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A Motor Carrier's Guide to Improving Highway Safety



U.S. Department
of Transportation
Federal Motor Carrier
Safety Administration

REPRODUCED BY:
U.S. Department of Commerce
National Technical Information Service
Springfield, Virginia 22161

NTIS



FMCSA
Federal Motor Carrier Safety Administration

Disclaimer

Although we make every effort to assure that the information we provide is complete and accurate, it is not intended to take the place of published agency regulations. This document only paraphrases the Federal Motor Carrier Safety Regulations published in Title 49 of the U.S. Code of Federal Regulations. The contents may not be relied upon as a substitute for the official text. The regulations issued by the U.S. Department of Transportation and its Operating Administrations are published in the Federal Register and compiled in the U.S. Code of Federal Regulations (CFR). Copies of appropriate volumes of the CFR in book format may be purchased from the Superintendent of Documents, U.S. Government Printing Office, or examined at many libraries.

ETA BOOKLET REPORT FORM

NAME _____

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ERRORS AND COMMENTS

(Note: Please include Part, Section Number, and Subject Title when possible)

Mail or fax to:

Federal Motor Carrier Safety Administration
Safety Action Programs Division
400 Seventh Street, SW, MCEA
Washington, DC 20590
Fax: (202) 366-7908

Federal Motor Carrier Safety Administration Education and Technical Assistance Program

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Federal Motor Carrier Safety Administration Education and Technical Assistance Program

INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) has produced “A Motor Carrier’s Guide to Improving Highway Safety” for our Education and Technical Assistance Program. This booklet provides basic compliance guidance to the Federal Motor Carrier Safety Regulations (FMCSRs). However, it is not intended to be a substitute for these regulations. To purchase a complete copy of the FMCSRs, Parts 300-399, contact the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, telephone : (202) 512-1800 or at www.access.gpo.gov.

Our overall goal is to improve the safe transportation of passengers and goods on the nation’s highways, through a coordinated effort of Federal, State, and industry organizations to reduce fatalities, injuries, property damage and Hazardous Materials incidents. We implement this safety and compliance program through a national network of sixty-four field offices.

This booklet is comprised of thirteen parts, each containing a specific safety regulation topic that is covered in the FMCSRs. These parts are listed in the Table of Contents. Each part contains information sheets that cover the highlights of that section. Please feel free to reproduce any or all material in this package and to distribute copies as needed. You may also obtain this information on our website at www.fmcsa.dot.gov.

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable FMCSRs. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.

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Federal Motor Carrier Safety Administration Education and Technical Assistance Program

FIELD OFFICE DIRECTORY

U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Note: All Addresses should be preceded by

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Service Centers

Federal Motor Carrier Safety Administration Field Offices

ALABAMA
500 Eastern Boulevard, Suite 200
Montgomery, AL 36117-2018
(334) 223-7244

ALASKA
605 W. 4th Avenue, Rm 249
Historic Federal Building
Anchorage, AK 99501
(907) 271-4068

ARKANSAS
3414 Federal Building
700 West Capitol
Little Rock, AR 72201
(501) 324-5050

ARIZONA
234 North Central Avenue, Suite 305
Phoenix, AZ 85004
(602) 379-6851

CALIFORNIA - Southern
22690 Cactus Avenue, Suite 250
Moreno Valley, CA 92553
(909) 653-2299

CALIFORNIA - Northern
980 - 9th Street, Suite 450
Sacramento, CA 95814-2724
(916) 498-5050

COLORADO
555 Zang Street, Room 250
Lakewood, CO 80228
(303) 969-6748

CONNECTICUT
Glastonbury Corporate Center
628-2 Hebron Avenue, Suite 303
Glastonbury, CT 06033-5007
(860) 659-6700

DELAWARE
Federal Office Building
300 South New Street, Rm 2101
Dover, DE 19904
(302) 734-8173

DISTRICT OF COLUMBIA
Union Center Plaza, Suite 750
820 First Street, NE
Washington, DC 20002
(202) 523-0178

FLORIDA
227 North Bronough Street, Rm 2060
Tallahassee, FL 32301
(850) 942-9338

GEORGIA
Atlanta Federal Center
61 Forsyth Street, SW; Suite 17T85
Atlanta, GA 30303-3104
(404) 562-3620/21

HAWAII
Prince Jonah Kuhio Kalaniana'ole
Building
300 Ala Moana Blvd, Suite 3-306
Box 50206
Honolulu, HI 96850
(808) 541-2700

IDAHO
3050 Lakeharbor Lane, Suite 126
Boise, ID 83703
(208) 334-1842

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Springfield, IL 62703-4514
(217) 492-4608

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Indianapolis, IN 46204-1520
(317) 226-7474

IOWA
105 6th Street
Ames, IA 50010-6337
(515) 233-7400

KANSAS
3300 S. Topeka Blvd, Suite 1
Topeka, KS 66611-2237
(785) 267-7288

KENTUCKY
Federal Building & US Courthouse
330 West Broadway; PO Box 536
Frankfort, KY 40601
(502) 223-6779

LOUISIANA
5304 Flanders Drive, Suite A
Baton Rouge, LA 70808
(225) 757-7640

MAINE
Federal Building & US Post Office
40 Western Ave., Room 601
Augusta, ME 04330
(207) 622-8358

MARYLAND
The Rotunda - Suite 220
711 West 40th Street
Baltimore, MD 21211
(410) 962-2889

MASSACHUSETTS
Transportation Systems Center
55 Broadway, Rm I-35
Cambridge, MA 02142
(617) 494-2770

MICHIGAN
Federal Building
315 West Allegan Street, Room 205
Lansing, MI 48933-1514
(517) 377-1866

MINNESOTA
Galtier Plaza, Box 75
175 Fifth Street East, Suite 500
St. Paul, MN 55101-2904
(651) 291-6150

MISSISSIPPI
666 North Street, Suite 105
Jackson, MS 39202-3199
(601) 965-4219

MISSOURI
209 Adams Street
Jefferson City, MO 65101
(573) 636-3246/3870

MONTANA
2880 Skyway Drive
Helena, MT 59602
(406) 449-5304

NEBRASKA
Federal Building
100 Centennial Mall North Room 220
Lincoln, NE 68508-5146
(402) 437-5986

NEVADA
705 North Plaza Street, Suite 220
Carson City, NV 89701
(775) 687-5335

NEW HAMPSHIRE
279 Pleasant Street, Room 202
Concord, NH 03301
(603) 225-1626

NEW JERSEY
840 Bear Tavern Road; Suite 310
West Trenton, NJ 08628
(609) 637-4222

NEW JERSEY
275 Paterson Avenue
Little Falls, NJ 07424
(973) 357-4134

NEW MEXICO
2400 Louisiana Blvd., NE
AFC-5 Suite 520
Albuquerque, NM 87110-4316
(505) 346-7858

NEW YORK
Leo W. O'Brien Federal Building
Clinton 7 Pearl Streets, 9th Floor
Albany, NY 12207
(518) 431-4145

NEW YORK
One Bowling Green, Room 420
New York, NY 10004
(212) 668-2130

NEW YORK
Federal Office Building
111 West Huron Street, Room 909B
Buffalo, NY 14202
(716) 551-4701

NEW YORK
Federal Station
James M. Hanley US Courthouse
& Federal Building Room 129
PO Box 7065
Syracuse, NY 13261
(315) 448-0311

NORTH CAROLINA
310 New Bern Avenue, Rm 468
Raleigh, NC 27601
(919) 856-4378

NORTH DAKOTA
1471 Interstate Loop
Bismarck, ND 58501
(701) 250-4346

OHIO
200 North High Street, Room 328
Columbus, OH 43215-2482
(614) 280-5657

OKLAHOMA
300 N. Meridian, Suite 106-S
Oklahoma City, OK 73107-6560
(405) 605-6047

OREGON
The Equitable Center
530 Center Street, NE, Suite 100
Salem, OR 97301
(503) 399-5775

PENNSYLVANIA
228 Walnut Street, Rm 536
Harrisburg, PA 17101-1720
(717) 221-4443

PENNSYLVANIA
Federal Building, Room 305
1000 Liberty Avenue
Pittsburgh, PA 15222
(412) 395-6935/36

PENNSYLVANIA
900 East Eighth Ave., Suite 202
King of Prussia, PA 19406
(610) 992-8680

PENNSYLVANIA
Scranton Center, Suite 102E
401 Adams Avenue
Scranton, PA 18510
(570) 346-4949
(570) 346-5205

PUERTO RICO
US Courthouse & Federal Building
Carlos Chardon Street, Rm 329
Hato Rey, PR 00918
(787) 766-5985

RHODE ISLAND
380 Westminster Mall, Room 547
Providence, RI 02903
(401) 528-4578

SOUTH CAROLINA
1835 Assembly Street, Suite 1253
Columbia, SC 29201-2430
(803) 765-5414

SOUTH DAKOTA
116 East Dakota Street
PO Box 700
Pierre, SD 57501
(605) 224-8202

TENNESSEE
640 Grassmere Park, Suite 112
Nashville, TN 37211
(615) 781-5781

TEXAS
Room 8A00 Federal Building
819 Taylor Street
Fort Worth, TX 76102
(817) 978-3225

TEXAS
Lincoln-Juarez International Bridge
Building 4, Rm 405
PO Box 1579
Laredo, TX 78042-1579
(956) 794-1006

TEXAS
2320 LaBranch, Room 1218
Houston, TX 77004
(713) 718-3678/9

TEXAS
1205 Texas Avenue, Rm 613
Lubbock, TX 79401
(806) 472-7664/9

TEXAS
826 Federal Building
300 East 8th Street
Austin, TX 78701
(512) 916-5475

TEXAS
PO Box 2466
Harlingen, TX 78551-2466
(956) 399-0535

UTAH
2520 West 4700 South, Suite 9B
Salt Lake City, Utah 84118
(801) 963-0096

VERMONT
Federal Building
87 State Street, Room 216
PO Box 568
Montpelier, VT 05602
(802) 828-4480

VIRGINIA
400 North 8th Street, Room 750
P.O. Box 10249
Richmond, VA 23240-0249
(804) 775-3322

WASHINGTON
Evergreen Plaza
711 South Capitol Way, Suite 501
Olympia, WA 98501
(360) 753-9875

WEST VIRGINIA
700 Washington Street East
Suite 205, Geary Plaza
Charleston, WV 25301
(304) 347-5935

WISCONSIN
567 D'Onofrio Drive, Suite 101
Madison, WI 53719-2814
(608) 829-7530

WYOMING
1916 Evans Avenue
Cheyenne, WY 82001
(307) 772-2305

Federal Motor Carrier Safety Administration Educational and Technical Assistance Package

HOW TO OBTAIN MANUALS AND FORMS

1. Federal Motor Carrier Safety Regulations (FMCSRs)
2. Driver Qualification Packets
3. Accident Countermeasure Manuals

The Federal Motor Carrier Safety Administration does not stock or supply manuals and forms, such as the FMCSRs, "Accident Countermeasure" Manual, Medical Examiner's Certificate, Driver's Qualification File Forms, Driver's Daily Log Books, Hazardous Materials Placards, Hazardous Materials Labels, etc. They may be obtained from printing firms, State motor carrier associations, or other sources including, but not confined to, those listed below. Please note that the following suppliers may carry only certain items.

ArtCrest, Inc.
2003 Louisiana Street
Little Rock, AR 72206
(501) 374-6427
(Placards & Labels)

Jack Bilt Corporation
906 Central Street
Kansas City, MO 64105
(816) 842-5068

J.J. Keller & Associates, Inc.
3003 West Breezewood Lane
P.O. Box 368
Neenah, WI 54957-0368
(877) 564-2333
(Various Forms and Manuals)

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402
(202) 512-1800

Federal Motor Carrier Safety Regulations
Federal Hazardous Materials Regulations
HM Container Regulations

Lancer Insurance Company
370 West Park Avenue
Long Beach, NY 11561
(516) 431-4441
(Bus/Accident Countermeasure Manual)

LabelMaster
5724 North Pulaski Road
Chicago, IL 60646-6797
(800) 621-5808
(Placards & Labels)

(Your) State Motor Carrier Association
(See the white pages of telephone
directory in state capital city
for address and number)

Triodyne, Inc.
5950 West Toughy Avenue
Niles, IL 60714-4610
(708) 677-4730 Ext. 162
(Accident Countermeasure Manual)

49 CFR Parts 200-399
49 CFR Parts 100-177
49 CFR Parts 178-199

**Alcohol and Drug
Testing Requirements**

Alcohol and Drug Testing Requirements

Applicability

Drivers required to have a commercial drivers license (CDL) are subject to the controlled substance and alcohol testing rules. This requirement extends to those drivers currently covered by the rule, including interstate and intrastate truck and motor coach operations.

This includes commercial motor vehicles operated by:

- For-hire and private companies
- Federal, State, local, and tribal governments
- Church and civic organizations
- Apiarian industries

Exemptions

- Drivers exempt from commercial driver's license requirements by their issuing State
- Active duty military personnel

Types of alcohol and controlled substance tests

Pre-employment: No employer shall allow a driver to perform a safety sensitive function until they have received the negative controlled substance test result.

Post-Accident: As soon as practicable following an accident involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol and controlled substances each surviving driver: Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or Who receives a citation under State or local law for a moving traffic violation arising from the accident, if the accident involved: Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Random: Companies are to randomly test drivers at a minimum annual percentage rate of 10% of the number of drivers for alcohol testing, and 50% for controlled substances testing. The random alcohol test must be performed immediately prior, during or immediately after a driver is about to, or has performed a safety sensitive function as defined in Section 382.107. All drivers must have an equal chance of being selected.

Reasonable Suspicion: An employer shall require a driver to submit to an alcohol and/or controlled substance test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol and/or controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol and/or controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The required observations shall be made by a supervisor or company official who is trained in accordance with 382.603.

Return-to-Duty: Each employer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by subpart B of this part concerning alcohol or controlled substances, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. or the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

Follow-up: If a Substance Abuse Professional has determined that a driver needs assistance for the misuse of alcohol, or for use of a controlled substance, an employer must ensure that the driver is subject to follow-up testing. A minimum of six tests must be conducted in the first 12 months, and the driver may only be subject to this test for a maximum of 60 months.

Five Years:

- Alcohol test results indicating a Breath Alcohol Concentration (BAC) of 0.02 or greater
- Verified positive drug test results
- Refusals to submit to required alcohol and drug tests
- Required calibration of Evidential Breath Testing (EBT) devices

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

All required records shall be maintained in a secure location with limited access, and shall be made available for inspection by an authorized representative of the Federal Motor Carrier Safety Administration.

Retention of records

Location of records

**Supervisor
training/Driver
awareness**

Every motor carrier shall provide educational materials explaining the requirements of the regulations as well as the employer's policies regarding alcohol misuse and controlled substances abuse. At a minimum, detailed discussions should include:

- The identity of 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.
- The circumstances under which a driver will be tested, and the procedures that will be used for testing.
- Explanations of the requirement that a driver submit to the testing, as well as what constitutes a driver's refusal to submit to testing.
- The 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.

**Inquiries to
previous
employers**

A motor carrier, with the driver's written authorization, shall inquire about the following information on a driver from the driver's previous employers for a period of two years preceding the driver's date of application:

- Alcohol tests with a result of 0.04 alcohol concentration or greater;
- Verified positive controlled substances test results; and
- Refusals to be tested.

It is not required to complete either the "OMCS Controlled Substance and Alcohol Testing MIS Data Collect Report" form or the "EZ" version of the form contained in this section unless you have received official notification from the Federal Motor Carrier Safety Administration.

U.S. Department of Transportation (DOT) Breath Alcohol Testing Form

(THE INSTRUCTIONS FOR COMPLETING THIS FORM ARE ON THE BACK OF COPY 3)

▶ STEP 1: TO BE COMPLETED BY BREATH ALCOHOL TECHNICIAN

A. Employee Name _____ (PRINT) (First, M.I., Last)
B. SSN or Employee ID No. _____
C. Employer Name, _____ Address, & _____ Telephone No. _____ _____ () _____ Telephone Number
D. Reason for Test: <input type="checkbox"/> Pre-employment <input type="checkbox"/> Random <input type="checkbox"/> Reasonable Suspicion/Cause <input type="checkbox"/> Post-accident <input type="checkbox"/> Return to Duty <input type="checkbox"/> Follow-up

▶ STEP 2: TO BE COMPLETED BY EMPLOYEE

I certify that I am about to submit to breath alcohol testing required by U.S. Department of Transportation regulations and that the identifying information provided on this form is true and correct.

Signature of Employee

Date _____ / _____ / _____
Month Day Year

▶ STEP 3: TO BE COMPLETED BY BREATH ALCOHOL TECHNICIAN

I certify that I have conducted breath alcohol testing on the above named individual in accordance with the procedures established in the U.S. Department of Transportation regulation, 49 CFR Part 40, that I am qualified to operate the testing devices identified, and that the results are as recorded.

Screening test: Complete only if the testing device is not designed to print the following.

Test No.	Testing Device Name	Testing Device Serial Number	Time	Result
_____	_____	_____	_____ AM _____ PM	_____

Confirmation test: Confirmation test results **MUST** be affixed to the back of each copy of this form:

Remarks: _____

(PRINT) Breath Alcohol Technician's Name (First, M.I., Last)

Signature of Breath Alcohol Technician

Date _____ / _____ / _____
Month Day Year

▶ STEP 4: TO BE COMPLETED BY EMPLOYEE

I certify that I have submitted to the breath alcohol test the results of which are accurately recorded on this form. I understand that I must not drive, perform safety-sensitive duties, or operate heavy equipment if the results are 0.02 or greater.

Signature of Employee

Date _____ / _____ / _____
Month Day Year

**AFFIX SCREENING TEST RESULTS HERE
(IF APPLICABLE)**

USE TAMPER-EVIDENT TAPE

AFFIX CONFIRMATION TEST RESULTS HERE

USE TAMPER-EVIDENT TAPE

PAPERWORK REDUCTION ACT NOTICE (as required by 5 CFR 1320.21)

Public reporting burden for this collection of information is estimated for each respondent to average: 1 minute/employee, 4 minutes/Breath Alcohol Technician. Individuals may send comments regarding these burden estimates, or any other aspect of this collection of information, including suggestions for reducing the burden, to U.S. Department of Transportation, Drug Enforcement and Program Compliance, Room 9404, 400 Seventh St., SW, Washington, D.C. 20590 or Office of Management and Budget, Paperwork Reduction Project, Room 3001, 725 Seventeenth St., NW, Washington, D.C. 20503.

COPY 1 - ORIGINAL - FORWARD TO THE EMPLOYER

OMB No. 2105-0529

Exp. Date: 2/28/97

1999

OMCS CONTROLLED SUBSTANCE AND ALCOHOL TESTING MIS DATA COLLECTION REPORT

A. MOTOR CARRIER INFORMATION

Report for Calendar Year: 1999

Your Motor Carrier Name, U.S. DOT Number and address(es) are:

If you are no longer a motor carrier using drivers required to have CDLs to operate CMVs, or you believe you are exempt for one of the following reasons, please prepare sections A and B noting the exact circumstances why you are not subject to 49 CFR part 382. Please return this form to us so we may update our records with correct information.

- The motor carrier identified above went out of business on _____ (date) or moved on _____ (date).
- I (We) do not operate the size of commercial motor vehicles (CMVs) in the United States subject to 49 CFR part 382.
- I (We) only operate motor vehicles in the United States meeting all four of following conditions.
 1. For single vehicles without a trailer attached, the vehicle has a gross vehicle weight rating (GVWR) less than 11,794 kilograms.
 2. For vehicles connected together (e.g., a trailer is connected to a truck, a truck tractor, or a bus), the combined vehicles have a gross combination weight rating (GCWR) less than 11,794 kilograms. This takes into account the trailer or towed unit (e.g., a wrecked vehicle) has a GVWR of 4,536 kilograms or less
 3. For passenger vehicles, the manufacturer designed the vehicle and I only use the vehicle to transport 15 or less passengers, including the driver.
 4. Title 49 CFR part 172, subpart F (172.500 *et seq.*) does not require me to placard my motor vehicles.

My motor carrier operation is exempt from 49 CFR part 382 for one of the following four reasons.

- No State requires me or any of my drivers to obtain CDLs to operate my *farm vehicles*.
- No State requires me or any of my drivers to obtain CDLs to operate my *firefighting or other emergency response vehicles*.
- The Federal Transit Administration exclusively regulates my controlled substances and alcohol testing program because I only have motor vehicles subject to 49 CFR parts 653 and 654.
- My motor carrier operation is exclusively an active duty United States military unit, using only drivers on active duty (including, but not limited to, the U.S. Coast Guard, the Reserves, or the National Guard) subject only to U.S. Department of Defense Military License requirements.

Other (please explain) :

Title 18, U.S.C. Section 1001, makes it a criminal offense subject to a maximum fine of \$10,000, or imprisonment for not more than 5 years, or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States.

I, _____ (print name), certify the information provided on this Office of Motor Carrier Safety Controlled Substance and Alcohol Testing Management Information System Data Collection Form is, to the best of my knowledge and belief, true, correct, and complete for the calendar year reporting period stated.

Signature

Date of Signature

B. DRIVER REQUIRED TO HAVE CDLS

DRIVER REQUIRED TO HAVE CDLS					
DRIVER CATEGORY	NUMBER OF DRIVERS REQUIRED TO HAVE A CDLS	NUMBER OF DRIVERS REQUIRED TO HAVE CDLS COVERED BY MORE THAN ONE DOT OPERATING ADMINISTRATION			
		FAA	FRA	FTA	RSPA
Drivers					

Do you have a consortium conduct your random testing element of your program? YES NO

READ BEFORE COMPLETING THE REMAINDER OF THIS FORM:

1. All items refer to the **current** reporting period **only** (January 1, 1999 - December 31, 1999).
2. This report is only for testing **REQUIRED BY THE OFFICE OF MOTOR CARRIER SAFETY (OMCS)**.
- You must only report results for drivers **REQUIRED TO HAVE CDLS** as defined by OMCS controlled substance and alcohol testing regulations (49 CFR part 382).
- The information you provide must only include testing for marijuana (THC), cocaine, phencyclidine (PCP), opiates, amphetamines, and alcohol using the standard procedures required by DOT regulation 49 CFR Part 40.
3. You must report information about refusals for testing only in the tables entitled "DRIVERS REQUIRED TO HAVE CDLS WHO REFUSED TO SUBMIT TO A CONTROLLED SUBSTANCE (or AN ALCOHOL) TEST". Do not include refusals for testing in other sections of this report.
4. Do not include the results of any quality control (QC) samples submitted to the testing laboratory in any of the tables.
5. Complete all items; **DO NOT LEAVE ANY ITEM BLANK**. If the value for an item is zero (0), place a zero (0) on the form.

