve success by consulting with our customers and meeting their needs. As a PrePass customer, you will work with industry-savvy individuals who take the time to understand before prescribing the solution.

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