Motor Carrier Safety Compliance Presentation

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What we are going to cover........

Federal Motor Carrier Safety Regulations
Operating as a Motor Carrier in the United States
Complete the Motor Carrier Identification Report (MCS-150) and Mark CMVs with Motor Carrier Name and USDOT Number
Size, Shape, Location and Color of Marking

BAUSER
TRANSPORTATION
ELGIN, TEXAS
923-5600
VIN EN171740
The marking must:

- Appear on both sides of the vehicle
  Example: both doors of the truck cab

- Be in letters that contrast sharply in color with the background on which the letters are placed

- Be readily legible, during daylight hours, from a distance of 50 feet (15.24 meters) while the commercial motor vehicle is stationary
Be kept and maintained in a manner that retains the legibility

Be painted on the commercial motor vehicle, or consist of a removable device (*If that device meets identification and legibility requirements*)
Complete the Motor Carrier Identification Report and Mark CMVs with Motor Carrier Name and USDOT Number
If the name of any person other than the operating carrier appears on the commercial motor vehicle, the legal name or single trade name of the operating motor carrier, as listed on the Form MCS-150, must be displayed on the vehicle. The name and USDOT number for the operating carrier must be preceded by the words “operated by.”

EXAMPLE

Don Amigo Van Lines
Operated By:
Carlos Trucking, Inc.
USDOT 123456
Federal Motor Carrier Safety Regulations (FMCSR)

- **Part 390**: General Requirements
- **Part 391**: Driver Qualifications
- **Part 382**: Alcohol & Drugs
- **Part 392**: Driving Motor Vehicles
- **Part 395**: Hours of Service
- **Part 396**: Inspection & Repair
FMCSR 390 General Requirements
Commercial Motor Vehicle

Any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:
Gross vehicle weight rating or gross combination weight rating of 4,536 kg (10,001 pounds) or more

Transports more than 8 passengers (including the driver) for compensation

Transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation

Used in transporting a quantity of hazardous material requiring placarding.
Type of Accident Required to Be Reported by Motor Carrier

Any occurrence involving a commercial motor vehicle operating on a public road that results in at least one of the following:

- A fatality
- Bodily injury to a person
- Disabling damage to one or more motor vehicles
Motor Carriers are required to maintain an accident register containing:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released
- Other information as required by State or other governmental entities or Insurers

For a period of one year after an accident occurs
FMCSR Part 391 Driver Qualifications
Commercial Driver Must Be........

- In **good health and physically able** to perform all duties of a driver

- At least **21 years** of age

- Able to **speak and read English** well enough to converse with the general public, understand highway traffic signs and signals, respond to official questions, and be able to make legible entries on reports and records
Commercial Driver Must Be ……..

- Be able to drive the vehicle safely

- Know how to safely load and properly block, brace, and secure the cargo

- Hold one valid commercial motor vehicle operator's license
Commercial Driver Must ........

- Provide an employer with a list of all motor vehicle violations during the past 12 months. Disqualified driver not allowed to drive a commercial motor vehicle for any reason
- Pass a driver's road test or equivalent
- Complete an application for employment
- Possess a valid medical certificate
Every motor carrier must have a qualification file for each regularly employed driver.

- Driver’s Application for Employment
- Inquiry to Previous Employers—3 Years
- Inquiry to State Agencies—3 Years
- Annual Review of Driving Record
Driver Qualification file

- Annual Driver’s Certification of Violations
- Driver’s Road Test Certificate or Equivalent
- Medical Examinations
Driver Qualification file

Driver disqualification for conviction of:

- Driving a CMV while under the influence of alcohol
- Driving a CMV while under the influence of a disqualifying drug or other controlled substance
- Leaving the scene of an accident that involves a CMV
Using a CMV to commit a felony or a serious traffic violation

Using a CMV to violate an Out-of-Service Order

Using a CMV to violate the railroad-highway grade crossing rule
FMCSR 382 Alcohol and Drugs
Controlled Substance and Alcohol Testing Program

Requires employers and drivers to establish and participate in a controlled substance and alcohol testing program.