C. CONTROLLED SUBSTANCE TESTING INFORMATION

TYPE OF TEST	NUMBER OF SPECIMENS COLLECTED	NUMBER OF SPECIMENS VERIFIED NEGATIVE	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE CONTROLLED SUBSTANCES	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF CONTROLLED SUBSTANCE				
				Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamines
PRE-EMPLOYMENT								
RANDOM								
POST-ACCIDENT NON-FATAL								
POST-ACCIDENT FATAL								
REASONABLE SUSPICION								
RETURN TO DUTY								
FOLLOW-UP								

Number of persons denied a position as a driver required to have a CDL following a verified positive controlled substance test:	
---	--

Number of drivers returned to duty during this reporting period who had a verified positive controlled substance test or refused a controlled substance test required under the OMCS rule:	
--	--

SPECIMENS VERIFIED POSITIVE FOR MORE THAN ONE CONTROLLED SUBSTANCE					
NUMBER OF SPECIMENS	Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamines

DRIVERS WHO REFUSED TO SUBMIT TO A Controlled substance TEST	Number
Driver required to have a CDL who refused to submit to a random controlled substance test required under the OMCS regulation:	
Driver required to have a CDL who refused to submit to a non-random controlled substance test required under the OMCS regulation:	

CONTROLLED SUBSTANCE TRAINING/EDUCATION	Number
Number of supervisors who have received initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable controlled substance use as required by OMCS controlled substance testing regulations:	

D. ALCOHOL TESTING INFORMATION

TYPE OF TEST	NUMBER OF SCREENING TESTS	NUMBER OF CONFIRMATION TESTS	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.02, BUT LESS THAN 0.04	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.04
PRE-EMPLOYMENT				
RANDOM				
POST-ACCIDENT NON-FATAL				
POST-ACCIDENT FATAL				
REASONABLE SUSPICION				
RETURN TO DUTY				
FOLLOW-UP				
Number of persons denied a position as a driver required to have a CDL following an alcohol test indicating an alcohol concentration of 0.04 or greater:				
Number of drivers who engaged in alcohol misuse who were returned to duty as a driver required to have a CDL (having complied with the recommendations of a substance abuse professional as described in OMCS regulations):				
Number of drivers administered controlled substance <u>and</u> alcohol tests at the same time resulting in a verified positive controlled substance test <u>and</u> an alcohol test indicating an alcohol concentration of 0.04 or greater:				
VIOLATIONS OF OTHER ALCOHOL PROVISIONS / PROHIBITIONS OF THIS REGULATION				
NUMBER OF DRIVERS REQUIRED TO HAVE A CDL	VIOLATION	ACTION TAKEN		
	Driver used alcohol while performing safety-sensitive function.			
	Driver used alcohol within 4 hours of performing safety-sensitive function.			
	Driver used alcohol before taking a required post-accident alcohol test.			
DRIVERS REQUIRED TO HAVE A CDL WHO REFUSED TO SUBMIT TO AN ALCOHOL TEST				Number
Drivers required to have a CDL who refused to submit to a random alcohol test required under the OMCS regulation:				
Drivers required to have a CDL who refused to submit to a non-random alcohol test required under the OMCS regulation:				
ALCOHOL TRAINING/EDUCATION				Number
Number of supervisors who have received initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable alcohol use as required by OMCS alcohol testing regulations:				

INSTRUCTIONS FOR OMCS CONTROLLED SUBSTANCE AND ALCOHOL TESTING MANAGEMENT INFORMATION SYSTEM (MIS) DATA COLLECTION INSTRUCTIONS

WHY DID I RECEIVE THIS REPORT FORM AND INSTRUCTIONS?

The Office of Motor Carrier Safety (OMCS) is conducting a survey of controlled substance and alcohol use among drivers of commercial motor vehicles (CMVs). Our records indicate you drive or you direct drivers to operate, motor vehicles on public roads, streets, or highways in the United States. Our records also indicate you have motor vehicles of a certain size requiring you, or your drivers to have a commercial driver's license (CDL) in accordance with Title 49 Code of Federal Regulations (CFR) part 383. Also included would be licenses obtained under the requirements of the Canadian National Safety Code or Licencia Federal de Conductor (Mexico). *You should read 49 CFR part 382 to determine whether you are subject to this report.*

MUST I COMPLETE THIS REPORT FORM?

You must complete a report. If during this past calendar year your operations had verified positive controlled substances test results or alcohol misuse, you must use Form No. MCS-154, *OMCS Controlled Substance and Alcohol Testing MIS Data Collection Form*. This form begins after page viii following these instructions. If you had no verified positive controlled substances test results and no alcohol misuse, you may use this form or Form MCS-155 (the "EZ" form) as an alternative.

Please prepare sections A, B, C, and D of this report form (or Form MCS-155, if you are eligible) according to the following instructions. If you do not submit a report to us, we may start an investigation to determine why you did not file a report.

WHAT IF I AM NO LONGER A MOTOR CARRIER SUBJECT TO 49 CFR PART 382?

If you are no longer a motor carrier using drivers to operate certain size motor vehicles or you use one of the exemptions (e.g., farmer, firefighter), please prepare sections A and B of this report form or those sections on Form No. MCS-155. Please note the exact circumstances why you are not subject to 49 CFR part 382. Please return this form to us so we may update our records with your correct information. If you do not submit a report to us, we may start an investigation to determine why you did not file a report.

IF I USE A CONSORTIUM, MAY MY CONSORTIUM PREPARE AND SUBMIT MY REPORT?

Your consortium may prepare sections C and D of your report for you. **You must prepare sections A and B yourself.** You remain fully responsible for the accuracy and completeness of every item in your report. Your signature in section A certifies your entries are true, accurate, and complete.

WHAT ARE THE TEN STEPS I MUST FOLLOW TO FILE THIS REPORT?

1. Please read 49 CFR part 382 -- the United States Federal regulations requiring this report.
2. Read these instructions carefully before entering any data.
3. Determine where to obtain the information we request. We suggest probable sources where most motor carriers would keep the information we request.
4. Review the examples we provide carefully to correctly record various data we request.
5. Calculate your previous calendar year's summary data for each item.
6. Record each item's summary data.
7. Audit your entries to ensure your data was recorded accurately and completely. Correct any inaccurate data. [If we conduct an investigation at a later date and find you entered, or certified for, incorrect data, we may penalize you.]
8. Certify to the accuracy and completeness of the report in section A. A motor carrier management official (e.g., owner, partner, President, Vice President) should make this certification.
9. Make a copy of the completed report for your records.
10. Mail the report with the original, signed certification to the address we provided.

WHAT ARE THE FOUR MAJOR PARTS TO THIS REPORT?

We have separated this report into four major sections. Collectively, these sections address the data elements required in the OMCS controlled substance and alcohol testing regulations. The four sections, the page number for the instructions, and the page location on the reporting form are shown below.

<u>Section</u>	<u>Instructions Page</u>	<u>Reporting Form Page</u>
A. MOTOR CARRIER INFORMATION	ii	1
B. DRIVERS REQUIRED TO HAVE A CDL	ii-iii	2
C. CONTROLLED SUBSTANCE TESTING INFORMATION	iii-v	3
D. ALCOHOL TESTING INFORMATION	v-vii	4

Page 1 **SECTION A - MOTOR CARRIER INFORMATION.** We have filled in your name (or your company's name), address, and U.S. DOT number.

If the information we filled in is wrong, please draw a single line through the wrong information and legibly write-in your correct information.

If you believe your operation is exempt from 49 CFR part 382 because of one of the reasons noted in section A, you no longer conduct motor carrier operations, or you are no longer in business, check or make an "X" in the appropriate box in section A, complete sections A and B. Please mail your report to us.

The person certifying the report is correct and complete must read the certification statement, certify by signing his/her name, the date signed, and your current telephone number (including the area code). Please complete section B, and section C and D if applicable, before certifying the report is accurate, true, and complete.

Page 2 **SECTION B - DRIVERS REQUIRED TO HAVE A CDL.** Please review all your records prior to preparing this item. Count all drivers required to have a CDL (or an equivalent foreign license) to operate certain motor vehicles in the United States. The most likely source for this information is your personnel or safety department. You must base your count only on your drivers used during the calendar year reported. Count all drivers you have hired or used on any day in the last calendar year. This includes drivers you paid to drive and drivers you allowed to drive (such as volunteers for a church, fire department, or in an emergency). You must count as a single driver those who you hired or used twice or more in the reported calendar year. *Do not provide the number of drivers employed or used on a single date, such as December 31. Do not provide an average number of drivers used over the calendar year.*

For example, you trip leased driver John Smith for single trips on January 28, May 5, September 12, and December 7. Count driver John Smith as one driver. You hired driver Tracey Jones on January 10, she quit on July 28, you rehired her on October 15, and she quit again on December 3. Count driver Tracey Jones as one driver.

You must provide additional information if your drivers perform duties covered by other USDOT agency controlled substance and alcohol rules. **NUMBER OF DRIVERS PERFORMING OTHER DUTIES COVERED BY OTHER USDOT OPERATING ADMINISTRATIONS**, requires you identify the number of drivers required to have a CDL and who are also covered under another USDOT operating administration, (i.e., FAA, FRA, FTA, USCG, and RSPA). You must count the drivers covered by other DOT operating administrations under all appropriate operating administrations.

For example, if you have any drivers required to have a CDL who also pilot airplanes, operate rail engines, operate transit vehicles, repair pipelines, or pilot ocean vessels for you and you are subject to FAA, FRA, FTA, RSPA, or USCG regulations respectively, you must record a number under each appropriate operating administration.

Please answer the question whether you use a consortium (a group or another entity) to conduct your random testing element of your program.

Page 3 SECTION C - CONTROLLED SUBSTANCE TESTING INFORMATION. You must provide information for controlled substance testing. You must provide the information by category under these seven categories.

1. Pre-employment.
2. Random.
3. Post-accident (non-fatal).
4. Post-accident (fatal).
5. Reasonable suspicion.
6. Return to duty.
7. Follow-up.

All data you enter into the table must only be for **drivers required to have a CDL** or applicants for such jobs. Each part of the table must be completed for each category of testing. These numbers **do not** include refusals to test. Refusals to test are recorded elsewhere on this form.

Use Section C to summarize your controlled substance testing results for drivers required to have CDLs and for applicants for such jobs. Use the first row of the table to enter the data on pre-employment testing. The following six rows are for entering controlled substance testing data on random, post-accident (non-fatal), post-accident (fatal), reasonable suspicion, return to duty, and follow-up testing, respectively. The following three items are necessary to complete these tables.

- 1) The number of specimens collected in each testing category.
- 2) The number of specimens tested verified negative and verified positive for any controlled substance(s) (i.e., marijuana, cocaine, amphetamines, opiates, phencyclidine).
- 3) Individual counts of those specimens verified positive for each of the five controlled substances.

Do not include results of quality control (QC) samples submitted to the testing laboratory in any of the tables.

We provide, on the following page, a sample table with detailed instructions for the first category, **PRE-EMPLOYMENT TESTING INFORMATION**. The format and explanations used for the sample table apply to all seven parts of the table in Section C.

Three types of information are necessary to complete the left side of the first table. The first column ("**NUMBER OF SPECIMENS COLLECTED**"), requires you count all collected specimens. It must not include refusals to test. The second column ("**NUMBER OF SPECIMENS VERIFIED NEGATIVE**"), requires you count all completed tests your Medical Review Officer (MRO) verified negative. The third column ("**NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE CONTROLLED SUBSTANCES**"), requires you count the number of specimens your MRO verified positive.

The right hand side of the table ("**NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF CONTROLLED SUBSTANCE**"), requires you count all positive tests for **each** of the five controlled substances (i.e., marijuana (THC), cocaine, phencyclidine (PCP), opiates, and amphetamines). You must enter the number of verified positive specimens for each controlled substance in the appropriate column for each controlled substance type.

If a driver tested positive for more than one controlled substance; for example, both marijuana and cocaine, you must include this driver's positive results once in each of the appropriate columns (marijuana and cocaine).

Page 3 Below the table for controlled substance testing information is the box labeled "Number of persons denied a position as a driver required to have a CDL following a verified positive controlled substance test." Count those drivers you did not place in a driving position requiring a CDL because the driver applicant tested positive for one or more controlled substances.

Page 3 Below the table for controlled substance testing information is a second box (Number of drivers returned to duty . . . the OMCS rule). You must count drivers you returned to duty during this calendar year reporting period who had a verified positive controlled substance test or refused a controlled substance test required under the OMCS rule. This type of driver may have tested positive in your testing program or may be returning these drivers to duty after testing positive under another motor carrier's program. This information should be available from the personnel office or controlled substance program manager.

SAMPLE APPLICANT TEST RESULTS TABLE

The following example is for Section C, **CONTROLLED SUBSTANCE TESTING INFORMATION**, summarizing pre-employment testing results. The procedures detailed here also apply to the other categories of testing in Section C requiring you to summarize testing results for all drivers. This example uses "Pre-Employment" testing to illustrate the correct procedures for completing the form.

A

Urine specimens were collected for 157 job applicants for driver positions during this calendar year report period. Enter this information in the first column of the table in the row marked "PRE-EMPLOYMENT".

B

Your Medical Review Officer (MRO) reported 153 of those 157 specimens from job applicants for driver positions were verified negative (i.e., no controlled substances were detected). Enter this information in the second column of the table in the row marked "PRE-EMPLOYMENT".

C

Your MRO reported 4 of the 157 specimens from job applicants for driver positions were verified positive (i.e., a controlled substance or controlled substances were detected). Enter this information in the third column of the table in the row marked "PRE-EMPLOYMENT".

D

Your MRO verified positive the following controlled substances in the 4 specimens.

<u>Specimen</u>	<u>Controlled substances</u>
#1	Marijuana
#2	Amphetamines
#3	Marijuana and Cocaine (Multi-controlled substance specimen)
#4	Marijuana

TYPE OF TEST	NUMBER OF SPECIMENS COLLECTED	NUMBER OF SPECIMENS VERIFIED NEGATIVE	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE DRUGS	NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF DRUG				
				Marijuana (THC)	Cocaine	Phencyclidine (PCP)	Opiates	Amphetamines
PRE-EMPLOYMENT	157	153	4	3	1	0	0	1

Three (3) specimens verified positive for marijuana, one (1) for cocaine, and one (1) for amphetamines. You enter this information in the columns on the right hand side of the table under each of these controlled substances. Since the tests detected two different controlled substances in specimen #3 (multi-controlled substance), you must make entries in both the marijuana and the cocaine columns for this specimen. You must also enter information on multi-controlled substance specimens in the table, **SPECIMENS VERIFIED POSITIVE FOR MORE THAN ONE CONTROLLED SUBSTANCE**.

Note the sum of the numbers of each type of controlled substance in a row ("NUMBER OF SPECIMENS VERIFIED POSITIVE FOR EACH TYPE OF CONTROLLED SUBSTANCE") will not always match the number entered in the third column, "NUMBER OF SPECIMENS VERIFIED POSITIVE FOR ONE OR MORE OF THE FIVE CONTROLLED SUBSTANCES". The total for the numbers on the right hand side of the table may differ from the number of specimens testing positive since some specimens may contain more than one controlled substance.

Please remember you are to use the same procedures indicated above for completing all categories of testing in the table in Section C.

Page 3 SPECIMENS VERIFIED POSITIVE FOR MORE THAN ONE CONTROLLED SUBSTANCE.

Please record information on specimens containing more than one controlled substance. First, indicate for each controlled substance combination, the **NUMBER OF SPECIMENS VERIFIED POSITIVE**. Then, identify the controlled substances composing the combination by placing a check-mark in the appropriate columns.

For example, if 3 specimens detected both marijuana and cocaine, then you would write "3" in the first row as the number of specimens, and place a check-mark in the columns for "Marijuana" and "Cocaine". If 2 other specimens detected both marijuana and opiates, then you would write "2" in the second row as the number of specimens, and place a check-mark in the columns for "Marijuana" and "Opiates."

Page 3 DRIVERS WHO REFUSED TO SUBMIT TO A CONTROLLED SUBSTANCE TEST. Please count the **NUMBER OF DRIVERS REQUIRED TO HAVE CDLs** who refused to submit to a **random** or **non-random** (pre-employment, post-accident, reasonable suspicion, return to duty, or follow-up) controlled substance test required by OMCS regulation.

Page 3 CONTROLLED SUBSTANCE TRAINING/EDUCATION requires information on the number of supervisory personnel who have received the required controlled substance training during the current reporting period.

Page 4 SECTION D - ALCOHOL TESTING INFORMATION requires information for alcohol testing by category of testing. You must provide the information by category under these seven categories.

1. Pre-employment.
2. Random.
3. Post-accident (non-fatal).
4. Post-accident (fatal).
5. Reasonable suspicion.
6. Return to duty.
7. Follow-up.

All data you enter into the table must only be for **drivers required to have a CDL** or applicants for such jobs. Each part of the table must be completed for each category of testing. These numbers **do not** include refusals for testing. Refusals for testing are recorded elsewhere on this form.

Four types of information are necessary to complete this table. The first column ("**NUMBER OF SCREENING TESTS**"), requires you count all alcohol screening tests performed. It must not include refusals to test. The second column ("**NUMBER OF CONFIRMATION TESTS**") requires you count all alcohol confirmation tests performed.

The third column ("NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.02, BUT LESS THAN 0.04"), refers to the number of test results with a BAC equal to or greater than 0.02, but less than 0.04. For example, alcohol test results from 0.02 up to and including 0.039 must be counted in this column.

The fourth column ("NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.04"), refers to the number of specimens with a result equal to or greater than a BAC of 0.04. Please note: *For return-to-duty testing, a confirmation test result equal to or greater than 0.02 is a violation of the alcohol rule. Therefore, if your records were destroyed by accident and you cannot locate the number of results equal to or greater than 0.04, you may report all results in the third column of the table.*

SAMPLE APPLICANT TEST RESULTS TABLE

The following example is for the **ALCOHOL TESTING INFORMATION** table, summarizing pre-employment testing results. The procedures detailed here also apply to the other types of testing in the table. This example will use "Pre-Employment" testing to illustrate the procedures for completing the form.

TYPE OF TEST	NUMBER OF SCREENING TESTS	NUMBER OF CONFIRMATION TESTS	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.02, BUT LESS THAN 0.04	NUMBER OF CONFIRMATION TEST RESULTS EQUAL TO OR GREATER THAN 0.04
PRE-EMPLOYMENT	▶ 157 A	▶ 6 B	▶ 2 C	▶ 3 D

A

You performed screening tests on 157 job applicants for driver positions during the calendar year reporting period. This information is entered in the first blank column of the table in the row marked "PRE-EMPLOYMENT".

B

Confirmation tests were necessary for 6 of the 157 applicants for driver positions. Enter this information in the second blank column of the table in the row marked "PRE-EMPLOYMENT". The confirmation test results for these 6 applicants were the following:

<u>Applicant</u>	<u>Confirmation Result</u>	<u>Applicant</u>	<u>Confirmation Result</u>
#1	0.06	#4	0.04
#2	0.01	#5	0.03
#3	0.11	#6	0.02

C

The confirmation test results for 2 of the applicants (#5 and #6) for driver positions were equal to or greater than 0.02, but less than 0.04. Enter this information in the third blank column of the table in the row marked "PRE-EMPLOYMENT".

D

The confirmation test results for 3 of the applicants for driver positions (#1, #3, and #4) were equal to or greater than 0.04. Enter this information in the fourth blank column of the table in the row marked "PRE-EMPLOYMENT".

Note when you add up the numbers for confirmation results in columns three and four you will not always match the number entered in the second column, "NUMBER OF CONFIRMATION TESTS". These numbers may differ since some confirmation test results may be less than 0.02.

Please remember you are to use the same procedures indicated above for completing all categories of testing in the table in Section D.

Page 4 Below the table for alcohol testing information is a box ("**Number of persons denied a position as a driver required to have a CDL following an alcohol test indicating an alcohol concentration of 0.04 or greater**"). Please count those persons you did not place in a driver position because the driver-applicant's alcohol test indicated an alcohol concentration of 0.04 or greater.

Page 4 Following the first box is a second box ("**Number of drivers who engaged in alcohol misuse who were returned to duty in a driving position (having complied with the recommendations of a substance abuse professional as described in OMCS regulations)**"). This information should be available from the personnel office and/or controlled substance and alcohol program manager.

Page 4 A third box requires the "**Number of drivers administered controlled substance and alcohol tests at the same time resulting in both a verified positive controlled substance test and an alcohol test indicating an alcohol concentration of 0.04 or greater.**" Please count all such drivers in this box.

Page 4 **VIOLATIONS OF OTHER ALCOHOL PROVISIONS/PROHIBITIONS OF THIS REGULATION.** Please count the **NUMBER OF DRIVER REQUIRED TO HAVE A CDLs** committing such a violation, a description of the **VIOLATION** committed (e.g., pre-duty alcohol use, on duty alcohol use, on duty alcohol possession), and a brief description of the **ACTION TAKEN** in response to the violation.

Page 4 **DRIVERS WHO REFUSED TO SUBMIT TO AN ALCOHOL TEST.** Please count the **NUMBER OF DRIVERS REQUIRED TO HAVE CDLs** who refused to submit to a **random** or **non-random** (pre-employment, post-accident, reasonable suspicion, return to duty, or follow-up) alcohol test required under the OMCS regulation.

Page 4 **ALCOHOL TRAINING/EDUCATION.** Please record information on the number of supervisory personnel who you, as a motor carrier, provided training on the specific contemporaneous physical, behavioral, and performance indicators of probable alcohol use as required by OMCS alcohol testing regulations during the current reporting period. These are supervisory personnel you trained to monitor drivers to make reasonable suspicion determinations.

Please note, if you are a motor carrier and the sole owner and sole driver for your operation, and do not lease yourself to another motor carrier, we do not require you to train yourself to make reasonable suspicion determinations about yourself.

NOTICE

The OMCS requires all motor carriers, who are selected to report controlled substances and alcohol testing information, to file this report Form MCS-154, Controlled Substance and Alcohol Testing MIS Data Collection Report. A motor carrier selected must file Form MCS-154 before March 15, 2000.

You must file this report as required by 49 CFR part 382 and authorized by 49 U.S.C. 31306 (1996).

We expect you, at a minimum, to do the following ten actions to complete this report.

1. Review the current regulations requiring this report.
2. Review the instructions accompanying this form.
3. Search your files for the correct calendar year data.
4. Retrieve the correct data from your files.
5. Summarize your data.
6. Record your summary data on this form.
7. Audit your form for accuracy and completeness.
8. Refile your data.
9. Certify the report is accurate, true, and complete.
10. Mail your completed report to us.

You may submit any comments concerning the accuracy of this time burden estimate or any suggestions for reducing the burden to the following address.

Kenneth Rodgers
Office of Motor Carrier Enforcement (HMCE-10)
Office of Motor Carrier Safety
400 Seventh Street, S.W.
Washington, D.C. 20590-0001

This collection of information is **Mandatory**. The Office of Motor Carrier Safety will use the information to determine the motor carrier industry violation rate for alcohol and the positive rate for controlled substances. The OMCS will also use the information to determine whether the OMCS should reduce or increase the random testing rate for alcohol and controlled substances.

The OMCS estimates the average public reporting burden is 2 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data, and completing and reviewing the collection of information. The information submitted will be confidential and only be used by the OMCS for statistical summary and enforcement purposes. Ninety percent of the motor carriers subject to these testing regulations have less than 10 drivers.

Please note the OMCS may not conduct or sponsor, and the OMCS may not require you to respond to, this collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is OMB 2125-0543.

