

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



Size, Shape, Location and Color of Marking

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

Size, Shape, Location and Color of Marking

- ❏ 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



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**

Driver Qualification file.....

- 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.

Controlled Substance and Alcohol Testing Program...

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

Five Years

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

Supervisor Training/Driver Awareness

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.

Supervisor Training/Driver Awareness

- ➔ 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

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**

Railroad Crossings/Stopping

- ✓ 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

Driver's Log

**SHIPPING DOCUMENT OR
SHIPPER'S NAME AND
COMMODITY**

TIME USED WILL BE THAT
OF THE DRIVER'S HOME
TERMINAL.

ANY REASON FOR EXTENDED DRIVING TIME DUE TO ADVERSE
CONDITIONS WILL BE EXPLAINED IN THE REMARKS SECTION.

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.

**SHOULD
TOTAL 24**

10

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).

Roadside Inspection Report

- **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.

Pre-Trip Inspection Report

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.

Post Trip Inspection Report

Drivers are required to prepare a daily written post trip inspection report at the end of each driving day.

Post Trip Inspection Report

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

Post Trip Inspection Report

- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rearview mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment.

Post Trip Inspection Report

- 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.

Post Trip Inspection Report

- 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.

Periodic Inspection

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.**

Periodic Inspection

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.