Program is designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.
Employers and drivers must comply with the controlled substances and alcohol testing regulations if they operate a commercial motor vehicle in commerce in any State.

Employers are responsible to ensure that all alcohol or controlled substances testing conducted under this part complies with the procedures set forth in Part 40.
Types of Alcohol & Controlled Substance Tests

- Pre-employment
- Post-Accident
- Random
- Reasonable Suspicion
- Return-to-Duty
- Follow-up
Retention of Records

- Alcohol test results indicating a BAC of 0.02 or greater
- Verified positive drug test results
- Refusals to submit to required tests
- Required calibration of breath testing devices
Retention of Records

Two Years
Records related to the collection process and required training

One Year
Negative and canceled controlled substance test results

Alcohol test results indicating a BAC of less than 0.02
Provide educational materials explaining requirements and employer's policies regarding alcohol misuse and controlled substances abuse, including:

- The person designated to answer drug and alcohol questions
- Which drivers are subject to these requirements, what behavior is prohibited, and a clarification of what a "safety sensitive function" is.
Circumstances under which a driver will be tested, and the procedures that will be used

Explanations of the requirement that a driver submit to the testing, as well as what constitutes a driver's refusal to submit to testing

Consequences for drivers who have violated the testing requirements

Information concerning the effects of alcohol misuse, and controlled substances abuse on health, work, and personal life
FMCSR 392 Driving Motor Vehicles
Drivers shall not drive when their... Ability and/or alertness is impaired by:

- Fatigue
- Illness, or
- Any other cause

that makes it unsafe to begin (or continue) to drive the vehicle

FMCSR Part 392 Driving Motor Vehicles
Drivers shall not use or possess...

- Any Schedule I drug or other substance listed in Appendix D any amphetamine or formulation of an amphetamine (including pep pills and bennies)
- Narcotics or derivatives
- Any other substance that makes driving unsafe
Drivers are forbidden to...

✅ Consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving

✅ To possess an alcoholic beverage while on duty, unless it is a manifested part of the shipment
Safe Loading

✓ No one shall drive or require anyone to drive a commercial motor vehicle unless the cargo is properly loaded and secured
Motor vehicles transporting hazardous materials, and most buses transporting passengers, are forbidden to cross railroad tracks without first stopping and looking both ways.

Additionally, the driver must not shift gears while crossing the track.
Seat Belts

A driver must not drive before correctly restraining him/herself
Emergency Signals for Stopped Vehicles

✓ A vehicle stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers at once.

✓ Leave the flashers on until warning devices are activated.

✓ The flashers must again be used while the warning devices are being picked up before the vehicle moves on.
Placement of Warning Devices

1. One warning device must be placed on the traffic side of the vehicle, within ten feet, in the direction of approaching traffic.

2. A second device must be placed facing approaching traffic approximately 100 feet away in the center of the lane or shoulder where the vehicle is stopped.

3. The third device must be placed about 100 feet away from the stopped vehicle, in the direction away from approaching traffic.
Use of radar detectors is prohibited, including the following:

• Radar detectors shall not be used by a driver in a commercial vehicle.

• A driver shall not operate any commercial motor vehicle that is equipped with a radar detector.

• Motor carriers shall not require or permit a driver to violate the radar detector provisions.
FMCSR 395 Hours of Service
New Hours of Service Rules Applicable to Motor Carriers and Drivers of Property
(Effective 1/4/2004)

11 Hour Rule
● CMV driver may drive 11 hours after 10 hours off-duty.

14 Hour Rule
● CMV driver may not drive beyond the 14th hour after coming on-duty, following 10 hours off-duty
New Hours of Service Rules

A motor carrier must not permit or require a driver to drive after a total of:

60 Hour Rule
- 60 hours on duty in 7 consecutive days

70 Hour Rule
- 70 hours on duty in 8 consecutive days

A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off-duty.

If the driver works more than one job of any kind, that time must also be included as On Duty Time.
Driver’s Log

- Every driver shall prepare a record of duty status (Driver's daily log) in his/her own handwriting for each 24-hour period.

- Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.
# FMCSR Part 395 Hours of Service

## Driver’s Log

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
</table>
| 1 | **CURRENT DATE**  
   M | Month  
   D | Day  
   Y | Year |
| 2 | **TOTAL MILES DRIVEN** |
| 3 | **MAY BE CO-EQUIP OR LICENSE NUMBERS**  
   V | Vehicle Numbers  
   N | Show All Units |
| 4 | **NAME OF CARRIER**  
   P | Principal Business Address  
   A | Main Office Address |
| 5 | **HAND WRITTEN BY DRIVER**  
   D | Drivers Signature in Full  
   P | Printed by Driver  
   C | Name of Co-Driver |
| 6 | **SHIPPING DOCUMENT OR SHIPPER’S NAME AND COMMODITY** |
| 7 | **TIME USED WILL BE THAT OF THE DRIVER’S HOME TERMINAL.** |
| 8 | **REMARKS:** |
| 9 | **LOCATION FOR EACH CHANGE OF DUTY WILL BE ENTERED IN THE REMARKS SECTION. THE STATE MAY BE ABBREVIATED. FOR INTERSTATE REFER TO 49 CFR PART 395 FOR EXCEPTIONS ON LOCATION ENTRIES OTHER THAN CITIES AND STATE COMBINATIONS.** |

Any reason for extended driving time due to adverse conditions will be explained in the remarks section.
Driver’s Log

The driver must submit the original log sheet to the employing carrier within 13 days after completion.

Records of duty status must be maintained for a minimum of six months at the carrier's principal place of business, with all supporting documents.
Motor carriers may require a driver to use an automatic on-board recording device to record duty status.

- The driver must still have in his/her possession records of duty status for the previous seven consecutive days.

- All hard copies of the driver's record of duty status must be signed by the driver.
FMCSR 396 Inspection and Repair
Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- A record of inspection, repair, and maintenance of all commercial motor vehicles under their control.

- Identifying information for each vehicle, including company number, make, serial number, year, and tire size.
Motor carriers must maintain...

- A schedule of inspections to be performed, including type and due date

- The records must be retained for one year at the location where the vehicle is garaged, and maintained for six months after the vehicle leaves the carrier's control (via sale, trade-in, or scrap).
Driver must deliver it to the motor carrier.

Official of the motor carrier is to examine the roadside inspection report and ensure that any violations/defects noted on the report are corrected.

Within 15 days after the inspection, the carrier must sign the inspection report to certify that all violations have been corrected, and then return it to the indicated address.

A copy must be retained for 12 months from the date of inspection.
Before starting out, the driver must be satisfied that the motor vehicle is in safe operating condition.

- If the last vehicle inspection report notes any deficiencies,
- Driver must review and sign that necessary repairs have been completed.
Drivers are required to prepare a daily written post trip inspection report at the end of each driving day.
Every driver is responsible for preparing such a report for each vehicle driven. Report covers the following parts/ accessories:

- Service brakes (including trailer brake connections)
- Parking (hand) brake
- Steering mechanism
Lighting devices and reflectors
Tires
Horn
Windshield wipers
Rearview mirrors
Coupling devices
Wheels and rims
Emergency equipment.
List any condition that the driver either found or had reported to him/her that would affect safety of operation or cause a breakdown.

If no defect or deficiency is reported or found, the report should state this. The driver must sign the report in all cases.
Before dispatching the vehicle again, a carrier shall ensure that a certification has been made as to any defect or deficiency, that they have been corrected, or state those deficiencies that do not require immediate correction.

Carriers must keep the original post-trip inspection report and the certification of repairs for at least three months from the date of preparation.
Every commercial vehicle, including each segment of a combination vehicle requires periodic inspection that must be performed at least once every 12 months.

- Carriers may perform required annual inspections themselves.

- The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.
Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on the vehicle.

The motor carrier may meet periodic inspection requirements through:

- State or other jurisdiction's roadside inspection program,
- Self-inspection by qualified employee, or
- Third part inspection by qualified individual.