1999
OMCS CONTROLLED SUBSTANCE AND ALCOHOL TESTING MIS DATA COLLECTION REPORT
"EZ"

A. MOTOR CARRIER INFORMATION

Report for Calendar Year: 1999

Your Motor Carrier Name, U.S. DOT Number and address(es) are:

If you are no longer a motor carrier using drivers required to have CDLs to operate CMVs, or you believe you are exempt for one of the following reasons, please prepare sections A and B noting the exact circumstances why you are not subject to 49 CFR part 382. Please return this form to us so we may update our records with correct information.

The motor carrier identified above went out of business on _____ (date) or moved on _____ (date).

I (We) do not operate the size of commercial motor vehicles (CMVs) in the United States subject to 49 CFR part 382.

I (We) only operate motor vehicles in the United States with all four of the following characteristics.

1. For single vehicles without a trailer attached, the vehicle has a gross vehicle weight rating (GVWR) less than 11,794 kilograms.
2. For vehicles connected together (e.g., a trailer is connected to a truck, a truck tractor, or a bus), the combined vehicles have a gross combination weight rating (GCWR) less than 11,794 kilograms. This takes into account the trailer or towed unit (e.g., a wrecked vehicle) has a GVWP of 4,536 kilograms or less.
3. For passenger vehicles, the manufacturer designed the vehicle and I only use the vehicle to transport 15 or less passengers, including the driver.
4. Title 49 CFR part 172, subpart F (172.500 *et seq.*) does not require me to placard my motor vehicles.

My motor carrier operation is exempt from 49 CFR part 382 for one of the following four reasons.

- No State requires me or any of my drivers to obtain CDLs to operate my *farm vehicles*.
- No State requires me or any of my drivers to obtain CDLs to operate my *firefighting or other emergency response vehicles*.
- The Federal Transit Administration exclusively regulates my controlled substances and alcohol testing program because I only have motor vehicles subject to 49 CFR parts 653 and 654.
- My motor carrier operation is exclusively an active duty United States military unit, using only drivers on active duty (including, but not limited to, the U.S. Coast Guard, the Reserves, or the National Guard) subject only to U.S. Department of Defense Military License requirements.

Other (please explain) :

Title 18, U.S.C. Section 1001, makes it a criminal offense subject to a maximum fine of \$10,000, or imprisonment for not more than 5 years, or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States.

I, _____ (print name), certify the information provided on this Office of Motor Carrier Safety Controlled Substance and Alcohol Testing Management Information System Data Collection Form is, to the best of my knowledge and belief, true, correct, and complete for the calendar year reporting period stated.

Signature

Date of Signature

Title (e.g., President, VP, Treasurer)

Telephone Number (with Area Code)

B. DRIVER REQUIRED TO HAVE CDLS

DRIVER REQUIRED TO HAVE CDLS						
DRIVER CATEGORY	NUMBER OF DRIVERS REQUIRED TO HAVE CDLS	NUMBER OF DRIVERS REQUIRED TO HAVE CDLS COVERED BY MORE THAN ONE DOT OPERATING ADMINISTRATION				
		FAA	FRA	FTA	RSPA	USCG
Drivers						

Do you have a consortium conduct your random testing element of your program? YES NO

READ BEFORE COMPLETING THE REMAINDER OF THIS FORM:

1. All items refer to the **current reporting period only** (January 1, 1999 - December 31, 1999).
2. This report is only for testing **REQUIRED BY THE OFFICE OF MOTOR CARRIER SAFETY (OMCS)**.
 - You must only report results for drivers **REQUIRED TO HAVE CDLS** as defined by OMCS controlled substance and alcohol testing regulations (49 CFR part 382).
 - The information you provide must only include testing for marijuana (THC), cocaine, phencyclidine (PCP), opiates, amphetamines, and alcohol using the standard procedures required by DOT regulation 49 CFR Part 40.
3. You must report information about refusals for testing only in the tables entitled "DRIVERS REQUIRED TO HAVE CDLS WHO REFUSED TO SUBMIT TO A CONTROLLED SUBSTANCE (or AN ALCOHOL) TEST". Do not include refusals for testing in other sections of this report.
4. Do not include the results of any quality control (QC) samples submitted to the testing laboratory in any of the tables.
5. Complete all items; **DO NOT LEAVE ANY ITEM BLANK**. If the value for an item is zero (0), place a zero (0) on the form.

C. CONTROLLED SUBSTANCE TESTING INFORMATION

NUMBER OF SPECIMENS COLLECTED AND VERIFIED NEGATIVE														
DRIVER CATEGORY	PRE-EMPLOYMENT		RANDOM		POST-ACCIDENT NON-FATAL		POST-ACCIDENT FATAL		REASONABLE SUSPICION		RETURN TO DUTY		FOLLOW-UP	
	COLL	NEG	COLL	NEG	COLL	NEG	COLL	NEG	COLL	NEG	COLL	NEG	COLL	NEG
Drivers Required To Have CDLs														

Number of drivers returned to duty during this reporting period who had previously had a verified positive controlled substance test or refused a controlled substance test required under the OMCS rule:	
---	--

DRIVERS WHO REFUSED TO SUBMIT TO A CONTROLLED SUBSTANCE TEST	Number
Drivers required to have CDLs who refused to submit to a random controlled substance test required under the OMCS regulation:	
Drivers required to have CDLs who refused to submit to a non-random controlled substance test required under the OMCS regulation:	

CONTROLLED SUBSTANCE TRAINING/EDUCATION	Number
Supervisors who have received initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable controlled substance use as required by OMCS controlled substance testing regulations:	

D. ALCOHOL TESTING INFORMATION

NUMBER OF ALCOHOL SCREENING TESTS CONDUCTED									
DRIVER CATEGORY	PRE-EMPLOYMENT	RANDOM	POST-ACCIDENT/ NON-FATAL		POST-ACCIDENT/ FATAL		REASONABLE SUSPICION	RETURN TO DUTY	FOLLOW-UP
			COLL	NEG	COLL	NEG			
Drivers Required To Have CDLs									

Number of drivers who engaged in alcohol misuse who were returned to duty as a driver required to have a CDL (having complied with the recommendations of a substance abuse professional as described in OMCS regulations):	
---	--

DRIVERS WHO REFUSED TO SUBMIT TO AN ALCOHOL TEST	Number
Drivers required to have CDLs who refused to submit to a random alcohol test required under the OMCS regulation:	
Drivers required to have CDLs who refused to submit to a non-random alcohol test required under the OMCS regulation:	

ALCOHOL TRAINING/EDUCATION	Number
Number of supervisors who have received initial training on the specific contemporaneous physical, behavioral, and performance indicators of probable alcohol use as required by OMCS alcohol testing regulations:	

INSTRUCTION FOR OMCS CONTROLLED SUBSTANCE AND ALCOHOL TESTING MANAGEMENT INFORMATION SYSTEM (MIS) "EZ" DATA COLLECTION REPORT

WHY DID I RECEIVE THIS REPORT FORM AND INSTRUCTIONS?

The Office of Motor Carrier Safety (OMCS) is conducting a survey of controlled substance and alcohol use among drivers of commercial motor vehicles (CMVs). Our records indicate you, as a motor carrier, drive or you direct drivers to operate, motor vehicles on public roads, streets, or highways in the United States. Our records also indicate you have motor vehicles of a certain size requiring you, or your drivers to have a commercial driver's license (CDL) in accordance with Title 49 Code of Federal Regulations (CFR) part 383. Also included would be licenses obtained under the requirements of the Canadian National Safety Code or Licencia Federal de Conductor (Mexico). *You should read 49 CFR part 382 to determine whether you are subject to this report.*

MUST I COMPLETE THIS REPORT FORM?

You must complete a report. If you had no verified positive controlled substances test results and no alcohol misuse, you may use this form or you may use Form MCS-154 as an alternative. If during this past calendar year your operations had verified positive controlled substances test results or alcohol misuse, you must use Form No. MCS-154.

Please prepare sections A, B, C, and D of this report form (if you are eligible), or Form MCS-154 according to the following instructions. If you do not submit either report to us, we may start an investigation to determine why you did not file a report.

WHAT IF I AM NO LONGER A MOTOR CARRIER SUBJECT TO 49 CFR PART 382?

If you are no longer a motor carrier using drivers to operate certain size motor vehicles or you use one of the exemptions (e.g., farmer, firefighter), please prepare sections A and B of this report form or those sections on Form No. MCS-154. Please note the exact circumstances why you are not subject to 49 CFR part 382. Please return this form to us so we may update our records with your correct information. If you do not submit a report to us, we may start an investigation to determine why you did not file a report.

IF I USE A CONSORTIUM, MAY MY CONSORTIUM PREPARE AND SUBMIT MY REPORT?

Your consortium may prepare sections C and D of your report for you. **You must prepare sections A and B yourself.** You remain fully responsible for the accuracy and completeness of every item in your report. Your signature in section A certifies your entries are true, accurate, and complete.

WHAT ARE THE TEN STEPS I MUST FOLLOW TO FILE THIS REPORT?

1. Please read 49 CFR part 382 -- the United States Federal regulations requiring this report.
2. Read these instructions carefully before entering any data.
3. Determine where to obtain the information we request. We suggest probable sources where most motor carriers would keep the information we request.
4. Review the examples we provide carefully, so you will correctly record various data we request.
5. Calculate your previous calendar year's summary data for each item.
6. Record each item's summary data.
7. Audit your entries to ensure your data was recorded accurately and completely. Correct any inaccurate data. [If we conduct an investigation at a later date and find you entered, or certified for, incorrect data, we may penalize you.]
8. Certify to the accuracy and completeness of the report in section A. A motor carrier management official (e.g., owner, partner, President, Vice President) should make this certification.
9. Make a copy of the completed report for your records.
10. Mail the report with the original, signed certification to the address we provided.

WHAT ARE THE FOUR MAJOR PARTS TO THIS REPORT?

We have separated this report into four major sections. Collectively, these sections address the data elements required in the OMCS controlled substance and alcohol testing regulations. The four sections, the page number for the instructions, and the page location on the reporting form are shown below.

<u>Section</u>	<u>Instructions Page</u>	<u>Reporting Form Page</u>
A. MOTOR CARRIER INFORMATION	ii	1
B. DRIVERS REQUIRED TO HAVE A CDL	ii-iii	2
C. CONTROLLED SUBSTANCE TESTING INFORMATION	iii	3
D. ALCOHOL TESTING INFORMATION	iii-iv	4

Page 1 **SECTION A - MOTOR CARRIER INFORMATION.** We have filled in your name (or your company's name), address, and U.S. DOT number.

If the information we filled in is wrong, please draw a single line through the wrong information and legibly write-in your correct information.

If you believe your operation is exempt from 49 CFR part 382 because of one of the reasons noted in section A, or you no longer conduct motor carrier operations, or you are no longer in business, check or make an "X" in the appropriate box in section A, complete sections A and B only. Please mail your report to us.

The person certifying the report is correct and complete must read the certification statement, certify by signing his/her name, the date signed, and your current telephone number (including the area code). Please complete section B, and section C and D if applicable, before certifying the report is accurate, true, and complete.

Page 2 **SECTION B - DRIVERS REQUIRED TO HAVE A CDL.** Please review all your records prior to preparing this item. Count all drivers required to have a CDL (or an equivalent foreign license) to operate certain motor vehicles in the United States. The most likely source for this information is your personnel or safety department. You must base your count only on your drivers used during the calendar year reported. Count all drivers you have hired or used on any day in the last calendar year. This includes drivers you paid to drive and drivers you allowed to drive (such as volunteers for a church, fire department, or in an emergency). You must count as a single driver those who you hired or used twice or more in the reported calendar year. *Do not provide the number of drivers employed or used on a single date, such as December 31. Do not provide an average number of drivers used over the calendar year.*

For example, you trip leased driver John Smith for single trips on January 28, May 5, September 12, and December 7. Count driver John Smith as one driver. You hired driver Tracey Jones on January 10, she quit on July 28, you rehired her on October 15, and she quit again on December 3. Count driver Tracey Jones as one driver.

You must provide additional information if your drivers perform duties covered by other USDOT agency controlled substance and alcohol rules. **NUMBER OF DRIVERS PERFORMING OTHER DUTIES COVERED BY OTHER USDOT OPERATING ADMINISTRATIONS,** requires you identify the number of drivers required to have a CDL and who are also covered under another USDOT operating administration, (i.e., FAA, FRA, FTA, USCG, and RSPA). You must count the drivers covered by other DOT operating administrations under all appropriate operating administrations.

For example, if you have any drivers required to have a CDL who also pilot airplanes, operate rail engines, operate transit vehicles, repair pipelines, or pilot ocean vessels for you and you are subject to FAA, FRA, FTA, RSPA, or USCG regulations respectively, you must record a number under each appropriate operating administration.

Please answer the question whether you use a consortium (a group or another entity) to conduct your random testing element of your program.

You may use this form only if your company had **no positive controlled substance tests and no alcohol misuse**.

Page 3 **SECTION C - CONTROLLED SUBSTANCE TESTING INFORMATION.** You must provide information for controlled substance testing. The first table requests information on the **NUMBER OF SPECIMENS COLLECTED AND VERIFIED NEGATIVE** in each category for testing. You must provide the information by category under these seven categories.

1. Pre-employment.
2. Random.
3. Post-accident (non-fatal).
4. Post-accident (fatal).
5. Reasonable suspicion.
6. Return to duty.
7. Follow-up.

All data you enter into the table must only be for **drivers required to have a CDL** or applicants for such jobs. Each part of the table must be completed for each category of testing. These numbers **do not** include refusals to test. Refusals to test are recorded elsewhere on this form.

"**COLL**" in this column, please record the number of specimens collected for each category of testing. "**NEG**" in this column, please record the number for all completed tests your MRO verified negative. Please do not include results of quality control (QC) samples submitted to your testing laboratory in any of the categories.

Page 3 Following the table summarizing **CONTROLLED SUBSTANCE TESTING INFORMATION**, you must count drivers you returned to duty during this calendar year reporting period who had a verified positive controlled substance test or refused a controlled substance test required under the OMCS rule. This type of driver may have tested positive in your testing program in a prior year or you may be returning these drivers to duty after testing positive under another motor carrier's program. This information should be available from the personnel office or controlled substance program manager.

Page 3 **DRIVERS WHO REFUSED TO SUBMIT TO A CONTROLLED SUBSTANCE TEST** Please count the **NUMBER OF DRIVERS REQUIRED TO HAVE CDLS** who refused to submit to a **random or non-random** (pre-employment, post-accident, reasonable suspicion, return to duty, or follow-up) controlled substance test required under the OMCS regulation.

Page 3 **CONTROLLED SUBSTANCE TRAINING/EDUCATION** Please provide information on the number of supervisory personnel who have received the required controlled substance training during the current reporting period.

Page 3 **SECTION D - ALCOHOL TESTING INFORMATION** You must provide information for alcohol testing. You must provide the information by category under these seven categories.

1. Pre-employment.
2. Random.
3. Post-accident (non-fatal).
4. Post-accident (fatal).
5. Reasonable suspicion.
6. Return to duty.
7. Follow-up.

All data you enter into the table must only be for **drivers required to have a CDL** or applicants for such jobs. Please enter the number of alcohol screening tests conducted for each category of testing. These numbers **do not** include refusals for testing. Refusals for testing are recorded elsewhere on this form.

Page 3 Following the table summarizing **ALCOHOL SCREENING TESTS**, you must count the "**Number of drivers who engaged in alcohol misuse who were returned to duty in a driving position (having complied with the recommendations of a substance abuse professional as described in OMCS regulations)**". This information should be available from the personnel office and/or controlled substance and alcohol program manager.

Page 3 **DRIVERS WHO REFUSED TO SUBMIT TO AN ALCOHOL TEST**. Please count the **NUMBER OF DRIVERS REQUIRED TO HAVE CDLs** who refused to submit to a random or non-random (pre-employment, post-accident, reasonable suspicion, return to duty, or follow-up) alcohol test required under the OMCS regulation.

Page 3 **ALCOHOL TRAINING/EDUCATION**. Please record information on the number of supervisory personnel who you trained on the specific contemporaneous physical, behavioral, and performance indicators of probable alcohol use as required by OMCS alcohol testing regulations during the current reporting period. These are supervisory personnel you trained to monitor drivers to make reasonable suspicion determinations.

Please note, if you are a motor carrier and the sole owner and sole driver for your operation, and do not lease yourself to another motor carrier, we do not require you to train yourself to make reasonable suspicion determinations about yourself.

NOTICE

The OMCS requires all motor carriers, who are selected to report controlled substances and alcohol testing information, to file a report. Generally, you must file Form MCS-154. This Form MCS-155, Controlled Substance and Alcohol Testing MIS "EZ" Data Collection Report may only be used by motor carriers having no positive controlled substances use or alcohol misuse. A motor carrier selected must file Form MCS-154 or MCS-155, if applicable, before March 15, 2000. You must file this report as required by 49 CFR part 382 and authorized by 49 U.S.C. 31306 (1996).

We expect you, at a minimum, to do the following ten actions to complete this report.

1. Review the current regulations requiring this report.
2. Review the instructions accompanying this form.
3. Search your files for the correct calendar year data.
4. Retrieve the correct data from your files.
5. Summarize your data.
6. Record your summary data on this form.
7. Audit your form for accuracy and completeness.
8. Refile your data.
9. Certify the report is accurate, true, and complete.
10. Mail your completed report to us.

You may submit any comments concerning the accuracy of this time burden estimate or any suggestions for reducing the burden to the following address.

Kenneth Rodgers
Office of Motor Carrier Enforcement (HMCE-10)
Office of Motor Carrier Safety
400 Seventh Street, S.W.
Washington, D.C. 20590-0001

This collection of information is **Mandatory**. The Office of Motor Carrier Safety will use the information to determine the motor carrier industry violation rate for alcohol and the positive rate for controlled substances. The OMCS will also use the information to determine whether the OMCS should reduce or increase the random testing rate for alcohol and controlled substances.

The OMCS estimates the average public reporting burden is 30 minutes per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data, and completing and reviewing the collection of information. The information submitted will be confidential and only be used by the OMCS for statistical summary and enforcement purposes. Ninety percent of the motor carriers subject to these testing regulations have less than 10 drivers.

Please note the OMCS may not conduct or sponsor, and the OMCS may not require you to respond to, this collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is OMB 2125-0543.

**Commercial Driver's
License Standards:**
Requirements and Penalties

Commercial Driver's License Standards: Requirements and Penalties

The licensing provisions in **Part 383** are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL); and
- Disqualify drivers who do not operate *Commercial Motor Vehicles (CMV)* safely.

Commercial Driver's License Information System (CDLIS)

The CDLIS enables the States to exchange information about the driving records and *driver's licenses* of CMV drivers. This helps assure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL. *Employers* have access to the CDLIS clearinghouse through their State's vehicle licensing agency.

Vehicles requiring commercial driver's licenses

Drivers must hold CDLs if they operate in interstate, intrastate, or foreign *commerce* and drive a vehicle:

- With a Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW) of at least 26,001 pounds, whichever is greater, or a lesser GVWR or GVW the Secretary of Transportation prescribes by regulation, but not less than a GVWR of 10,001 pounds; or
- Designed to transport at least 16 passengers including the driver; or
- Transporting a quantity of *hazardous materials* requiring placarding.
- Because the CDL is a State-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

Notification to employer and licensing State

Upon *conviction* for *any* State or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense, and
- Driver's signature.

Disqualifying offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- 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*.

Penalties

- Using a CMV to commit *serious traffic violations*.
- Using a CMV to violate an *Out-of-Service Order*.
- Using a CMV to violate the *Railroad-Highway Grade Crossing rule*.

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after ten years.

Suspensions for traffic violations
60-day suspension

A 60-day suspension will be imposed following conviction for *two serious traffic violations* within three years while driving a CMV.

These violations include:

- Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)
- Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and
- Traffic offenses involving a fatal accident.

120-day suspension

A 120-day suspension will be imposed following three convictions of any serious violations within three years.

Implied consent

Any CDL holder is automatically considered to have consented to alcohol testing by any State or jurisdiction.

Endorsements

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDLs, as follows:

- T** — Double/triple trailers (knowledge test only)
- P** — Passenger (knowledge and skills tests)
- N** — *Tank vehicle* (knowledge test only)
- H** — Hazardous materials (knowledge test only)
- X** — Combination of tank vehicle and hazardous materials (knowledge tests)

Air brake restrictions

If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes.

Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.

Safety Fitness Procedures

Safety Fitness Procedures

A motor carrier receives a safety rating when the safety specialist conducts an on-site review of the carrier's compliance with the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. The specialist reviews records, evaluates roadside vehicle inspection data, and accidents to determine whether a motor carrier meets Section 385.5 Safety Fitness standard.

Safety ratings

The safety ratings are:

- **Satisfactory:** A motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in Section 385.5. Safety management controls are adequate if they are appropriate for the size and type of operation of the particular motor carrier.
- **Conditional:** A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in the occurrences listed in Section 385.5(a) through (h).
- **Unsatisfactory:** A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standards which has resulted in occurrences listed in Section 385.5(a) through (h). Motor carriers receiving an "unsatisfactory safety rating" may be subject to the provisions of Section 385.13.

The motor carrier will receive written notice of the safety rating.

A motor carrier transporting placardable quantities of hazardous materials, or operating a vehicle designed to transport more than 15 passengers including the driver that has received an "unsatisfactory" safety rating from the Federal Motor Carrier Safety Administration will have 45 calendar days from the effective date of that rating, or from the date of the notice, whichever is later, to improve the safety rating to "conditional" or "satisfactory." Other motor carriers that have received an "unsatisfactory" safety rating will have 60 days to improve the safety rating to "conditional" or "satisfactory." If this improvement does not occur, the carrier is prohibited from operating commercial motor vehicles. Also, a motor carrier with an "unsatisfactory" safety rating is ineligible to contract or subcontract transportation services with Federal agencies.

Compliance review

A compliance review is an on-site examination of the motor carrier's records and operations to determine whether the carrier meets the safety fitness standard. The review may include an examination of the following aspects of the motor carrier's operations:

- Alcohol and controlled substance testing
- Driver's hours of service
- Driver qualification
- Vehicle inspection and maintenance
- Financial responsibility
- Accidents
- Hazardous materials
- Other safety and transportation records
- Roadside vehicle out-of-service rate.

A compliance review is conducted to investigate potential safety violations, to investigate complaints, or is in response to a carrier's request for a change in safety rating. The results of the compliance review may result in the initiation of an enforcement action.

Safety fitness standard (Section 385.5)

The satisfactory safety rating is based on the degree of compliance with the safety fitness standard for motor carriers. To meet the safety fitness standard, the motor carrier shall demonstrate that it has adequate safety management controls in place that function effectively to ensure acceptable compliance with applicable safety requirements to reduce the risk associated with :

- Alcohol and controlled substance testing violations (**Part 382**)
- Commercial driver's license standard violations (**Part 383**)
- Inadequate levels of financial responsibility (**Part 387**)
- The use of unqualified drivers (**Part 391**)
- Improper use and driving of motor vehicles (**Part 392**)
- Unsafe vehicles operating on the highways (**Part 393**)
- Failure to maintain accident registers and copies of accident reports (**Part 390**)
- The use of fatigued drivers (**Part 395**)
- Inadequate inspection, repair, and maintenance of vehicles (**Part 396**)
- Transportation of hazardous materials, driving and parking rule violations (**Part 397**)
- Violation of hazardous materials regulations (**Parts 170 through 177**)
- Motor vehicle accidents and hazardous materials incidents.

Request for a change in a safety rating; facts and procedure (Section 385.15)

A petition for review of a safety rating, where there are factual or procedural disputes, must list all issues in dispute and be accompanied by any information or documents the motor carrier is relying upon as the basis for its petition.

Request for a change in a safety rating; corrective action taken (Section 385.17)

A request for a change in a safety rating may be made when the basis for the change is evidence that corrective actions have been taken, and that operations currently meet the safety fitness standard specified in Part 385.5.

**Minimum Levels of Financial
Responsibility for Motor Carriers**

Minimum Levels of Financial Responsibility for Motor Carriers

Financial responsibility means having insurance policies or surety bonds sufficient to satisfy the minimum public liability requirements. **Public liability** means liability for bodily injury, property damage, and environmental restoration. **Environmental restoration** means restitution for the loss, damage, or destruction of natural resources arising out of an accidental discharge of toxic or other environmentally harmful materials or liquids.

Requirements for Financial Responsibility

Motor carriers of property operating commercial motor vehicles in interstate, foreign, or intrastate commerce, and for-hire carriers of passengers operating in interstate or foreign commerce must have at least the minimum amount of insurance required by law.

(See the Schedule of Limits in this folder for minimum levels of financial responsibility.)

Proof

The motor carrier must have proof of the minimum level of insurance at the company's principal place of business.

Proof may be shown by any of the following:

- Endorsements for Motor Carriers policies of insurance for public liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Form MCS-90) issued by an insurer.
- Endorsements for Motor Carriers of Passengers policies of insurance for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-90B*) issued by an insurer.
- A Motor Carrier Surety Bond for public liability under Section 30 of the Motor Carrier Act of 1980 (Form MCS-82) issued by a surety.
- A Motor Carrier of Passengers Surety Bond for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-82B*) issued by a surety.
- A written decision, order, or authorization of the Interstate Commerce Commission authorizing the motor carrier to self-insure under 49 CFR 1043.5.

* *Examples of Forms MCS-90, MCS-90B, MCS-82, and MCS-82B are included in this folder.*

**MOTOR CARRIER PUBLIC LIABILITY SURETY BOND
UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982**

PARTIES

Surety Company and Principal
Place of Business Address

Motor Carrier Principal, ICC Docket No.,
and Principal Place of Business Address

PURPOSE

This is an agreement between the Surety and the Principal under which the Surety, its successors and assignees, agree to be responsible for the payment of any final judgment or judgments against the Principal for public liability and property damage claims in the sums prescribed herein, subject to the governing provisions and following conditions.

GOVERNING PROVISIONS

- (1) Section 18 of the Bus Regulatory Reform Act of 1982
- (2) Rules and Regulations of the Federal Highway Administration (FHWA)
- (3) Rules and regulations of the Interstate Commerce Commission (ICC)

CONDITIONS

The Principal is or intends to become a motor carrier of passengers subject to the applicable governing provisions relating to financial responsibility for the protection of the public.

This bond assures compliance by the Principal with the applicable governing provisions, and shall inure to the benefit of any person or persons who shall recover a final judgment or judgments against the Principal for public liability or property damage claims (excluding injury to or death of the Principal's employees while engaged in the course of their employment, and loss of or damage to property of the Principal, and the cargo transported by the Principal). If every final judgment shall be paid for such claims resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the applicable governing provisions, then this obligation shall be void, otherwise it will remain in full effect.

Within the limits described herein, the Surety extends to such losses regardless of whether such motor vehicles are specifically described herein and whether occurring on the route or in the territory authorized to be served by the Principal or elsewhere.

The liability of the Surety for each motor vehicle subject to the applicable governing provisions for each accident shall not exceed \$ _____ and shall be a continuing one notwithstanding any recovery thereunder.

The Surety agrees, upon telephone request by an authorized representative of the FHWA or ICC, to verify that the surety bond is in full force as of a particular date. The telephone number to call is: (_____) _____.

This bond is effective from _____ (12:01 a.m., standard time, at the address of the Principal as stated herein) and shall continue in force until terminated as described herein. The Principal or the Surety may at any time terminate this bond by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof or notice), and (2) if the Principal is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date notice is received by the ICC at its office in Washington, D.C.). The Surety shall not be liable for the payment of any judgment or judgments against the Principal for public liability or property damage claims resulting from accidents which occur after the termination of this bond described herein, but such termination shall not affect the liability of the Surety from the payment of any such judgment or judgments resulting from accidents which occur during the time the bond is in effect.

Date

(AFFIX CORPORATE SEAL)

Surety

City State

By _____

ACKNOWLEDGMENT OF SURETY

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19 _____, before me personally came _____, who, being by me duly sworn, did depose and say that he resides in _____; that he is the _____ of the _____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; that he signed his name thereto by like order, and he duly acknowledged to me that he executed the same for and on behalf of said corporation.

Title of official administering oath

(OFFICIAL SEAL)

Surety Company File No. _____

Form MCS-82B

**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982**

Form Approved
OMB No. 2125-0518

Issued to _____ of _____

Dated at _____ this _____ day of _____, 19 _____

Amending Policy No. _____ Effective Date _____

Name of Insurance Company _____

Countersigned by _____
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "", for the limits shown:

- This insurance is primary and the company shall not be liable for amounts in excess of \$ _____ for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Federal Highway Administration (FHWA) or the Interstate Commerce Commission (ICC) the company agrees to furnish the FHWA or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FHWA or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: _____.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which results in Public Liability which the insured neither expected nor intended.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

MOTOR CARRIER means for-hire carrier of passengers by motor vehicle.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury or property damage.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a for-hire motor carrier of passengers, with Section 18 of the Bus Regulatory Reform Act of 1982 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Section 18 of the Bus Regulatory and Reform Act of 1982 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation

thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Bus Regulatory Reform Act of 1982 requires limits of financial responsibility according to vehicle seating capacity. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.
The limits shown in the schedule are for information purposes only.

**SCHEDULE OF LIMITS
Public Liability**

Type of Carriage	Commodity Transported	Minimum Insurance
(1) For-hire (In interstate or foreign commerce).	Property (nonhazardous).	\$ 750,000
(2) For-hire and Private (In interstate, foreign, or intrastate commerce).	Hazardous substances as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A or B explosives, poison gas (Poison A), liquefied compressed gas or compressed gas, or highway route controlled quantity radioactive materials as defined in 49 CFR 173.403.	5,000,000
(3) For-hire and Private (In Interstate or foreign commerce: in any quantity) or (In intrastate commerce: in bulk only).	Oil listed in 49 CFR 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	1,000,000
(4) For-hire and Private (In interstate or foreign commerce).	Any quantity of Class A or B explosives, any quantity of poison gas (Poison A); or highway route controlled quantity radioactive materials as defined in 49 CFR 173.403.	5,000,000

Note: The type of carriage listed under (1), (2), and (3) applies to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with a gross vehicle weight rating of less than 10,000 pounds.

Note: This table showing the schedule of limits may appear at the bottom or on the reverse side of Form MCS-90.

**SCHEDULE OF LIMITS
Public Liability**

For-hire motor carriers of passengers operating in interstate or foreign commerce

Vehicle Seating Capacity	Minimum Insurance
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less. ¹	1,500,000

¹Except as provided in 387.27(b)

**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Form Approved
OMB No. 2125-0074

Issued to _____ of _____

Dated at _____ this _____ day of _____, 19 _____

Amending Policy No. _____ Effective Date _____

Name of Insurance Company _____

Telephone Number (_____) _____ . Countersigned by _____
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "☒", for the limits shown:

- This insurance is primary and the company shall not be liable for amounts in excess of \$ _____ for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Federal Highway Administration (FHWA) or the Interstate Commerce Commission (ICC), the company agrees to furnish the FHWA or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FHWA or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: _____

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

MOTOR VEHICLE means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

ENVIRONMENTAL RESTORATION means restitution for the loss,

damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation

thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Motor Carrier Act of 1980 requires limits of financial responsibility according to the type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.
THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

**SCHEDULE OF LIMITS
Public Liability**

Type of Carriage	Commodity Transported	Minimum Insurance
¹ (1) For-hire (in interstate or foreign commerce).	Property (nonhazardous).	\$ 750,000
(2) For-hire and Private (in interstate, foreign, or intrastate commerce).	Hazardous substances transported in cargo tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A or B explosives, poison gas (Poison A), liquefied compressed gas or compressed gas; or highway route controlled quantity radioactive materials.	5,000,000
(3) For-hire and Private (in interstate or foreign commerce: in any quantity) or (in intrastate commerce: in bulk only).	Oil listed in 49 CFR 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	1,000,000
(4) For-hire and Private (in interstate or foreign commerce).	Any quantity of Class A or B explosives, any quantity of poison gas (Poison A), or highway route controlled quantity radioactive materials.	5,000,000

Note: The type of carriage listed under (1), (2), and (3) apply to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with gross vehicle weight rating of less than 10,000 pounds.

**SCHEDULE OF LIMITS
Public Liability**

For-hire motor carriers of passengers operating in interstate or foreign commerce

Vehicle Seating Capacity	Minimum Insurance
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less.	1,500,000

**MOTOR CARRIER PUBLIC LIABILITY SURETY BOND
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

PARTIES

Surety Company and Principal
Place of Business Address

Motor Carrier Principal, ICC Docket No.,
and Principal Place of Business Address

PURPOSE

This is an agreement between the Surety and the Principal under which the Surety, its successors and assignees, agree to be responsible for the payment of any final judgment or judgments against the Principal for public liability and property damage, and environmental restoration liability claims in the sums prescribed herein, subject to the governing provisions and following conditions.

GOVERNING PROVISIONS

- (1) Sections 29 and 30 of the Motor Carrier Act of 1980 (49 U.S.C. 10927 note)
- (2) Rules and Regulations of the Federal Highway Administration (FHWA)
- (3) Rules and regulations of the Interstate Commerce Commission (ICC)

CONDITIONS

The Principal is or intends to become a motor carrier of property subject to the applicable governing provisions relating to financial responsibility for the protection of the public.

This bond assures compliance by the Principal with the applicable governing provisions, and shall inure to the benefit of any person or persons who shall recover a final judgment or judgments against the Principal for public liability, property damage, or environmental restoration liability claims (excluding injury to or death of the Principal's employees while engaged in the course of their employment, and loss of or damage to property of the Principal, and the cargo transported by the Principal). If every final judgment shall be paid for such claims resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the applicable governing provisions, then this obligation shall be void, otherwise it will remain in full effect.

Within the limits described herein, the Surety extends to such losses regardless of whether such motor vehicles are specifically described herein and whether occurring on the route or in the territory authorized to be served by the Principal or elsewhere.

The liability of the Surety on each motor vehicle subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 for each accident shall not exceed \$ _____ and shall be a continuing one notwithstanding any recovery thereunder.

The Surety agrees, upon telephone request by an authorized representative of the FHWA or ICC, to verify that the surety bond is in full force as of a particular date. The telephone number to call is: (_____) _____.

This bond is effective from _____ (12:01 a.m., standard time, at the address of the Principal as stated herein) and shall continue in force until terminated as described herein. The Principal or the Surety may at any time terminate this bond by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof or notice), and (2) if the Principal is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date notice is received by the ICC at its office in Washington, D.C.). The Surety shall not be liable for the payment of any judgment or judgments against the Principal for public liability or property damage claims resulting from accidents which occur after the termination of this bond as described herein, but such termination shall not affect the liability of the Surety from the payment of any such judgment or judgments resulting from accidents which occur during the time the bond is in effect.

Date

Surety

City State

By _____

(AFFIX CORPORATE SEAL)

ACKNOWLEDGMENT OF SURETY

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 19 _____, before me personally came _____, who, being by me duly sworn, did depose and say that he resides in _____; that he is the

_____ of the _____, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; that he signed his name thereto by like order, and he duly acknowledged to me that he executed the same for and on behalf of said corporation.

(OFFICIAL SEAL)

Title of official administering oath
Surety Company File No. _____

**Federal Motor Carrier Safety
Regulations: General**

Federal Motor Carrier Safety Regulations: General**General applicability**

The Federal Motor Carrier Safety Regulations (FMCSRs) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce.

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:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- Is used in transporting a quantity of hazardous material requiring placarding.

Exceptions to general applicability

Transportation provided by Federal, State, local governments are exempt from the FMCSRs. Occasional transportation of personal property by individuals for non-commercial purposes, school bus operations, and transportation of human corpses, or sick and injured people are also exempt.

Accident register

Accident: An 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 who, as a result of the injury, immediately receives medical treatment away from the scene of the accident
- Disabling damage to one or more motor vehicles, requiring the vehicle(s) to be towed or otherwise transported from the scene by a tow truck or other vehicle

For a period of one year after an accident occurs, motor carriers *are required* to maintain an accident register containing the following information:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released, if any.

Motor carriers are also required to maintain copies of all accident reports required by State or other governmental entities or insurers for a period of one year after an accident occurs.

**Vehicle
identification**

Every commercial motor vehicle operated by a motor carrier in interstate commerce must be marked, on BOTH sides of vehicle, with the following:

- The motor carrier's name or trade name
- The city and State of its principal place of business
- The motor carrier's identification number, preceded by "US DOT."

**Relief from
regulations
during
emergencies**

Relief from Parts 390-399 of the FMCSRs may be granted during declared emergencies to any motor carrier who provides emergency assistance.

Qualification of Drivers

Qualification of Drivers

Motor carriers must assure that all drivers of commercial motor vehicles meet the minimum qualifications specified in Part 391.

Driver Requirements

A driver must meet the following requirements:

- Be in good health and physically able to perform all duties of a driver
- Be at least 21 years of age
- 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
- Be able to drive the vehicle safely
- Know how to safely load and properly block, brace, and secure the cargo
- Have only one valid commercial motor vehicle operator's license
- Provide an employing motor carrier with a list of all motor vehicle violations or a signed statement that the driver has not been convicted of any motor vehicle violations during the past 12 months. A disqualified driver must not be 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

Driver Qualification File - Check List

Every motor carrier must have a qualification file for each regularly employed driver.

The file must include:

<input type="checkbox"/>	DRIVER'S APPLICATION FOR EMPLOYMENT A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment
<input type="checkbox"/>	INQUIRY TO PREVIOUS EMPLOYERS — 3 YEARS An investigation of the driver's employment record during the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.
<input type="checkbox"/>	INQUIRY TO STATE AGENCIES — 3 YEARS The driver's driving record for the preceding three years
<input type="checkbox"/>	ANNUAL REVIEW OF DRIVING RECORD At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the Driver's Qualification File.
<input type="checkbox"/>	ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months. Note: Drivers who have provided information required by Section 383.31 need not repeat that information in this annual list of violations.
<input type="checkbox"/>	DRIVER'S ROAD TEST CERTIFICATE OR EQUIVALENT A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to Section 391.33
<input type="checkbox"/>	MEDICAL EXAMINATIONS The driver must pass a medical examination conducted by a licensed health care professional. A driver must be issued a Medical Examiner's Certificate, which must be carried at all times and must be renewed every two years.

Examples of physical requirements

(Section 391.41 provides the complete list of physical requirements)

- Has no loss of a foot, a leg, a hand, or an arm
- Has no established medical history or clinical diagnosis of diabetes requiring insulin for control
- Has no clinical diagnosis of any disqualifying heart disease
- Has no clinical diagnosis of high blood pressure
- Has no clinical diagnosis of epilepsy
- Has 20/40 vision or better with corrected lenses
- Has distant binocular acuity of at least 20/40 in both eyes
- Has the ability to recognize the colors (red, green and amber) of traffic signals
- Has hearing to perceive a forced whisper
- Has no history of drug (Schedule 1) use or any other substance identified in Appendix D
- Has no clinical diagnosis of alcoholism

Exemptions

There are provisions for an exemption to a disqualification for certain physical defects if the individual is otherwise qualified to drive.

Additional instructions for medical examination

Additional instructions for the examining doctor are available from:

**Director, Office of Bus and Truck Standards and Operations
 Federal Motor Carrier Safety Administration
 400 Seventh Street, S.W. (MC-PS)
 Washington, DC 20590**

Limited exemptions

The following specific conditions and types of drivers are exempt from specific record keeping requirements:

Drivers regularly employed before January 1, 1971 — Drivers who have been regular employees of a motor carrier for a continuous period that began before January 1, 1971 are exempt from:

- Applications for employment
- Road Tests

Multiple-employer drivers

Multiple-employer drivers – If a motor carrier employs a person as a driver on any basis, the motor carrier must have on file the driver’s name, social security number, identification number, type, issuing state of his/her motor vehicle operator’s license, medical certificate, road test and certificate, and controlled substance test results, even if that driver’s primary employment is with another carrier.

Drivers furnished by other motor carriers – A motor carrier using a driver regularly employed by another motor carrier must have on file a signed written certificate that includes the driver’s name and signature, certification of the driver’s full qualifications, and expiration date of the driver’s medical examiner’s certificate.

Disqualifying offenses

A driver is disqualified from operating a commercial motor vehicle on public highways, for the following offenses:

- Revocation, suspension, or withdrawal of an operator’s license
- Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle:
 - 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.
 - Using a CMV to violate an Out-of-Service Order.

Penalties

- A first offender is disqualified for one year following conviction or forfeiture.
- For a second offense within three years, a driver is disqualified for three years.

MULTIPLE-EMPLOYER DRIVERS

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in CFR 390.5), the motor carrier shall comply with all requirements of Part 391, except the carrier need not—

- (1) Require the person to furnish an application for employment (390.21);
- (2) Make an inquiry into the person's driving record during the preceding three years to the appropriate State agency(s) and an investigation of the person's employment record during the preceding three years (391.23);
- (3) Perform annual review of the person's driving record (391.25); or
- (4) Require the person to furnish a record of violations or a certificate (391.27).

The checklist below may be helpful to ensure that required documents are obtained.

DRIVER QUALIFICATION FILE CHECKLIST

Name _____

Social Security Number _____

Driver's License Number _____

Type of License _____ State _____

In addition to the above information, copies of the following must be obtained.

- Medical Examiner's Certificate
- Road Test (or equivalent)
- Certificate of Road Test
- Written Test (or equivalent)
- Certificate of Written Test
- Controlled Substances Test

INSTRUCTIONS FOR PREFORMING AND RECORDING PHYSICAL EXAMINATIONS

The examining medical examiner should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining medical examiner should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a commercial motor vehicle. In the interest of public safety the examining medical examiner is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a commercial motor vehicle.

General Information. The purpose of this history and physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a commercial vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached form. History of certain defects may be cause for rejection or indicated the need for making certain laboratory tests of a further, and more stringent, examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects should be discussed with the applicant and he/she should be advised to take the necessary steps to insure correction, particularly of those which, if neglected might lead to a condition likely to affect his/her ability to drive safely.

General appearance and development. Note marked overweight. Note any posture defect, perceptible limp, tremor, or other defects that might be caused by alcoholism, thyroid intoxication, or other illnesses. The Federal Motor Carrier Safety Regulations provide that no driver shall use a narcotic or other habit-forming drugs.

Head-eyes. When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses, these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Medical Examiner's Certificate by checking the box, "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos, or strabismus, uncorrected by corrective lenses. Monocular drivers are not qualified to operate commercial motor vehicles under existing Federal Motor Carrier Safety Regulations. If the driver habitually wears contact lenses, or intends to do so while driving, there should be sufficient evidence to indicate that he/she has good tolerance and is well adapted to their use. The use of contact lenses should be noted on the record.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of aural vertigo, or Meniere's Syndrome. When recording hearing, record distance from patient at which a forced whispered voice can first be heard. If audiometer is used to test hearing, record decibel loss at 500 Hz, 1,000 Hz, and 2,000 Hz.

Throat. Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngeal condition which could interfere with the safe operation of a commercial motor vehicle.

Thorax-heart. Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failures. Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg., further tests may be necessary to determine whether the driver is qualified to operate a commercial motor vehicle.

Lungs. If any lung disease is detected, state whether active or arrested; if arrested your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Note wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted if present. State how long and if adequately contained by truss.

Abnormal masses. If present, note location, if tender, and whether or not applicant knows how long they have been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a commercial motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a commercial motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and State public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumin-urea in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a commercial motor vehicle, will disqualify an applicant from operating a commercial motor vehicle.

Neurological. If positive Romberg is reported, indicate degrees of impairment. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella, sensory vibratory and positional abnormalities should be noted.

Extremities. Carefully examine upper and lower extremities. Record the loss or impairment of a leg, foot, toe, arm, hand, or fingers. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand or finger deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If a leg deformity exists, determine whether sufficient mobility and strength exist to enable the driver to operate pedals properly. Particular attention should be given to and a record should be made of, any impairment or structural defect which may interfere with the driver's ability to operate a commercial motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the cervical or lumbar spine region. If findings so dictate, radiologic and other examinations should be used to diagnose congenital or acquired defects; or spondylolisthesis and scoliosis.

Recto-genital studies. Diseases or conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling, or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory and other special findings. Urinalysis is required, as well as such other tests as the medical history or findings upon physical examination may indicate are necessary. A serological test is required if the applicant has a history of luetic infection or present physical findings indicated the possibility of latent syphilis. Other studies deemed advisable may be ordered by the examining medical examiner.

Diabetes. If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a commercial motor vehicle. If mild diabetes is noted at the time of examination and it is stabilized by the use of a hypoglycemic drug and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The medical examiner must date and sign his/her findings upon completion of the examination.

**EXAMINATION TO DETERMINE PHYSICAL
CONDITION OF DRIVERS**

Driver's name _____
 Address _____ [] New Certification
 Social Security No. _____ [] Recertification
 Date of birth _____ Age _____

HEALTH HISTORY

Yes No
 Head or spinal injuries.
 Seizures, fits, convulsions, or fainting.
 Extensive confinement by illness or injury.
 Cardiovascular disease.
 Tuberculosis.
 Syphilis.
 Gonorrhoea.
 Diabetes.
 Gastrointestinal ulcer.
 Nervous stomach.
 Rheumatic Fever.
 Asthma.
 Kidney disease.
 Muscular disease.
 Suffering from any other disease.
 Permanent defect from illness, disease or injury.
 Psychiatric disorder.
 Any other nervous disorder.
 If answer to any of the above is yes, explain: _____

PHYSICAL EXAMINATION

General appearance and development:
 Good _____ Fair _____ Poor _____
 Vision: For distance:
 Right 20/ _____ Left 20/ _____
 Without corrective lenses.
 With corrective lenses if worn.
 Evidence of disease or injury:
 Right _____ Left _____
 Color Test _____
 Horizontal field of vision:
 Right _____° Left _____°
 Hearing:
 Right ear _____ Left ear _____
 Disease or injury _____
 Audiometric Test (complete only if audiometer is used
 to test hearing) decibel loss at 500 Hz _____
 At 1,000 Hz _____ at 2,000 Hz _____
 Throat _____
 Thorax: _____
 Heart _____
 If organic disease is present, is it fully compensated: _____
 Blood pressure:
 Systolic _____ Diastolic _____
 Pulse: Before exercise _____
 Immediately after exercise _____
 Lungs _____
 Abdomen:
 Scars _____ Abnormal masses _____

Tenderness _____
 Hernia: Yes _____
 No _____
 If so, where? _____
 Is truss worn? _____
 Gastrointestinal:
 Ulceration or other disease Yes _____ No _____
 Genito-Urinary:
 Scars _____
 Urethral discharge _____
 Reflexes:
 Romberg _____
 Pupillary _____ Light R _____ L _____
 Accommodation Right _____ Left _____
 Knee Jerks:
 Right: Normal _____ Increased _____ Absent _____
 Left: Normal _____ Increased _____ Absent _____
 Remarks _____
 Extremities: Lower _____ Spine _____
 Upper _____
 Laboratory and other Special Findings:
 Urine: Spec. Gr. _____
 Alb. _____
 Sugar _____
 Other laboratory data (Serology, etc.) _____
 Radiological data _____
 Electrocardiograph _____
 General comments _____

 (Date of examination) (Address of medical examiner)

 (Name of medical examiner (Print)) (Signature of medical examiner)

 (Title) (License or Certification No.) (State)
Note: This section to be completed only when visual test
 is conducted by a licensed ophthalmologist or optometrist.

 (Date of examination) (Address of ophthalmologist
 or optometrist.)

 (Name of ophthalmologist
 or optometrist.) (Signature of ophthalmologist
 or optometrist. (Print))

(g) If the medical examiner finds that the person he/she
 examined is physically qualified to drive a commercial
 motor vehicle in accordance with §391.41(b), he/she shall
 complete a certificate in the form prescribed in paragraph
 (g) of this section and furnish one copy to the person who
 was examined and one copy to the motor carrier that em-
 ploys him/her.

(h) The medical examiner's certificate shall be in accor-
 dance with the following form. Existing forms may be
 used until current printed supplies are depleted or until
 March 31, 1997, provided that the medical examiner
 writes down in pen and ink any applicable information
 contained in the following form:

MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined

(Driver's Name-Print)

In accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41 through 391.49) and with knowledge of his/her duties, I find him/her qualified under the regulations.

- Qualified only when wearing corrective lenses
- Qualified only when wearing a hearing aid
- Qualified by operation of 49 CFR 391.64
- Medically unqualified unless accompanied by a _____ waiver
- Medically unqualified unless driving within an exempt intracity zone

A completed examination form for this person is on file in my office.

Area Code & Telephone Number

(License or Certificate No.)

(State in Which Licensed)

(Expiration Date)

(Name & Title of Medical Examiner-Print)

(Signature of Medical Examiner)

(Signature of Driver)

(Address of Driver)

[35 FR 6460, Apr. 22, 1970, as amended at 35 FR 17420, Nov. 13, 1970; 36 FR 8452, May 6, 1971; 36 FR 12857, July 8, 1971; 43 FR 56900, Dec. 5, 1978; 46 FR 53418, Oct. 29, 1981; 53 FR 18057, May 19, 1988; 53 FR 47154, Nov. 21, 1988; 54 FR 12202, Mar. 24, 1989; 55 FR 3555, Feb. 1, 1990; 57 FR 33278, July 28, 1992; 58 FR 59196, Nov. 8, 1993; 60 FR 36745, 38746, July 28, 1995; 62 FR 37152, July

DRIVER QUALIFICATION FILE CHECKLIST

- DRIVER'S APPLICATION FOR EMPLOYMENT (49 CFR 391.21)**

- INQUIRY TO PREVIOUS EMPLOYERS — 3 YEARS (49 CFR 391.23(a) (2) & (c))**

- INQUIRY TO STATE AGENCIES – 3 YEARS (49 CFR 391.23(a) (1) & (b))**

- ANNUAL REVIEW OF DRIVING RECORD (49 CFR 391.25)**

- ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS (49 CFR 391.27)**

- DRIVER'S ROAD TEST CERTIFICATE OR EQUIVALENT (49 CFR 391.31)**

- MEDICAL EXAMINER'S CERTIFICATE (49 CFR 391.43)**

APPLICATION FOR EMPLOYMENT

COMPANY _____ STREET ADDRESS _____

CITY, STATE AND ZIP CODE _____

NAME _____
(First) (Middle) (Maiden Name, if any) (Last)

ADDRESS _____ HOW LONG? _____
(Street) (City) (State & Zip Code)

DATE OF BIRTH _____ SOCIAL SEC. NO. _____

ADDRESS _____ HOW LONG? _____
(Street) (City) (State & Zip Code)

FOR PAST
THREE YEARS

ADDRESS _____ HOW LONG? _____
(Street) (City) (State & Zip Code)

(ATTACH SHEET IF MORE SPACE IS NEEDED)

EXPERIENCE AND QUALIFICATIONS—DRIVER

	STATE	LICENSE NO.	TYPE	EXPIRATION DATE
DRIVER				
LICENSES				

DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	FROM	DATES TO	APPROX. NO. OF MILES (TOTAL)
STRAIGHT TRUCK _____				
TRACTOR AND SEMI-TRAILER _____				
TRACTOR—TWO TRAILERS _____				
OTHER _____				

ACCIDENT RECORD FOR PAST 3 YEARS OR MORE (ATTACH SHEET IF MORE SPACE IS NEEDED)

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES
LAST ACCIDENT _____			
NEXT PREVIOUS _____			
NEXT PREVIOUS _____			

TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS)

LOCATION	DATE	CHARGE	PENALTY

(ATTACH SHEET IF MORE SPACE IS NEEDED)

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES _____ NO _____
- B. Has any license, permit or privilege ever been suspended or revoked? YES _____ NO _____

IF THE ANSWER TO EITHER A OR B IS YES, ATTACH STATEMENT GIVING DETAILS

EMPLOYMENT RECORD (Attach Sheet If More Space Is Needed)

NOTE: DOT Requires That Employment for at Least 3 Years and/or Commercial Driving Experience for the Past 10 Years Be Shown

LAST EMPLOYER: NAME _____

ADDRESS _____

POSITION HELD _____ FROM _____ TO _____ SALARY _____

REASONS FOR LEAVING _____

SECOND LAST EMPLOYER: NAME _____

ADDRESS _____

POSITION HELD _____ FROM _____ TO _____ SALARY _____

REASONS FOR LEAVING _____

THIRD LAST EMPLOYER: NAME _____

ADDRESS _____

POSITION HELD _____ FROM _____ TO _____ SALARY _____

REASONS FOR LEAVING _____

TO BE READ AND SIGNED BY APPLICANT

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

Date

Applicant's Signature

Note: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.

CERTIFICATE OF DRIVER'S ROAD TEST

Instructions: If the road test is successfully completed, the person who gave it shall complete a certificate of the driver's road test. The original or copy of the certificate shall be retained in the employing motor carrier's driver qualification file of the person examined and a copy given to the person who was examined. (49 CFR 391.33(e)(f)(g))

CERTIFICATION OF ROAD TEST

Driver's Name _____

Social Security Number _____

Operator's or Chauffeur's License Number _____

State _____

Type of Power Unit _____

Type of Trailer(s) _____

If passenger carrier, type of bus _____

This is to certify that the above-named driver was given a road test under my supervision on _____, 19____, consisting of approximately _____ miles of driving.

It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of commercial motor vehicle listed above.

(Signature of Examiner)

(Title)

(Organization and Address of Examiner)

DRIVER'S ROAD TEST EXAMINATION

Driver's Name _____ Phone _____

Driver's Address _____

City _____ State _____ Zip Code _____

The road test shall be given by the motor carrier or a person designated by it. However, a driver who is a motor carrier must be given the test by another person. The test shall be given by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he or she is capable of operating the vehicle and associated equipment that the motor carrier intends to assign.

Rating of Performance

- _____ The pretrip inspection. (As required by Sec. 392.7)
- _____ Coupling and uncoupling of combination units, if the equipment he or she may drive includes combination units.
- _____ Placing the equipment in operation.
- _____ Use of vehicle's controls and emergency equipment.
- _____ Operating the vehicle in traffic and while passing other vehicles.
- _____ Turning the vehicle.
- _____ Braking, and slowing the vehicle by means other than braking.
- _____ Backing, and parking the vehicle.
- _____ Other, Explain: _____
- _____

Type of equipment used in giving test: _____

Date _____ 19 _____ Examiner's Signature _____

If the road test is successfully completed, the person who gave it shall complete a certificate of driver's road test.

Remarks _____

REQUEST FOR INFORMATION FROM PREVIOUS EMPLOYER

From: _____

To: _____ Date: _____

Social Security Number: _____

_____ has made application to this company for a position as _____

and states that he/she was employed by you as _____ from _____ to _____ .
Will you please reply to the inquiry below respecting this applicant. Your reply will be held in strict confidence and will in no way involve you in any responsibility. For your convenience in replying by return mail, we have enclosed a stamped self-addressed envelope.

Very truly yours,
Safety Department

1. Is the employment record with your company correct as stated above? _____

2. What kind(s) of work did the applicant do? _____

3. Did the applicant drive motor vehicles for you? Passenger car _____ Straight truck _____ Bus _____
Tractor-Semitrailer _____ Other (specify) _____

4. Was the applicant a safe and efficient driver? _____

5. Give the dates of vehicle accidents in which he/she was involved. _____

6. Reason for leaving your employ: Discharged _____ Laid off _____ Resigned _____

Remarks: _____

7. Was the applicant's general conduct satisfactory? _____

8. Is the applicant competent for the position sought? _____

9. Did the applicant drink any alcoholic beverages while on duty? _____

	Excellent	Good	Fair	Poor	Very Poor
Quality of Work	_____	_____	_____	_____	_____
Cooperation with others	_____	_____	_____	_____	_____
Safety habits	_____	_____	_____	_____	_____
Personal habits	_____	_____	_____	_____	_____
Driving skill	_____	_____	_____	_____	_____
Attitude	_____	_____	_____	_____	_____

Remarks: _____

Date: _____ Signature: _____

Name of Company: _____

(Detach here for your records)

(Name of Former Employer) Date: _____

Your are hereby authorized to give to _____
(Name of Prospective Employer)

all information regarding my services, character, and conduct while in your employ, and you are released from any and all liability which may result from furnishing such information to the above named company.

**U.S. DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY PROGRAM
INQUIRY TO STATE AGENCY FOR
DRIVER'S RECORD
391.23**

(Driver's Name)

(Driver's Operators Lic. No.)

(Driver's Social Sec. No.)

Dear _____:

The above listed individual has made application with us for employment as a driver. Applicant has indicated that the above numbered operator's license or permit has been issued by your State to applicant and that it is in good standing.

In accordance with Section 391.23(a)(1) and (b) of the Federal Motor Carrier Safety Regulations, we are required to make inquiry into the driving record during the preceding 3 years of every State in which an applicant-driver has held a motor vehicle operator's license or permit during those 3 years.

Therefore, please certify to us what the individual's driving record is for the preceding 3 years, or certify that no record exists if that be the case.

In the event that this inquiry does not satisfy your requirements for making such inquiries, please send us such forms of yours as are necessary for us to complete our inquiry into the driving record of this individual.

Respectfully yours,

Signature of individual
making inquiry

(printed) Name of person making inquiry

Title of person making inquiry

Motor Carrier Name

Street

City

State

Zip

Driving of Motor Vehicles

Driving of Motor Vehicles

Illness or fatigue	No driver is permitted to operate a motor vehicle when his/her 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.
Drugs	No driver may be on duty and possess, be under the influence of, or use <ul style="list-style-type: none"> • 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.
Alcohol	A driver is forbidden to consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving. A driver is forbidden to possess an alcoholic beverage while on duty, unless it is a manifested part of the shipment.
Safe loading	No one may 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, if the vehicle is equipped with seat belt assemblies.
Emergency signals for stopped vehicles	A vehicle stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers at once. The driver must 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	The warning devices must be placed as follows (except where special rules apply): <ol style="list-style-type: none"> 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.
Radar detectors	Use of radar detectors is prohibited, including the following: <ul style="list-style-type: none"> • 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

**Parts and Accessories Necessary
for Safe Operation**

Parts and Accessories Necessary for Safe Operation

Every commercial motor vehicle must be equipped with certain standard equipment. Other (optional) equipment or accessories are permitted only if these items do not decrease the operational safety of the vehicle.

Lights

What lighting is covered?

Part 393 specifies the required color, position, and types of lamps and reflectors for commercial motor vehicles. All lamps and reflectors for commercial motor vehicles manufactured after March 7, 1989 must meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 (49 CFR 571.108) in effect on the date of manufacture. Certain trailers manufactured on or after December 1, 1993, must have retro-reflective sheeting or additional reflex reflectors to make them more visible to other motorists under conditions of reduced visibility. Trailers manufactured before December 1, 1993 must have retroreflective sheeting or additional reflectors by June 1, 2001.

Lamps and reflectors on commercial motor vehicles manufactured on or prior to March 7, 1989 must meet either the requirements of Part 393 or of FMVSS No. 108 that were in effect on the date of manufacture.

Must be operable

All required lamps must light on request at an inspection and must light when required during regular operation of the vehicle.

Lamp mounting

All lamps must be permanently and securely mounted on a permanent part of the vehicle. The exceptions are temporary lamps, such as those used in a driveaway-towaway operation or mounted on projecting loads. Temporary lamps must be securely attached.

Stop lamps

All stop lamps on a commercial motor vehicle must activate when the service brakes are applied.

Brakes

Required brakes

Commercial motor vehicles must be equipped with the following brake systems:

- A *service brake system* that meets the requirements of 49 CFR 393.52, which specifies braking and holding performance.
- A *parking brake system* that meets the requirements of 49 CFR 393.41, which specifies parking brake activation and the method for holding the brakes in the applied position.
- An *emergency brake system* that conforms to the requirements of 49 CFR 393.52 and consists of either (1) emergency features of the service brake system or (2) a system separate from the service brake system.

Brakes on all wheels

Every commercial motor vehicle must be equipped with brakes acting on all wheels, with the following exceptions:

- Trucks and truck tractors with three or more axles, manufactured before July 25, 1980, are not required to have steering axle brakes.

Breakaway and emergency braking

- Vehicles being towed in a driveaway-towaway operation. (However, the towed vehicle must have brakes in operation if the brakes on the towing vehicle are not capable of stopping the combination vehicle under the conditions covered by Section 393.52.)
- Any full trailer, semitrailer, or pole trailer having a gross weight of 3,000 pounds or less, provided the trailer weight does not exceed 40 percent of weight of the towing vehicle.

Every vehicle used to tow a trailer equipped with brakes must have a means of maintaining the operation of the brakes on the towing vehicle in the event that the trailer breaks away from the towing vehicle. Among the other requirements:

- Every truck or truck tractor equipped with air brakes, when used to tow other vehicles equipped with air brakes, must be capable of activating (manually and automatically) the emergency features of the trailer brakes. The brakes must apply automatically when the towing vehicle air supply pressure is between 20 and 45 psi. The manual control must be operable by the driver from the driver's seat, with seat belt in use.
- Every trailer is required to be equipped with brakes that apply automatically if the trailer breaks away from the towing vehicle*. The brakes must remain in the applied position for at least 15 minutes.

*These requirements do not apply to vehicles in driveaway-towaway operations.

Brake tubing and hose

Safe and reliable operation of a vehicle's brakes depends upon adequate protection of the tubing and hoses from mechanical and other damage.

- *Design and construction* of brake tubing and hose must ensure proper, adequate, and continued functioning.
- *Installation* must ensure proper functioning of the hose.
- *Length and flexibility* must accommodate all normal motions of the parts to which the hose is attached.
- *Protection against mechanical damage* must include protection against chafing, kinking, and mechanical damage.
- *Protection from high temperature* must include protection from or location away from exhaust pipes and other sources of high temperatures.

Brake warning devices

Buses, trucks, and truck tractors must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. This signal requirement covers hydraulic brake systems, air brake systems, vacuum brake systems, and hydraulic brakes applied or assisted by air or vacuum.

Windshield condition

A vehicle's windshield must be free of discoloration and cracks in the area extending from the top of the steering wheel to within two inches of the top of the windshield.

Fuel systems

Fuel systems used for the operation of commercial motor vehicles and of auxiliary equipment installed on or used in connection with commercial motor vehicles must meet the following requirements.

Each fuel system must be located so that

- No part of the system extends beyond the widest part of the vehicle.
- No part of a fuel tank is forward of the front axle or a power unit.
- Fuel lines do not extend between a towed vehicle and the towing unit while the combination is in motion.
- No part of the fuel system of a bus manufactured on or after January 1, 1973, is located within or above the passenger compartment.

Coupling devices

Sections 393.70 and 393.71 provide requirements for the attachment and location of the fifth wheel and requirements for the towing of full trailers. In addition, requirements for saddle mount operations are provided.

Cargo securement

Sections 393.100-393.106 provide the standards covering cargo securement. Cargo is required to be loaded and secured so that it will not shift or fall off the vehicle. The cargo securement regulations include minimum strength requirements for securement devices and requirements for protection against longitudinal and lateral movement of the cargo. In addition, Section 393.106 covers headerboards.

Miscellaneous Parts and Accessories

Tires

Tires used on commercial motor vehicles must meet specific safety standards. No tire that is in use on a commercial motor vehicle may have any of the following defects:

- Body ply or belt material exposed through the tread or sidewall
- Tread or sidewall separation
- Audible leak (or flat)
- A cut exposing the ply or belt material
- A tread groove pattern depth of less than 4/32 of an inch (front tires) or 2/32 of an inch (other tires)
- regrooved tires on front wheels of trucks or truck tractors which have a load carrying capacity equal to or greater than 8.25-20 8-ply rating tires
- Regrooved, recapped, or retreaded tires on the front wheels of buses are prohibited.

Sleeper berths

Sleeper berths must meet minimum dimensions. A sleeper berth must not be installed on a trailer and must be located in or adjacent to the cab. An exit door at least 18" high by 36" wide must lead directly into the cab. Section 393.76 contains special provisions for sleeper berths installed before 1975.

Sleeper berths must be equipped with adequate sheets and blankets, and a mattress and springs or innerspring mattress. They must be adequately ventilated, and located so as to protect occupants against exhaust heat and fumes and fuel leaks. A mandatory restraint system must withstand at least 6,000 lbs. of force applied toward the front of the vehicle.

Exhaust systems

Exhaust systems must meet the following requirements:

- The exhaust system and discharge must be located where it is not likely to burn or damage the electrical wiring, the fuel supply, nor any combustible part of the vehicle.
- The discharge from the exhaust system must not be located immediately below the fuel tank or the fuel tank filler pipe.
- The exhaust system may not be temporarily repaired with patch or wrap material.
- The exhaust pipe and mufflers must be securely fastened to the vehicle.
- The exhaust system may not leak or discharge at any point forward of or directly below the driver or sleeper compartment.

For trucks and truck tractors, the exhaust system must discharge at a location to the rear of the cab, or above and near the rear of the cab.

For a bus powered by a *gasoline* engine, the exhaust pipe must discharge at a point no farther forward than six inches forward of the rearmost part of the bus.

For a bus powered by *diesel or other fuel* (not gasoline), the exhaust pipe must discharge either

- At a point no farther forward than 15 inches forward of the rearmost part of the bus, or
- To the rear of all doors or windows designed to be open (not including emergency exits).

Rear end protection

Every commercial motor vehicle must be equipped with either bumpers or other devices that prevent the under ride of another vehicle. Tractors, pole trailers, and driveaway-towaway vehicles are exempt. Certain trailers manufactured on or after January 26, 1998 must have rear impact guards that meet FMVSS nos. 223 & 224.

Seat belts

Commercial motor vehicle must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in the Federal Motor Vehicle Safety Standards (FMVSS).

Emergency Equipment

Commercial motor vehicles must carry the following emergency equipment:

- Fire extinguisher (not required for driveaway-towaway operations)
- Spare fuses
- Warning devices for stopped vehicles

Fire extinguisher

Fire extinguishers must be securely mounted and readily accessible for use. Each extinguisher must have a gauge or other indicator that shows whether the extinguisher is fully charged, and a label showing its Underwriters' Laboratories (UL) rating.

The fire extinguisher(s) must meet one of the following standards:

- One extinguisher with a UL rating of 5 B:C or more or
- Two extinguishers each with a UL rating of 4 B:C or more.
- One extinguisher with a UL rating of 10 B:C, if the vehicle is transporting placardable quantities of hazardous material.

Frames, Cab and Body Components, Wheels, Steering, and Suspension Systems

Suspension systems

Suspension systems are required to be structurally sound and in safe working order, including the following:

- *Axles* must be in proper alignment, and no positioning part can be cracked, broken, loose, or missing.
- *Adjustable axles* must have locking pins in place.
- *Leaf springs* must not be cracked, broken, missing, or shifted out of position.
- *Coil springs* must not be cracked or broken.
- *Torsion bars* must not be cracked or broken.
- *Air suspensions* must support the vehicle in a level position, and must not leak.

Steering systems

Steering system must be in proper working order, which includes the following:

- *Steering wheel* must be properly secured and no cracked or missing spokes.
- *Steering wheel lash* must meet the requirements of Section 393.209.
- *Steering column* must be securely fastened.
- *Steering system* must not have worn or welded universal joints, loose steering gear box, missing bolts, or a loose pitman arm on the steering gear output shaft.
- *Power steering unit* must not have loose or broken parts, frayed, cracked, or slipping belts; leaks; or insufficient fluid in reservoir.

Hours of Service of Drivers

Hours of Service of Drivers

General rule	The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (k) of Section 395.1.
Ten-hour rule	Drivers are allowed to drive for ten hours following eight consecutive hours off duty.
15-hour rule	A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off.
60 and 70 hour rules	<p>A motor carrier must not permit or require a driver to drive after a total of</p> <ul style="list-style-type: none"> • 60 hours on duty in 7 consecutive days or; • 70 hours on duty in 8 consecutive days • If the driver works more than one job of any kind, that time must also be included as On Duty Time.
Driver's record of duty status	<p>Every driver shall prepare a record of duty status (Driver's daily log) in his/her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption.</p> <p>Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.</p>
100 air-mile radius exemption	<p>A driver is exempt from maintaining the driver's daily log requirements of Section 395.8 if all of the following is true:</p> <ul style="list-style-type: none"> • The driver operates within a 100 air-mile radius of the normal work reporting location. • The driver returns to the work reporting location and is released from work within 12 consecutive hours. • Each 12 hours on duty are separated by at least 8 consecutive hours of off duty. • The driver does not exceed a maximum of ten hours driving time following eight consecutive hours off duty. • The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show: <ul style="list-style-type: none"> - The total number of hours the driver is on duty each day - The time the driver reports for duty each day - The time the driver is released from duty each day - The total time for the preceding seven days for first-time or intermittent drivers

**Submitting/
retaining duty
status log**

The driver must submit the original log sheet to the employing carrier within 13 days after completion. When a motor carrier uses a driver initially or intermittently, that carrier must obtain from him/her a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he/she was last relieved of duty. 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.

**Automatic
on-board
recording devices**

Alternatively, 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 in automated or written form, for the previous seven consecutive days. All hard copies of the driver's record of duty status must be signed by the driver.

U.S. DEPARTMENT OF TRANSPORTATION

DRIVER'S DAILY LOG

One calendar day - 24 hours

ORIGINAL - File each day at home terminal
DUPLICATE - Driver retains possession for one month

(Month) _____ (Day) _____ (Year) _____ (Total miles driving today)

Vehicle numbers - (Show each unit)

I certify these entries are true and correct:

(Driver's signature in full)

(Name of Carrier or Carriers)

(Name of co-driver)

(Main Office Address)

	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	Total Hours
1: OFF DUTY																								
2: SLEEPER BERTH																								
3: DRIVING																								
4: ON DUTY (Not Driving)																								
MID-NIGHT																								
REMARKS																								

Pro or Shipping No. _____

SUMMARY OF HOURS WORKED AND HOURS AVAILABLE

This summary page may be used either separately or in conjunction with the Redi Recap section on the face of each record of duty status to assist the driver in computing his or her time. Entries should be made each day even though driver may not work on a particular day or days. The record of "Total On Duty Hours, under heading PREVIOUS MONTH'S REFERENCE representing the last 7 days previous month" right side of this page may be used to assist in computing the hours at the beginning of each month. These figures are necessary when using this page only or when recording hours of service on each record of duty status.

DATE	Hours Worked Today	Total Hours Last 6 Days	Total Hours Last 7 Days	Eligible Hours Tomorrow	PREVIOUS MONTH'S REFERENCE		
					Date	Record of Duty Status No.	Total On Duty Hours
1							
2							
3							
4							
5							
6							
7							
8							
9							
10						TOTAL	
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							

This letter authorizes our driver _____
to be Off-Duty during meal and other routine stops.

The purpose of the Federal Department of Transportation Hours of Service Regulations (Part 395) is to keep tired drivers from operating vehicles. Under certain circumstances, however, it appears that enroute stops for meals or other routine purposes may serve to lessen a driver's fatigue.

Therefore, this letter is authorization for you to record your meal or other routine stops on your logs as Off-Duty, rather than On-Duty Not Driving as would normally be the case. However, this may be done only under all of the following circumstances.

1. Your vehicle must be parked in a safe and secure manner so as to prevent obstruction of traffic and theft or damage to the vehicle and cargo.
2. The off-duty period must be no less than 30 minutes and no longer than 60 minutes.
3. During the off-duty period, you are relieved from responsibility from your vehicle and cargo.
4. During the off-duty period, you are free to leave the premises on which your vehicle is parked and to pursue activities of your choosing, as long as your ability to safely operate your vehicle is not impaired as required by Part 392, "Driving of Vehicles", of the Federal Motor Carrier Safety Regulations.

Driver Supervisor

Date

DRIVER'S TIME RECORD

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:

- * Operates within 100 air-mile radius of headquarters.
- * Returns to headquarters and is released from work within 12 consecutive hours.
- * At least 8 consecutive hours off duty separate each 12 hours of duty.

INTERMITTENT DRIVERS

Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.

Date	Start Time "All Duty"	End Time "All Duty"	Total Hours	Driving hours	Truck Number	Headquarters
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off". Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.

Inspection, Repair, and Maintenance

Inspection, Repair, and Maintenance

Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with inspection or maintenance of commercial motor vehicles must comply and be conversant with these rules.

General requirements

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control.

Record keeping requirements

Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Identifying information, including company number, make, serial number, year, and tire size
- A schedule of inspections to be performed, including type and due date
- Inspection, repair, and maintenance records
- Records of tests conducted on buses with pushout windows, emergency doors, and marking lights.

These 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 reports

Any driver who receives a roadside inspection report must deliver it to the motor carrier.

Certification of roadside inspection reports

An official of the motor carrier is to examine the roadside inspection report and ensure that any violations or defects noted on the report are corrected. Within 15 days after the inspection, the carrier must sign the completed roadside 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.

Post-trip inspection report

Every carrier must require its drivers 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. This report 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
- Rearview mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment.

The report must 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.

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, the driver must review and sign to acknowledge that necessary repairs have been completed.

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. At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix G, Subchapter B, Part 396. 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 of Inspection

Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on the vehicle.

Inspector qualification

Motor carriers must ensure that persons performing annual inspections are qualified. Inspectors must:

- understand the inspection standards of Part 393 and Appendix G
- be able to identify defective components
- have knowledge and proficiency in methods, procedures, and tools.

Inspector training or experience

Inspectors may have gained experience or training by:

- completing a State or Federal training program, or earning a State or Canadian Province qualifying certificate in commercial motor vehicle safety inspections
- a combination of other training or experience totaling at least a year.

Evidence of qualifications

Motor carriers must retain evidence of an inspector's qualifications until one year after the inspector ceases to perform inspections for the carrier.

Equivalent to periodic inspection

The motor carrier may meet periodic inspection requirements through:

- State or other jurisdiction's roadside inspection program or
- mandatory State inspection program - These programs must be determined by the FMCSA to be comparable to the Federal annual inspection program.

Brake inspector qualification

The motor carrier is responsible for ensuring that all inspections, maintenance, repairs, and service to brakes of commercial motor vehicles comply with these regulations. The carrier must ensure that the employees responsible for brake inspection, maintenance, service, or repairs meet minimum brake inspector qualifications.

**Qualifications for
brake inspectors**

The brake inspector must:

- understand and be able to perform the brake service and inspection.
- know the methods, procedures, tools and equipment needed and
- be qualified to perform brake service or inspection by training and/or experience.

**Qualifying brake
training or
experience**

Qualifying brake training or experience includes successful completion of:

- a State, Canadian Province, Federal agency, or union training program,
- a State-approved training program,
- training that led to attainment of a State or Canadian Province qualifying certificate to perform assigned brake service or inspection tasks, including passage of CDL air brake test in the case of a brake inspection, or
- one year of brake-related training, experience, or combination of both.

**Maintaining
evidence of brake
inspector
qualifications**

Motor carriers must maintain evidence of brake inspector qualification at the principal place of business or the location where the inspector works. Evidence must be retained for the period during which the brake inspector is employed in that capacity, and for one year thereafter.

Driver's Vehicle Inspection Report

Check Any Defective Item and Give Details Under "Remarks."

DATE: _____

TRUCK/TRACTOR NO. _____

- | | | |
|--|--|--|
| <input type="checkbox"/> Air Compressor | <input type="checkbox"/> Horn | <input type="checkbox"/> Springs |
| <input type="checkbox"/> Air Lines | <input type="checkbox"/> Lights | <input type="checkbox"/> Starter |
| <input type="checkbox"/> Battery | Head - Stop | <input type="checkbox"/> Steering |
| <input type="checkbox"/> Brake Accessories | Tail - Dash | <input type="checkbox"/> Tachograph |
| <input type="checkbox"/> Brakes | Turn Indicators | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Carburetor | <input type="checkbox"/> Mirrors | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Clutch | <input type="checkbox"/> Muffler | <input type="checkbox"/> Wheels |
| <input type="checkbox"/> Defroster | <input type="checkbox"/> Oil Pressure | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Drive Line | <input type="checkbox"/> On-Board Recorder | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Engine | <input type="checkbox"/> Radiator | <input type="checkbox"/> Other |
| <input type="checkbox"/> Fifth Wheel | <input type="checkbox"/> Rear End | |
| <input type="checkbox"/> Front Axle | <input type="checkbox"/> Reflectors | |
| <input type="checkbox"/> Fuel Tanks | <input type="checkbox"/> Safety Equipment | |
| <input type="checkbox"/> Heater | Fire Extinguisher | |
| | Flags-Flares-Fusees | |
| | Spare Bulbs & Fuses | |
| | Spare Seal Beam | |

TRAILER(S) NO.(S) _____

- | | | |
|--|---------------------------------------|------------------------------------|
| <input type="checkbox"/> Brake Connections | <input type="checkbox"/> Hitch | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Brakes | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Coupling Chains | <input type="checkbox"/> Lights - All | <input type="checkbox"/> Wheels |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Roof | <input type="checkbox"/> Other |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Springs | |

Remarks: _____

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE _____

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____ DATE _____

DRIVER'S SIGNATURE _____ DATE _____

Vehicle Service Due Status Report

VEHICLE IDENTIFICATION

_____	_____
MAKE	SERIAL NUMBER
_____	_____
YEAR	TIRE SIZE
_____	_____
COMPANY NUMBER/OTHER I.D.	OWNER, IF LEASED

DATE OF INSPECTION	TYPE OF INSPECTION	MILEAGE AT TIME OF INSPECTION	DATE NEXT INSPECTION DUE	MILEAGE TYPE OF INSPECTION DUE	INSPECTION DUE

NORTH AMERICAN STANDARD INSPECTION PROCEDURE

1. PREPARE THE VEHICLE AND DRIVER

Instruct the driver to remain at the controls, and turn the engine off. (Allow cool down time for turbo-charged engines.)

Place chock blocks in position beginning on the driver's side, one in front and one behind the drive axle tires or between the axles, and advise the driver that the wheels have been chocked.

Have the driver place the transmission in neutral and release all brakes.

Advise the driver in the use of hand signals. (Lamps and brakes)

2. CHECK DRIVER'S REQUIREMENTS

- **DRIVER LICENSE (391.11)**
Check for expiration date, birth date, status check.
- **MEDICAL CERTIFICATE (391.41)**
Check for expiration date, corrective lenses, hearing aid, signatures.
- **MEDICAL WAIVER (if applicable) (391.49)**
Check for expiration date, and make sure form is completed. Note the stated physical limitations.
- **RECORD OF DUTY STATUS (395.8) (395.3)**
Updated to last change of duty status, today's date, legible handwriting, past 7 days recorded, mileage, driving time, on duty time, vehicle numbers, carrier name, signature.
"Remarks" section may include locations of duty status change, unusual circumstances that delay the trip, and shipping document numbers or the name of the shipper. Check for written authorization for interactive electronic recording devices, if applicable
- **DRIVER VEHICLE INSPECTION REPORT (396.11)**
Check for I.D. number of vehicle(s) inspected, record of defects found (if any), and signatures.
- **SHIPPING PAPERS/BILL OF LADING**
Check for listings of hazardous materials indicated by the first entry, an "X" in the H.M. column, or a contrasting color. Papers must be within arm's reach and visible.
- **SEAT BELT (392.16)**
Check for condition and usage
- **ALCOHOL AND DRUGS (392.4) (392.5)**
Check for violations

3. CHECK FOR PRESENCE OF HAZARDOUS MATERIALS

- **PLACARDS**
Check for the presence of placards, but use caution even if none are posted.
- **LEAKS, SPILLS, UNSECURE CARGO**
When hazardous materials are present, be ESPECIALLY careful with leaks, spills, or unsecure cargo.
- **MARKINGS**
Cargo tanks and portable tanks will display markings on an orange panel or placard. They indicate the I.D. number the hazardous materials. There are exceptions to this rule.
- **LABELS**
When containers are visible, labels will identify the hazardous materials. There are exceptions to this rule.

4. INSIDE CAB

- **STEERING LASH**
Measure amount of steering lash and compare with Out-of-Service Criteria.
- **STEERING COLUMN**
Check for unsecure attachment.

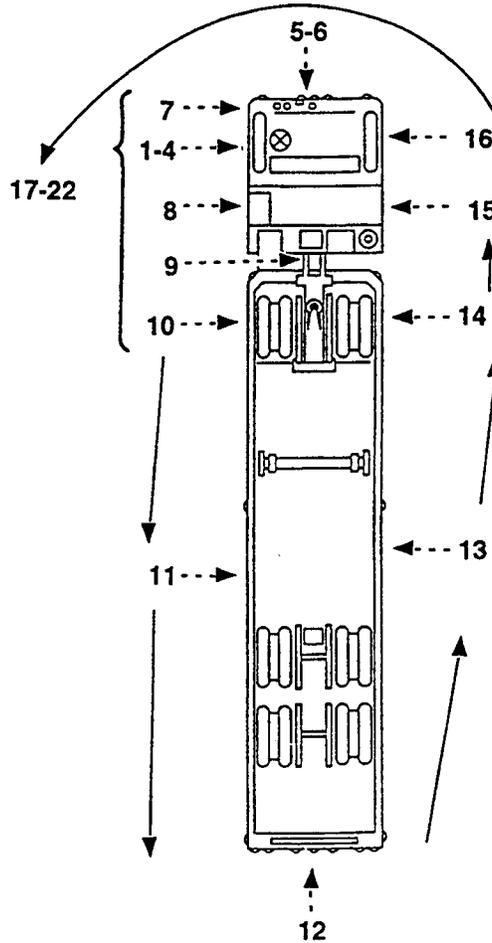
5. FRONT OF TRACTOR

- **HEAD LAMPS, TURN SIGNALS, EMERGENCY FLASHERS (393.25)**
Check for improper color and operation.
- **WINDSHIELD WIPERS (393.78)**
Check for improper operation. Two wipers are required unless one can clean the driver's field of vision.
- **WINDSHIELD (393.60)**
Check for cracks or other damage. Check for decals or stickers in field of vision.

6. STEERING AXLE

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE, AND TO LISTEN FOR YOUR INSTRUCTIONS.

- **STEERING SYSTEM (BOTH SIDES)**
Check for loose, worn, bent, damaged or missing parts. Instruct the driver to rock the steering wheel, and check key components: front axle beam, gear box, pitman arm, drag link, tie rod, tie rod ends.
- **FRONT SUSPENSION (BOTH SIDES)**
Check for indications of misaligned, shifted, or cracked springs, loosened shackles, missing bolts, spring hangers unsecure at frame, and cracked or loose U-bolts. Also, check for unsecure axle positioning parts and signs of axle misalignment.



- **FRONT BRAKES (BOTH SIDES) (393.48)**
Check for missing, nonfunctioning, loose, contaminated, or cracked parts on the brake system, such as brake drum, shoes, rotors, pads, linings, brake chamber, chamber mounting, push rods, slack adjusters.
Check for "S" cam flip over. Be alert for audible air leaks around brake components and lines.
With the brakes released, mark the brake chamber push rod at a point where the push rod exits the brake chamber. Mark the push rods on both sides at this time; all push rods will be measured in ITEM 18.
- **FRONT AXLE**
Check for cracks, welds, and obvious misalignment.
- **FRAME AND FRAME ASSEMBLY**
Check for cracks, or any defect that may lead to the collapse of the frame.
- 7. **LEFT FRONT SIDE OF TRACTOR**
 - **LEFT FRONT WHEEL & RIM**
Check for cracks, unsealed locking rings, broken or missing lugs, studs or clamps. Bent or cracked rims, "bleeding" rust stains, loose or damaged lug nuts and elongated stud holes.
 - **LEFT FRONT TIRE (393.75)**
Check for improper inflation, serious cuts, bulges. Check tread wear and measure major tread groove depth. Inspect sidewall for defects. Check for exposed fabric or cord. Radial and bias tires should not be mixed on the steering axle.
- 8. **LEFT SADDLE TANK AREA**
 - **LEFT FUEL TANK(S) (393.65)**
Check for unsecure mounting, leaks or other damage. Verify that the fuel crossover line is secure. Check for unsecure cap(s).
Check ground below tank for signs of leaking fuel.
 - **TRACTOR FRAME (393.201)**
Check frame rails and cross members on the tractor just behind the cab, looking for cracks, bends, or excessive corrosion.

- **EXHAUST SYSTEM (393.83)**
Check for unsecure mounting, leaks (under the cab), exhaust contacted by fuel or air lines or electrical wires. Check for carbon deposits around seams and clamps.

9. TRAILER FRONT

- **AIR & ELECTRICAL LINES (393.28)**
Lines between tractor and trailer should be suspended and free of tangles and crimps. They should have sufficient slack to allow the vehicle to turn. Inspect line connections for proper seating. Listen for audible air leaks.
- **FRONT END PROTECTION (393.106)**
Check for height requirements. (Note exceptions.)

10. LEFT REAR TRACTOR AREA

- **WHEELS, RIMS & TIRES**
Inspect as described in ITEM 7.
Check inside tire of dual for inflation and general condition. Tires should be evenly matched (same circumference) on dual wheels.
Without placing yourself between the tires on tandem axles, check for debris between the tires.
- **LOWER FIFTH WHEEL (393.70)**
Check for unsecure mounting to the frame or any missing or damaged parts.
Check for any visible space between the upper and lower fifth wheel plates.
Verify that the locking jaws are around the shank and not the head of the kingpin. Verify that the release lever is seated properly, and that the safety latch is engaged.
- **UPPER FIFTH WHEEL**
Check for any damage to the weight bearing plate and its supports on the trailer. Check kingpin condition.
- **SLIDING FIFTH WHEEL**
Check for proper engagement of locking mechanism (teeth fully engaged on rail). Check for worn or missing parts, making sure that the position does not allow the tractor frame rails to contact the landing gear during turns.

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.

- **SUSPENSION (BOTH SIDES)**
Inspect as described in ITEM 6. Check for deflated or leaking air suspension systems.
- **BRAKES (BOTH SIDES)**
Inspect brakes as described in ITEM 6.
With brakes released, mark the push rods.

11. LEFT SIDE OF TRAILER

- **FRAME AND BODY**
Check for cracks and any indication leading to collapse of the frame.
- **CARGO SECUREMENT (393.100)**
Check for improper blocking or bracing, and unsecure chains or straps. Verify end gates are secured in stake pockets. Check tarp or canvas.
- **WHEELS, RIMS, & TIRES**
Inspect as described in ITEM 7.
- **SLIDING TANDEM**
Check for misalignment and position. Look for damaged, worn, or missing parts. Check locking mechanism; teeth of locking mechanism must fully mesh with those of the rail secured to the frame.

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.

- **SUSPENSION (BOTH SIDES)**
Inspect as described in ITEM 6.
- **BRAKES (BOTH SIDES)**
Inspect as described in ITEM 6. With brakes released, mark push rods.

12. REAR OF TRAILER

- **TAIL, STOP, & TURN LAMPS & EMERGENCY FLASHERS**
Check for improper color and operation.
- **CARGO SECUREMENT**
Inspect as described in ITEM 11.
Also check tailboard security. Verify end gates are secured in stake pockets, and rear doors are closed. Check both sides of trailer to insure protection of cargo from shifting or falling.

13. RIGHT SIDE OF TRAILER

- CHECK ALL ITEMS AS ON LEFT SIDE.

14. RIGHT REAR TRACTOR AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

15. RIGHT SADDLE TANK AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

16. RIGHT FRONT SIDE OF TRACTOR

- CHECK ALL ITEMS AS ON LEFT SIDE.

17. BRAKE ADJUSTMENT CHECK

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.

• MEASURE PUSH ROD TRAVEL (ALL BRAKES)

While the brakes are applied, move around the vehicle and measure the distance of push rod travel at each chamber.

Write down each push rod measurement, and compare them to the Out-of-Service Criteria for the appropriate size and type of brake chamber.

Again, listen for leaks as you move around the vehicle.

18. FIFTH WHEEL MOVEMENT CHECK

• USE CAUTION

If conducted improperly, this method of checking for fifth wheel movement can result in serious damage to the vehicle. Use caution and instruct the driver carefully.

• PREPARE THE VEHICLE AND DRIVER

Have the driver put the vehicle in gear, release the service brakes, and apply the trailer brakes.

Remove the wheel chocks and have the driver start the vehicle. Carefully explain the procedure to the driver. Tell the driver to GENTLY rock the tractor as you watch the fifth wheel.

• CONDUCT THE PROCEDURE

As the tractor rocks, watch for movement between the mounting components and frame, pivot pin, and bracket, and the upper and lower fifth wheel halves.

19. AIR LOSS RATE

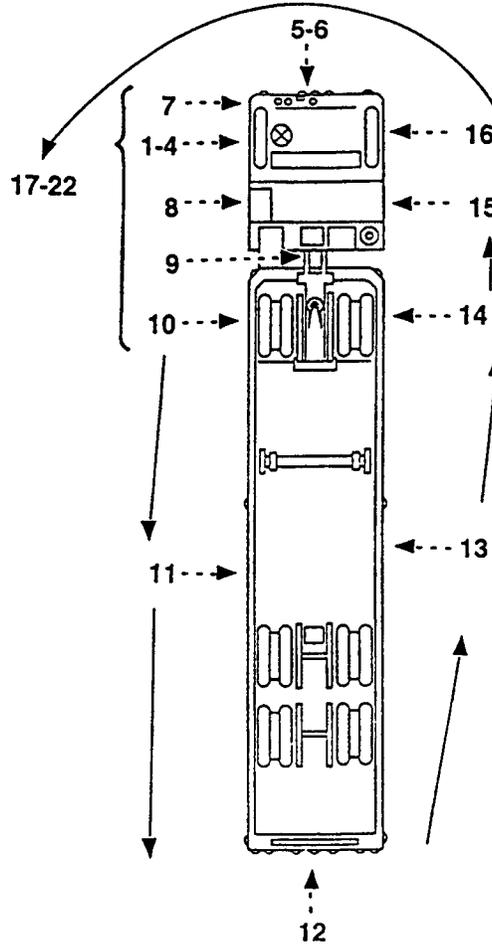
• WHEN TO CONDUCT THE TEST

If you heard an air leak at any point in the inspection, you should now check the vehicle's air loss rate.

• CONDUCT THE PROCEDURE

Have the driver run the engine at idle, then apply and hold the service brake.

Observe the air reservoir pressure gauge on the dash. Have driver pump the pressure down to 80 psi. Compressors do not activate until system pressure drops below a certain level. At about 80 lbs. most compressors should be operating.



Air pressure should be maintained or increase. A drop in pressure indicates a serious air leak in the brake system, and the vehicle should be placed out of service.

20. LOW AIR PRESSURE WARNING DEVICE

• TEST THE WARNING DEVICE

Instruct the driver to pump the air down until the low air pressure warning device activates.

Observe the gauges on the dash. The low air pressure warning must activate at a minimum of 1/2 the compressor governor cut out pressure, approximately 55 psi.

21. TRACTOR PROTECTION VALVE

This procedure will test both the tractor protection valve and the trailer emergency brakes.

• CONDUCT THE TEST

Instruct the driver to release the emergency brakes by pushing in the dash valves.

Break the supply emergency line at the hose couplers between the tractor and the trailer. When the line is disconnected, a blast of air will be noticed. At this point, the emergency brakes on the trailer should set up.

• OBSERVE THE DASH GAUGE

Air will leak from the tractor side of the line until the pressure in the tractor's system drops to the 20-45 psi range. At that point, the air loss should stop, isolating the tractor air system.

A loss of air in the tractor system below the 20-45 psi range indicates a malfunctioning tractor protection valve. If the trailer brakes do not set up when the line is disconnected, there is a problem with the trailer emergency brakes.

22. COMPLETE THE INSPECTION

• COMPLETE PAPER WORK

Complete inspection forms and other paperwork, as required.

• CONCLUDE WITH THE DRIVER

Explain any violations or warnings to the driver. Take appropriate enforcement action, if necessary.

• APPLY C.V.S.A. DECAL

Apply a C.V.S.A. decal on all vehicles that qualify.

Inspection, Repair & Maintenance Record

VEHICLE IDENTIFICATION

MAKE

SERIAL NUMBER

YEAR

TIRE SIZE

COMPANY NUMBER/OTHER I.D.

OWNER, IF LEASED

DATE

OPERATION PERFORMED, INSPECTION AND/OR REPAIR

ANNUAL VEHICLE INSPECTION REPORT

UNIT #	VIN#	MAKE	MODEL	LICENSE NO.	
MOTOR CARRIER		INSPECTION LOCATION			
ADDRESS		DATE OF INSPECTION	ODOMETER READING		
COMPONENTS INSPECTED					
Item	PASS	DEFECT	Item	PASS	DEFECT
1. BRAKE SYSTEM a. Service brakes b. Parking brake system I. Push rod travel II. Lining thickness c. Brake drums or rotors d. Brake hoses e. Brake tubing f. Low pressure warning device g. Tractor protection valve h. Air compressor i. Electric brakes j. Hydraulic brakes k. Vacuum system			b. Part(s) of vehicle or condition of loading area such that the spare tire or any part of the load or equipment can fall onto the roadway 7. STEERING MECHANISM a. Steering wheel free play b. Steering column c. Front axle beam and all steering components other than steering column .. d. Steering gear box e. Pitman arm f. Power steering g. Ball and socket joints h. Tie rods and drag links i. Nuts j. Steering system		
2. COUPLING DEVICES a. Fifth wheel b. Pintle hook c. Safety devices					
3. EXHAUST SYSTEM a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment b. No part of the exhaust system shall be so located as would likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle			8. SUSPENSION a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose, or missing resulting in shifting of an axle from its normal position b. Spring assembly(s) c. Torque, radius, or tracking components 9. FRAME a. Frame members b. Tire and wheel clearance		
4. FUEL SYSTEM AND LINES a. Visible leaks b. Fuel tank filler caps c. Fuel tank security			10. TIRES a. Cuts or blemishes b. Tread depth		
5. LIGHTS AND REFLECTORS a. Turn Signals and Lens b. 4-way Emergency flasher c. Headlights d. Clearance Lights e. Stop & Tail Lights & Lens f. Reflectors			11. WHEELS AND RIMS a. Lock or side ring b. Wheels and rims c. Fasteners d. Welds		
6. SAFE LOADING a. Protection against shifting cargo			12. WINDSHIELD GLAZING AND CRACKS 13. WINDSHIELD WIPERS		
INSPECTOR'S QUALIFICATIONS					
I, _____, am qualified to perform an annual inspection pursuant to Part 396.19 for the following reason(s): (Print)					
1. <input type="checkbox"/> Successfully completed a state or federally sponsored training program. 2. <input type="checkbox"/> Have at least one year of training and/or experience in the following: a. <input type="checkbox"/> Participation in a truck operation and maintenance training program. b. <input type="checkbox"/> Experience as a mechanic or inspector in a motor carrier maintenance program. c. <input type="checkbox"/> Experience as a mechanic or inspector in truck maintenance at a commercial garage, leasing company, or similar facility. d. <input type="checkbox"/> Experience as a commercial vehicle inspector for a state, provincial, or federal government.					
INSPECTION CERTIFICATION					
I hereby certify that I have been issued a copy of Appendix G of 49CFR Part 396 and that the annual inspection I have performed is accurate and complete pursuant to the inspection criteria set forth therein.					
_____ Inspector's Signature				_____ Date	

INSPECTOR QUALIFICATIONS

Certification — 49 CPR — Part 396.19

Motor carriers are responsible for ensuring that individual(s) performing an annual inspection under 367.19 are qualified as follows:

- Understands the inspection criteria set forth in Part 393 and Appendix G and can identify defective components
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment used when performing an inspection
- Is capable of performing an inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):
 - I. Successfully completed a State or Federal training program or has certificate from a State or Canadian Province which qualifies the person to perform commercial vehicle safety inspections. Specify:

or

- II. Have a combination of training or experience totaling at least one year as follows (check all that apply):
 - A. Participation in a truck manufacturer-sponsored training program or similar commercial training program designed to train students in truck operation and maintenance. Where and Date:

 - B. ____ (years) experience as a mechanic or inspector in a motor carrier maintenance program. Name and Date:

 - C. ____ (years) experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:

 - D. ____ (years) experience as a commercial vehicle inspector for a State, Provincial, or Federal Government. Where and Dates:

I certify the above information is true and accurate to the best of my knowledge.

Employee _____
Signature of Mechanic/Inspector Date

Motor Carrier/Company _____
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:

BRAKE INSPECTOR QUALIFICATIONS

Certification — 49 CPR — Part 396.25

“Brake Inspector” means any employee of a motor carrier who is responsible for ensuring all brake inspections, maintenance, service, or repairs to any commercial motor vehicle, subject to the motor carrier’s control, meet the applicable Federal standards.

No motor carrier shall require or permit any employee who does not meet minimum brake inspector qualifications to be responsible for the inspection, maintenance, service or repairs of any brakes on its commercial motor vehicles.

Minimum Qualifications

- Understands and can perform brake service and inspection
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment necessary to perform brake service and inspection
- Is capable of performing brake service or inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):

- I. Has successfully completed an apprenticeship program sponsored or approved by a State, Canadian Province, a Federal agency or labor union, or has a certificate from a State or Canadian Province which qualifies the person to perform brake service or inspections. Specify:

or

- II. Has brake-related training or experience or a combination thereof totaling at least one year as follows (check all that apply):

- A. Participation in a brake maintenance or inspection training program sponsored by a brake or vehicle manufacturer or similar commercial training program. Where and Date:

- B. ____ (years) experience performing brake maintenance or inspection in a motor carrier maintenance program. Name and Date:

- C. ____ (years) experience performing brake maintenance or inspection at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:

I certify the above information is true and accurate to the best of my knowledge.

Employee _____
Signature of Mechanic/Inspector Date

Motor Carrier/Company _____
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:

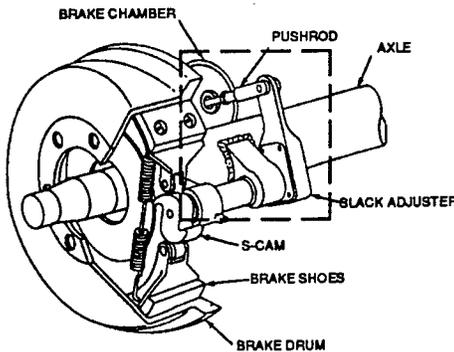
On Guard



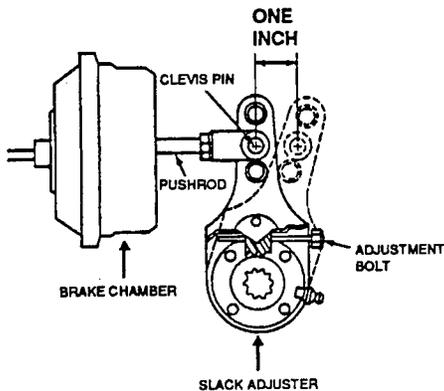
U.S. Department of Transportation

WITHIN AN INCH OF YOUR LIFE

IF BRAKE SLACK EXCEEDS ONE
INCH, YOU COULD BE DRIVING A
"KILLER TRUCK".



THIS IS THE MOST IMPORTANT
INCH OF YOUR LIFE.



BRAKES SHOULD BE CHECKED
BEFORE EACH TRIP AND MORE
FREQUENTLY IN HILLY AREAS.

TRUCKERS! Poorly adjusted brakes could cost you time and money with out-of-service violations, jeopardize your safety and that of others due to impaired stopping ability, and even cost you your life. The only way to be sure that your vehicle's brakes are properly adjusted is to physically check each wheel on a regular schedule. It is difficult for you to sense, simply from pedal feel, that your brakes are out of adjustment. Under normal braking conditions, your brakes may respond satisfactorily, but under a *hard* or *panic* stop you may find that you are unable to stop in time.

HOW TO CHECK

Before checking or making adjustments, be sure that your vehicle is parked on a level surface with the wheels blocked, spring brakes released, and the engine shut off. The following measurements are for *Type 30 air chamber brakes only*. For other types, check with your mechanic, supervisor, or manufacturer.

One person method: (1) Pull the chamber pushrod to its limit by hand or by prying with a short pry bar. (2) Measure from the clevis pin to the chamber face at both full retraction and at full extension. The difference between these measurements is the pushrod travel or slack. One-half inch is correct, and the **MAXIMUM ALLOWABLE TRAVEL IS ONE INCH** (one-person method).

Two-person method: Make the same measurements described in the one-person method, but with brakes fully applied and with brakes released. Because of the considerable stretching and bending of various parts when using the two-person method, the **MAXIMUM ALLOWABLE TRAVEL IS TWO INCHES** for Type 30 air chamber brakes.

HOW TO ADJUST

Brake adjustment, or "taking up the slack," is done by first making sure the brakes are released, then turning the adjusting bolt on the slack adjuster arm: (1) Depress the spring locking sleeve with a wrench. (2) Tighten the bolt until solid resistance is met. This indicates that the brake linings are touching the drum.

NOTE: Most adjusting bolts require a normal clockwise turn to "set up" the brakes, but some require a counter-clockwise turn. Be alert for any outward movement of the chamber pushrod and slack adjuster arm while the adjustment bolt is being turned. This movement means you are turning in the wrong direction.

(3) Restore running clearance by backing off the adjustment between one-quarter and one-half a turn. Re-check the pushrod travel. Proper adjustment leaves one-half an inch. (4) Check each brake drum or rotor for excessive heat soon after the brakes have been adjusted. An extra-hot brake drum means that you have adjusted the brakes too tightly.

For both this type and other types of brake systems, always check with the manufacturer for proper maintenance and adjustment procedures. If you are not comfortable with these procedures, ask your mechanic or supervisor.

**Transportation of
Hazardous Materials**

Transportation of Hazardous Materials

Do you transport hazardous materials?

Hazardous materials are any substance defined by the Secretary of Transportation as posing an unreasonable risk to health and safety or property. Most people recognize gasoline, propane, or dynamite as being hazardous materials, but did you know that common materials such as paint, nail polish remover, adhesives, cleaning compounds, hair spray, matches, and others may be classified as hazardous materials? It is important to know if you are transporting hazardous materials because violations of the Hazardous Materials Regulations (HMR) carry civil fines of up to \$27,500 and possible criminal penalties including up to five years in jail. Hazardous materials fall into one of the following basic classes and divisions:

Explosives 1.1	Non-Flammable Gas, 2.2	Organic Peroxide, 5.2
Explosives 1.2	Poison Gas, 2.3	Poison Liquid or Solid, 6.1
Explosives 1.3	Flammable & Combustible Liquids, 3	Infectious Substance, 6.2
Explosives 1.4	Flammable Solids, 4.1	Radioactive, 7
Explosives 1.5	Spontaneously Combustible, 4.2	Corrosive, 8
Explosives 1.6	Dangerous When Wet, 4.3	Miscellaneous, 9
Flammable Gas, 2.1	Oxidizer, 5.1	Consumer Commodities, ORM-D

To determine if a material you are transporting is hazardous, contact the shipper who provided the material or see the definitions of these materials in the hazardous materials regulations.

What do I need to do if I transport hazardous materials?

A motor carrier that transports a hazardous material, whether interstate or intrastate, must comply with the Federal Hazardous Materials Regulations, 49 CFR 100-180. These regulations include requirements including registration, training, shipping papers, labels, placards, and packages. In addition, there are additional requirements in the Federal Motor Carrier Safety Regulations which include insurance requirements, operational restrictions, Commercial Drivers License endorsements, routing, parking, and attendance requirements for hazardous materials.

Where can I get more information?

There are many ways to get additional information about safe transportation of hazardous materials. The regulations and interpretations can be found on the Internet at www.hazmat.dot.gov. In addition, the Federal Motor Carrier Safety Administration has developed an informational booklet titled "How to Comply with the Federal Hazardous Materials Regulations" as well as a Spanish/English bi-lingual package which contains general awareness training for hazardous materials. These documents and more information, can be found on the FMCSA website at www.fmcsa.dot.gov/safetyprogs/hm.htm. The Department also offers a hazardous materials information hotline at 1-800-HMR-4922.

VII. PACKAGING INFORMATION: If the package is overpacked (consists of several packages, e.g. glass jars within a fiberboard box), begin with Column A for information on the innermost package.																																																																																																																										
	A	B	C																																																																																																																							
30 TYPE OF PACKAGING INCLUDING INNER RECEPTACLES (e.g. Steel drum, tank car)																																																																																																																										
31. CAPACITY OR WEIGHT PER UNIT PACKAGE (e.g. 55 gallons, 65 lbs.)																																																																																																																										
32. NUMBER OF PACKAGES OF SAME TYPE WHICH FAILED IN IDENTICAL MANNER																																																																																																																										
33. NUMBER OF PACKAGES OF SAME TYPE IN SHIPMENT																																																																																																																										
34 PACKAGE SPECIFICATION IDENTIFICATION (e.g. DOT 17E, DOT 105A100, UN 1A1 or none)																																																																																																																										
35 ANY OTHER PACKAGING MARKINGS (e.g. STC, 18/16-55-88, Y1.4/150/87)																																																																																																																										
36 NAME AND ADDRESS, SYMBOL OR REGISTRATION NUMBER OF PACKAGING MANUFACTURER																																																																																																																										
37 SERIAL NUMBER OF CYLINDERS, PORTABLE TANKS, CARGO TANKS, TANK CARS																																																																																																																										
38. TYPE OF LABELING OR PLACARDING APPLIED																																																																																																																										
39 IF RECONDITIONED OR REQUALIFIED	A REGISTRATION NUMBER OR SYMBOL																																																																																																																									
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40. EXEMPTION/APPROVAL/COMPETENT AUTHORITY NUMBER, IF APPLICABLE (e.g. DOT E1012)																																																																																																																										
VIII. DESCRIPTION OF PACKAGING FAILURE: Check all applicable boxes for the package(s) identified above.																																																																																																																										
41. ACTION CONTRIBUTING TO PACKAGING FAILURE		42. OBJECT CAUSING FAILURE																																																																																																																								
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IX. DESCRIPTION OF EVENTS: Describe the sequence of events that led to incident, action taken at time discovered, and action taken to prevent future incidents. Include any recommendations to improve packaging, handling, or transportation of hazardous materials. Photographs and diagrams should be submitted when necessary for clarification. ATTACH A COPY OF THE HAZARDOUS WASTE MANIFEST FOR INCIDENTS INVOLVING HAZARDOUS WASTE. Continue on additional sheets if necessary.																																																																																																																										
46. NAME OF PERSON RESPONSIBLE FOR PREPARING REPORT		47. SIGNATURE																																																																																																																								
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7. Prior-Year Survey Information. Mark all categories and activities engaged in during the previous calendar year (e.g., 1999 for the 2000-2001 Registration Year) and the state(s) in which you operated (see instructions).

- A. Offered or transported in commerce a highway route controlled quantity of a Class 7 (radioactive) material.
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
 MO MS MT NC ND N NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- B. Offered or transported in commerce more than 25 kilograms (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container.
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
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- C. Offered or transported in commerce more than 1 liter (1.06 quarts) per package of a material extremely toxic by inhalation (materials poisonous by inhalation that meet one of the defining criteria for Hazard Zone A).
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
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- D. Offered or transported in commerce a hazardous material (including a hazardous waste) in a bulk packaging (see 49 CFR 171.8) having a capacity equal to or greater than 13,248 liters (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids.
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
 MO MS MT NC ND N NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- E. Offered or transported in commerce a shipment, in other than a bulk packaging, of 2,268 kilograms (5,000 pounds) gross weight or more of one class of hazardous material (including a hazardous waste) for which placarding of a vehicle, rail car, or freight container is required.
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
 MO MS MT NC ND N NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- F. Offered or transported in commerce a shipment of a quantity of hazardous material that requires placarding of the bulk packaging, freight container, unit load device, transport vehicle, or rail car, other than those included in A through E above. Activities performed by farmers are generally excepted. See 49 CFR 107.601(b).
1. Shipper _____ 2. Carrier _____ 3. Other (Freight Forwarder, Agent, etc.) _____
- AL AR AZ CA CO CT D FL GA ID IL IN IA KS KY LA MA MD M MI MN
 MO MS MT NC ND N NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- G. Did not engage in any of the activities listed in A through F during the previous calendar year.

8. Certification of Information. I certify that, to the best of my knowledge, the above information is true, accurate, and complete.

Certifier's Name _____ Date _____
(Print the signer's name)

Title _____ Phone (____) _____

Certifier's Signature _____

FALSE STATEMENTS MAY VIOLATE 18 U.S.C. 1001.

**MAIL COMPLETED FORM
 WITH PAYMENT TO :**

U.S. Department of Transportation
 Hazardous Materials Registration
 P.O. Box 740188
 Atlanta, GA 30374-0188

Please retain a copy of this form for your records.

Motor Carriers of Passengers

Motor Carriers of Passengers

Historically, the FHWA only regulated “for-hire” transportation of passengers. For-hire motor carriers of passengers are subject to all of the FMCSRs.

Private motor carriers of passengers (PMCPs) became subject to the FMCSRs on January 1, 1995. They are separated into two groups (business or nonbusiness) and are exempt from certain requirements of the FMCSRs.

For Hire Carriers

Three factors must be present before a motor carrier of passengers is classified as a “for-hire” carrier:

1. The motor carrier provides interstate transportation of passengers for a commercial purpose;
2. The motor carrier is compensated, either directly or indirectly, for the transportation service provided; and
3. The transportation service is generally available to the public at large.

Examples of for-hire transportation of passengers include, intercity bus service, charter bus service, canoe rental company bus service, and hotel bus service.

Business PMCPs

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose.

Examples of business PMCPs include companies that use buses to transport their own employees and professional musicians who use buses for concert tours.

Non-business PMCPs

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose.

Examples of non-business PMCPs include churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.

Private Motor Carriers of Passengers (PMCP) : Business

What is a Business PMCP?

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose. Examples include companies that use buses to transport their own employees and professional musicians who use buses for concert tours. Commercial businesses that provide passenger transportation to the general public are not business PMCPs.

Applicability of FMCSRs

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Business Private Motor Carriers of Passengers (PMCPs).

PART	REGULATORY TOPIC	APPLICABLE
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability & Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Yes
396	Inspection, Repair and Maintenance	Yes

Exemptions

Business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Road test requirements of Part 391

Private Motor Carriers of Passengers (PMCP) : Non-business

**What is a
Non-business
PMCP?**

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose. Examples of non-business PMCPs include churches, private schools, civic organizations, scout groups, and other charitable organizations that may purchase or lease buses for the transportation of their respective groups.

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Non-business Private Motor Carriers of Passengers (PMCPs).

**Applicability
of FMCSRs**

PART	REGULATORY TOPIC	APPLICABLE
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability & Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Partial
396	Inspection, Repair and Maintenance	Partial

Exemptions

Non-business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Subpart C of Part 391
- Subpart D of Part 391
- Subpart F of Part 391
- Most paper work and record-keeping requirements of Parts 390, 391, 395, and 396.

Applicability of The Minimum Financial Responsibility Regulations to Motor Carriers of Passengers

Applicability

Regulations covering minimum levels of financial responsibility (insurance) are found in 49 CFR Part 387, Subpart B. These regulations are only applicable to “for-hire” carriers transporting passengers in interstate commerce.

The chart below summarizes the applicability of the minimum levels of financial responsibility regulations to passenger carriers.

	"For Hire" Passenger Carrier	Business PCMPs	Non-business PCMPs
Vehicle with a seating capacity of 16 or more	\$5,000,000 insurance coverage required	Not Subject	Not Subject
Vehicle with a seating capacity of 15 or less	\$1,500,000 insurance coverage required	Not Subject	Not Subject

Exemptions

Minimum Financial Responsibility Regulations do not apply to:

- A motor vehicle transporting only school children and teachers to and from school
- A motor vehicle providing taxicab service, having a seating capacity of less than 7 passengers, and not operating on a regular route or between specified points
- A motor vehicle carrying less than 16 individuals in a single daily round trip to commute to and from work

Common Questions About the Applicability of the FMCSRs to Private Motor Carriers of Passengers (PMCPs)

1. Are PMCPs required to mark their vehicles as required by 49 CFR Part 390.21 ?

Yes. All PMCPs must register with the FHWA as required by 49 CFR Part 385, and mark their vehicle with their name, city and state, and U.S. DOT number.

2. Are non-business PMCP drivers required to be medically examined ?

No. Section 391.68 (a)(4) specifically states that much of Sections 391.41 and 391.45, which require a driver to be medically examined and to have a medical examiner's certificate on his/her person, do not apply to non-business PMCPs. However, non-business PMCP drivers are subject to the minimum physical qualification standards found in Section 391.41 (b) (1)-(13).

Non-business PMCPs should become familiar with the minimum physical qualification standards found in Section 391.41 and the driver waiver conditions of Section 391.49.

Non-business PMCP drivers may be placed out-of-service during terminal, en route, or destination inspections if they are required by Section 391.41 to have a waiver and do not possess one.

3. Are non-business PMCP drivers subject to the driver's hours of service regulations?

Yes. However, they are not required to prepare or maintain records of duty status. Non-business PMCP driver's hours of service will be evaluated by enforcement officers during terminal, en route, and destination inspections based on evidence available at the inspection location.

It is recognized that some individuals who volunteer to drive for non-business PMCPs may also drive for other motor carriers and in that capacity are required to maintain a record of duty status. All on-duty time performed for a non-business PMCP must be recorded on the records of duty-status submitted to that driver's regularly employing motor carrier.

4. Are non-business PMCPs required to have their vehicles inspected?

Yes. Section 396.17 requires that commercial motor vehicles be inspected at least once annually. The inspection must be completed by a qualified inspector and must include all components identified in Appendix G of the FMCSRs. Documentation of this inspection must be kept on the vehicle.

Applicability of FMCSRs (Parts 390-399) to School Bus Transportation

	School To Home or Home To School	Extracurricular School Activities
Public School Transporting Students	Not Subject	Not Subject
Private School Transporting Pre-primary, Primary, and Secondary Students	Not Subject	Subject as Non-business PMCPs
Private School Transporting Post-secondary Students	Subject as Non-business PMCPs	Subject as Non-business PMCPs
"For Hire" Contractors Transporting Pre-primary, Primary and Secondary Students	Not Subject	Subject as "For Hire" Carriers
"For Hire" Contractors Transporting Post-secondary Students	Subject as "For Hire" Carriers	Subject as "For Hire" Carriers

Applicability of Minimum Financial Responsibility Regulations to School Bus Transportation.

	Home To School or School To Home	Extracurricular School Trips Organized, Sponsored and Paid for by the School	Extracurricular School Trips Organized, and Paid for by an Independent Group (e.g., Athletic Boosters Club)
"For Hire" Contractors Transporting Pre-Primary, Primary and Secondary Students and Accompanying Teachers	Not Subject	Not Subject	Bus Seating Capacity of 16 or more: \$5,000,000 Insurance Coverage Required Bus Seating Capacity of 15 or less: \$1,500,000 Insurance Coverage Required
"For Hire" Contractors Transporting Post-secondary Students	Bus Seating Capacity of 16 or more: \$5,000,000 Insurance Coverage Required Bus Seating Capacity of 15 or less: \$1,500,000 Insurance Coverage Required	Bus Seating Capacity of 16 or more: \$5,000,000 Insurance Coverage Required Bus Seating Capacity of 15 or less: \$1,500,000 Insurance Coverage Required	Bus Seating Capacity of 16 or more: \$5,000,000 Insurance Coverage Required Bus Seating Capacity of 15 or less: \$1,500,000 Insurance Coverage Required

Accident Countermeasures

Accident Countermeasures

The former requirement for reporting accidents to the Federal Motor Carrier Safety Administration (FMCSA) (accident notification under **49 CFR Part 394**) has been replaced with a new requirement for retaining and analyzing accident information.

Background

As part of the ongoing FMCSA safety management effort to reduce the number of vehicle accidents on highways, assistance by safety specialists in accident analysis and countermeasures planning is now an integral part of compliance reviews conducted by the FMCSA. Accident countermeasures are examples of defensive strategies designed to reduce preventable accidents.

Purpose

This folder is designed to provide motor carriers and drivers with an introduction to the concepts of preventability analysis and accident countermeasures. The material suggests practical measures that can be taken now to prevent accidents, though its main intent goes further. The core of the presentation is a series of case histories of successful countermeasures. These are true stories of industry successes in promoting highway safety. The case histories are presented, together with a guide called *Determining Preventability of Accidents*, to help readers analyze accidents and create strategies to keep similar accidents from happening in the future.

The FMCSA intends to stimulate thinking and discussion about accident preventability and prevention within the motor carrier industry. The preventability guide and the *Accident Countermeasures* cases are not rating sheets nor orders from above to be followed exactly. They are guidelines and discussion tools to help carriers and drivers look at their unique operations and practices with an eye to identifying opportunities to make safety improvements.

Determining preventability

No two accidents or carriers are exactly alike, and the FMCSA recognizes that not all accidents are preventable. Some types of accidents, furthermore, can be prevented by drivers, while others require changes in motor carrier practices and policies or equipment. The new FMCSA method for determining preventability is based on examination of the facts in accident records.

Cases and countermeasures

The countermeasures cases in this file actually occurred. They are true success stories that show how relatively modest improvements led to significant reductions in accident rates.

Contents and attachments

This section contains *A Guide to Determining Preventability of Accidents* and *Accident Countermeasures: Success Stories*. Attachments include an *Accident Register* form and a chart, *Revenue Necessary to Pay for Accident Losses*.

**You are
welcome to
reproduce
and distribute
any of the
materials in
this booklet.**

A Guide to Determining Preventability of Accidents

The heart of accident analysis is the determination of preventability, based on the facts furnished in the motor carrier's recordable accident register, and from various other sources. These sources of information must be evaluated in light of all available facts that are pertinent to the cause of the accident. Digging out these facts from the information on these reports can be difficult in practice due to the limited data contained in some reports. But the information can be obtained in many instances by a detailed analysis and reconstruction of the accident sequence.

Each accident must be judged individually. Certain types will generally fall in the non-preventable category, and certain others, in the absence of extenuating circumstances and conditions, fall in the preventable category. The types of accidents listed below do not cover every accident that may occur, but they are intended to provide general guidance to assist in determining preventability.

Non-Preventable Accidents

Struck in Rear by Other Vehicle

- | | |
|---------------------------|---|
| Non-preventable if | <ul style="list-style-type: none">• Driver's vehicle was legally and properly parked• Driver was proceeding in his/her own lane of traffic at a safe and lawful speed• Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal or the directions of a police officer or other person legitimately controlling traffic• Driver was in proper lane waiting to make turn. |
|---------------------------|---|

Struck While Parked

- | | |
|---------------------------|---|
| Non-preventable if | <ul style="list-style-type: none">• Driver was properly parked in a location where parking was permitted• Vehicle was stopped, parked, or left standing in accordance with Sections 392.21 and 392.22 of the Federal Motor Carrier Safety Regulations. |
|---------------------------|---|

Preventable Accidents

Accidents at Intersections

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver failed to control speed so that he/she could stop within available sight distance• Driver failed to check cross-traffic and wait for it to clear before entering intersection• Driver pulled out from side street in the face of oncoming traffic• Driver collided with person, vehicle, or object while making right or left turn• Driver collided with vehicle making turn in front of him/her. |
|-----------------------|--|

Striking Other Vehicle in Rear

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver failed to maintain safe following distance and have his/her vehicle under control• Driver failed to keep track of traffic conditions and did not slow down• Driver failed to ascertain whether vehicle ahead was moving slowly, stopped, or slowing down for any reason• Driver misjudged rate of overtaking• Driver came too close before pulling out to pass• Driver failed to wait for vehicle ahead to move into the clear before starting up• Driver failed to leave sufficient room for passing vehicle to get safely back in line. |
|-----------------------|--|

Sideswipe and Head-on Collisions

- | | |
|-----------------------|---|
| Preventable if | <ul style="list-style-type: none">• Driver was not entirely in his/her proper lane of travel• Driver did not pull to right and slow down or stop for vehicle encroaching on his/her lane of travel when such action could have been taken without additional danger. |
|-----------------------|---|

Struck in Rear by Other Vehicle

- | | |
|-----------------------|---|
| Preventable if | <ul style="list-style-type: none">• Driver was passing slower traffic near an intersection and had to make sudden stop• Driver made sudden stop to park, load, or unload• Vehicle was improperly parked• Driver rolled back into vehicle behind them while starting on grade |
|-----------------------|---|

Squeeze Plays and Shutouts

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver failed to yield right-of-way when necessary to avoid accident |
|-----------------------|--|

Backing Accidents

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver backed up when backing could have been avoided by better planning of his/her route• Driver backed into traffic stream when such backing could have been avoided• Driver failed to get out of cab and check proposed path of backward travel• Driver depended solely on mirrors when it was practicable to look back• Driver failed to get out of cab periodically and recheck conditions when backing a long distance• Driver failed to check behind vehicle parked at curb before attempting to leave parking space• Driver relied solely on a guide to help him/her back• Driver backed from blind side when he/she could have made a sight-side approach. |
|-----------------------|--|

Accident Involving Rail Operated Vehicles

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver attempted to cross tracks directly ahead of train or streetcar• Driver ran into side of train or streetcar• Driver stopped or parked on or too close to tracks. |
|-----------------------|--|

Accidents While Passing

- | | |
|-----------------------|--|
| Preventable if | <ul style="list-style-type: none">• Driver passed where view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.• Driver attempted to pass in the face of closely approaching traffic• Driver failed to warn driver of vehicle being passed• Driver failed to signal change of lanes• Driver pulled out in front of other traffic overtaking from rear• Driver cut in too short while returning to right lane. |
|-----------------------|--|

Accidents While Being Passed

- | | |
|-----------------------|---|
| Preventable if | <ul style="list-style-type: none">• Driver failed to stay in his own lane and hold speed or reduce it to permit safe passing. |
|-----------------------|---|

Accidents While Entering Traffic Stream

Preventable if

- Driver failed to signal when pulling out from curb
- Driver failed to check traffic before pulling out from curb
- Driver failed to look back to check traffic if he/she was in position where mirrors did not show traffic conditions
- Driver attempted to pull out in a manner that forced other vehicle(s) to change speed or direction
- Driver failed to make full stop before entering from side street, alley, or driveway
- Driver failed to make full stop before crossing sidewalk
- Driver failed to yield right of way to approaching traffic.

Pedestrian Accidents

Preventable if

- Driver did not reduce speed in area of heavy pedestrian traffic
- Driver was not prepared to stop
- Driver failed to yield right of way to pedestrian.

Mechanical Defects Accidents

Preventable if

- Defect was of a type that driver should have detected in making pre-trip or enroute inspection of vehicle
- Defect was of a type that driver should have detected during the normal operation of the vehicle
- Defect was caused by driver's abusive handling of the vehicle
- Defect was known to driver, but ignored
- Driver was instructed to operate with known defect.

All Types of Accidents

Preventable if

- Driver was not operating at a speed suitable for the existing conditions of road, weather, and traffic
- Driver failed to control speed so that he/she could stop within assured clear distance
- Driver misjudged available clearance
- Driver failed to yield right-of-way to avoid accident
- Driver failed to accurately observe existing conditions
- Driver was in violation of company operating rules or special instructions, the regulations of any Federal or State regulatory agency, or any applicable traffic laws or ordinances.

Accident Countermeasures: Success Stories

References in parentheses are to cases in the **Commercial Vehicle Preventable Accident Manual (Countermeasures Manual)**.

CASE # 1.

An Oregon-based carrier transporting wood chips from the coast to the Eugene area began to have an unusual number of accidents. An analysis by the Safety Specialist revealed that the majority of the accidents occurred on a three-mile stretch of the route being used. This two-lane road was narrow, winding, and frequented by tourists in summer; and plagued with fog, ice, and snow in winter. Further investigation revealed that for the past eight months construction had been underway along the three-mile stretch - about the same time the accidents had been happening. The highway department indicated that construction would continue for another six months.

COUNTERMEASURE:

The Safety Specialist discussed the findings with management and recommended the carrier's vehicles be rerouted until the construction was complete.

(Countermeasures Manual Case No. A11-*Planning Schedules, Loads and Routes*)

The carrier realized that it could not continue with the increased level of accidents for another six months and agreed with the recommendation. Although the new route was approximately 30 miles more each way, the benefit of reducing accidents outweighed this.

CASE # 2.

An Illinois-based produce hauler was experiencing a high number of driver injuries resulting in a large number of workman compensation claims. A Safety Specialist's review of the accidents revealed that drivers were wrenching their necks inside their cabovers (vs. conventional cabs) when passing over bumps in the road. The drivers were being thrown unexpectedly out of their seats and into the windshield or ceiling of their tractors. The cabovers were identified as being the primary source of these incidents - the driver's seat is located directly over the front wheels and provides little resistance or cushion to reduce the impact of bumps in the road to the driver.

COUNTERMEASURE:

The Safety Specialist recommended that the carrier insert language into their employee manual requiring drivers to wear their seat belts.

(Countermeasures Manual Case No. A8-*Company Driver Manuals*)

The carrier agreed to the recommendation and, in addition, instructed guards at each terminal gate to check drivers before leaving to ensure they were complying with the company's policy. This simple solution, which had been overlooked by everyone, turned out to be the key in reducing this type of injury to zero.

CASE # 3.

An Indiana-based school bus contractor was experiencing a high number of accidents caused by driver inattention. After examining all of the carrier's accidents, the Safety Specialist determined that they all were occurring during the month of June. The Safety Specialist also came to the conclusion that no specific driver or vehicle was responsible for the accidents. It seemed that the drivers, in general, were becoming inattentive because summer was near and they were anticipating the end of the school year. Further analysis revealed that the Safety Director held two safety meetings a year with the drivers, one in September and another in February.

COUNTERMEASURE:

The Safety Specialist recommended to the carrier that it should begin holding safety meetings sometime in April and provide each driver with a one-page handout in the period prior to the start of these meetings to keep them alert.

(Countermeasures Manual Case No. A7-*Fleet Safety Program and Supervision*)

This simple solution turned out to be the key in reducing these accidents to zero. When the Safety Director was asked why he had never noticed this problem, he replied "This was right there in front of me, but I just never had the time to sit down and look at it in this manner!"

CASE # 4.

A Utah-based carrier, which conducts the majority of its business west of the Mississippi River, was experiencing a high number of accidents.

After discussion with some drivers and management officials, an analysis by the Safety Specialist revealed that a high number of accidents occurred during the same time of day on a three-to-five mile section of a certain interstate, heading west. Apparently, drivers were being blinded as they came over the crest of a very large hill at sunset.

COUNTERMEASURE:

The Safety Specialist discussed the situation with management and recommended that the carrier change the time its drivers were being dispatched. The carrier agreed with the recommendation and immediately began to dispatch drivers an hour earlier or an hour later in order to avoid driving over the hill at sunset. This change eliminated the accidents.

CASE # 5.

During a review of a large Indiana-based household goods carrier that operates over 5,000 tractor-trailers, a Safety Specialist discovered that the carrier was experiencing a high number of rear-end collisions. Some of these accidents caused damage to the extent that they were reportable to the DOT. Most, however, were of a lesser amount but still added to the carrier's cost of operation.

COUNTERMEASURE:

The Safety Specialist recommended the installation of brake and turn signal lights at the top of the carrier's trailers.
(Countermeasures Manual Case No. B6-*Turning Left and Right*)
(Countermeasures Manual Case No. C10-*Vehicle lighting and Conspicuity*)
This reduced accidents almost immediately.

CASE # 6.

During a review of a Washington-based grocery company, operating over 100 tractor trailers primarily in urban areas, the Safety Specialist discovered an accident pattern - an inordinate number of right turn accidents. Some of the accidents caused damage to the extent that they were reportable to DOT. Most, however, caused damages in a lesser amount but still added to the carrier's cost of operation.

COUNTERMEASURE:

The Safety Specialist discussed the findings with the carrier and recommended the installation of turn signals at a higher level on trailers.
(Countermeasures Manual Case No. B6-*Turning Left and Right*)
(Countermeasures Manual Case No. C10-*Vehicle Lighting and Conspicuity*)
The carrier agreed and also applied signs to the back of each trailer, on the right side, warning of wide turns. Accidents dropped dramatically over a very short period of time.

CASE # 7.

During a recent review, a Washington-based carrier that operates over 2,400 tractor trailers west of the Mississippi River was found to have a high number of loss-of-control accidents during adverse driving conditions.

COUNTERMEASURE:

The Safety Specialist recommended the carrier require drivers to attend a safety meeting.
(Countermeasures Manual Case No. A7-*Fleet Safety Program and Supervision*)
(Countermeasures Manual Case No. A9-*Driver Training Aids*)
To promote attendance, the carrier scheduled ten Saturday meetings in various locations and required all drivers to attend one. Drivers were paid to attend the meetings and coffee and doughnuts were provided. The safety meeting consisted of approximately four hours of training on the Federal Motor Carrier Safety Regulations, driving in adverse conditions, and other general safety information. Within a short period of time, the company records indicated a 60 percent reduction in accidents.

CASE # 8.

An Oregon-based produce hauler, generally running from Portland to Los Angeles was having a very high number of backing accidents. Considering the areas in which they were required to load and unload, the carrier had not found the number of accidents unusual. An analysis by the Safety Specialist revealed that the carrier was using qualified but relatively inexperienced drivers in sleeper teams. They were paid for load/unload time whether they actually had to do the work or not. Although most of the backing accidents involved damage costing less than \$1,000, one dock worker had been crushed between a trailer and the dock, which emphasized the danger inherent in backing accidents.

COUNTERMEASURE:

The Safety Specialist recommended that each driver attend a safety meeting, and that a safety notice be distributed to all drivers requiring them to assist each other during backing maneuvers.

(Countermeasures Manual Case No. A7-*Fleet Safety Program and Supervision*)

(Countermeasures Manual Case No. A9-*Driving Training Aid*)

(Countermeasures Manual Case No. B3-*Start-Up/Back-Up*)

The carrier agreed with the suggestion and required every driver to attend a safety meeting (meetings were held on several Saturdays to allow attendance by all). Drivers were paid overtime and coffee and donuts were furnished. The meeting contained about four hours of training on proper procedures for backing. In addition, a safety notice was distributed in driver's paychecks instructing them to assist each other during backing maneuvers. Backing accidents dropped quickly, and because of increased driver awareness, there was a reduction in other types of accidents as well.

CASE # 9.

A Missouri-based farm commodity and hazardous material transporter was experiencing a high number of accidents. Examination of all its accidents revealed that they occurred during bad weather and that the majority of them were caused by drivers who were not paying attention to the road conditions, (that is, they were driving too fast for the weather).

COUNTERMEASURE:

The Safety Specialist recommended that the carrier implement a safe driver recognition/incentive program and a driver training program geared to avoiding accident situations and to driving in adverse weather conditions.

(Countermeasures Manual Case No. A3-*Safe Driving Recognition*)

(Countermeasures Manual Case No. A4-*Driver Safety Infractions*)

(Countermeasures Manual Case No. A7-*Fleet Safety Program and Supervision*)

(Countermeasures Manual Case No. B11-*Driving in Adverse Conditions*)

The carrier agreed with the recommendations, and now holds quarterly safety meetings with 95 percent driver participation. Any driver who attended the previous meeting and was accident free during the quarter receives a \$150 U.S. Savings Bond. The carrier also, implemented a driver training program and classroom instruction on accident situations and driving in adverse weather conditions. After the carrier took this proactive stance, its accident rate improved from 0.88 to 0.37 over 12 months.

CASE # 10.

A city-based carrier that operates over 30 delivery trucks was experiencing a high number of accidents.

An analysis by the Safety Specialist revealed that a majority of accidents occurred within a two to three block area downtown every Thursday between nine and ten in the morning. The analysis also revealed that drivers were paid every Thursday morning, and that a number of banks are located within the problem area. Apparently, after they were paid in the morning, drivers would stop at the banks while on-duty to cash their paychecks.

Driving in this highly congested area during rush hour placed both the driver and vehicle in extremely unfavorable conditions. Cashing the checks during the morning rush hour traffic was placing both the driver and vehicle in the worst possible place at the busiest time of the day and led to the high number of accidents.

CASE # 11.

An Illinois-based carrier that operates over 200 tractor trailers was experiencing a high number of accidents. An analysis by the carrier's Safety Director revealed that the majority of these accidents fell into three main categories. The carrier was experiencing:

- too many right turn accidents
- too many backing accidents
- too many right lane change accidents.

COUNTERMEASURE:

After further discussion with management officials, the Safety Specialist recommended that the carrier change the time the drivers were being paid. The carrier agreed with the recommendation and began paying the drivers at the end of the day. The change forced drivers to cash their paychecks after work while off-duty, and eliminated the accidents.

COUNTERMEASURE:

After further discussion among management officials, the carrier developed a program that was based on the three accident types that were occurring most frequently. Each accident type was assigned a different color dot sticker: red, blue, and yellow. The number one accident situation (right turns) was assigned a red dot sticker. The number two accident situation (backing) was assigned a blue dot sticker. The number three accident (right lane change) was assigned a yellow dot sticker. The dots were placed on the right side mirror of the motor carrier's vehicle as a safety reminder to drivers who had accidents.

The carrier also placed a large red sticker halfway back on the side of trailers to aid drivers when making right turns. If a driver could not see the colored sticker in the right side mirror, then he/she had not pulled far enough out to execute the turn.

After implementing the program, the carrier began to see accident numbers starting to decrease considerably.

After a few months, however, the carrier became lax in seeing that the dots remained affixed. Accident rates started to rise again. The Safety Director states that the carrier now makes sure that when a unit comes through the shop, the safety dots are checked and replaced if needed. Other carriers could easily copy this program to meet their own company's most frequent accident situations.

CASE # 12.

Motor carriers in California and Tennessee have recently experienced accidents involving the driver's inability to see other vehicles because of poor visibility (specifically, in fog or dust storms).

COUNTERMEASURE:

According to researchers here and in Europe, use of front and rear running lights during daylight hours would save lives and prevent injuries, since many crashes are caused by poor visibility. These running lights can be:

- special additional lights
- reduced-intensity headlights for daytime use, or
- high-intensity parking lights.

In Finland, researchers found that, during a six-year period, the use of daytime running lights in winter reduced daytime crashes by 21 percent. In Sweden, results were similar: crashes decreased by 11 percent. Finland, Sweden, and Denmark now require all drivers to use daytime running lights. In 1989, Canada passed legislation requiring that all new cars, trucks, vans, and buses be equipped with front lights that turn on whenever the engine is running. According to James White of Transport Canada, about 20 percent of all drivers voluntarily use running lights in the daytime. By 1994, he said, enough new vehicles will be on the road to bring the total to two in five vehicles with lights on in the daytime.

Of course, all of these countries are in the north where it can be relatively dark much of the day in the winter. What about here in the United States? Some States already require the use of headlights just after sunrise, before sunset, or whenever visibility is poor. New York recently passed a law requiring the use of low-beam headlights whenever it rains, snows, sleet, or hails. Any time one has windshield wipers on in New York, headlights must be switched on or the driver risks being ticketed for an equipment violation (a \$100 fine).

In one study, the Insurance Institute of Highway Safety (a research organization supported in part by the insurance industry) equipped 2,000 trucks and vans with automatic daytime running lights for a year. Crashes decreased by 13 percent in bad weather and 7 percent at other times - less than the reduction shown in several European studies but enough to lend support to the use of daytime running lights.

A government study completed in April 1990 showed that, in light levels equivalent to early morning or twilight, drivers were able to see vehicles with running lights sooner than those with no lights. The lights improved visibility and provided drivers going 55

miles per hour with about three extra seconds to brake or take other action to prevent a crash. Several car makers, including General Motors, Chrysler, Ford, and Volvo, voiced support for daytime running lights as a way to decrease highway deaths and injuries. General Motors has filed a petition with the National Highway Traffic Safety Administration for clearance to install daytime running lights.

Daytime running lights won't affect gas mileage by much: for every \$10 spent on gas, they would cost an extra nickel (0.5 percent, according to a study by the Canadian government). Some people may object that these daytime lights can be blinding for other drivers, especially when reflected in rearview mirrors and for older drivers. One government study indicated that glare in the rearview mirror during daytime could be a problem, though the age of the driver was not a significant factor. The right intensity for running lights under different conditions "should be considered" in recommending lamp design, the study concluded.

Meanwhile, it makes good safety sense to switch on low-beam headlights in adverse weather conditions, at daybreak, dusk, and on dark and overcast winter afternoons.

REVENUE NECESSARY TO PAY FOR ACCIDENT LOSSES

This table shows the dollars of revenue required to pay for different amounts of costs for accidents.

It is necessary for a motor carrier to generate an additional \$1,250,000 of revenue to pay the cost of a \$25,000 accident, assuming an average profit of 2%. The amount of revenue required to pay for losses will vary with the profit margin (as shown in chart below).

REVENUE REQUIRED TO COVER LOSSES

YEARLY ACCIDENT COSTS	VS. PROFIT MARGIN				
	1%	2%	3%	4%	5%
\$1,000	\$100,000	\$50,000	\$33,000	\$25,000	\$20,000
5,000	500,000	250,000	167,000	125,000	100,000
10,000	1,000,000	500,000	333,000	250,000	200,000
25,000	2,500,000	1,250,000	833,000	625,000	500,000
50,000	5,000,000	2,500,000	1,667,000	1,250,000	1,000,000
100,000	10,000,000	5,000,000	3,333,000	2,500,000	2,000,000
150,000	15,000,000	7,500,000	5,000,000	3,750,000	3,000,000
200,000	20,000,000	10,000,000	6,666,000	5,000,000	4,000,000

Accident costs consist of any /or all of the following:

- Vehicle Damage
- Loss of Revenue
- Administrative Costs
- Police Reports
- Cargo Damage
- Possible Effects on Cost of Insurance
- Possible Effect on Cost of Workmen's Compensation Insurance
- Towing
- Storage of Damaged Vehicle
- Damage to Customer Relationships
- Legal Fees
- Customer's Loss of Revenue Directly Attributable to Accident

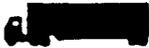
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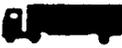
U.S. Department of Transportation

THE HAZARDS OF OPERATING MULTIPLE TRAILERS

5 axle tractor-semitrailer with 45 ft trailer



3 axle tractor-semitrailer with 27 ft trailer



turnpike double 45 ft trailers



B-train double 27 ft trailers



Rocky mountain double—45 ft & 27 ft trailers



California truck full trailer



65 ft conventional double—27 ft trailers



triple 27 ft trailers



TRUCKERS AND CARRIERS!

According to accident reports cited by the National Transportation Safety Board (NTSB) from a study on heavy trucks: accidents involving combination tractors with multiple trailers indicate that many truck drivers are making the transition from driving single trailer units to combination tractors with multiple trailers (doubles and triples) with little or no training on the hazards of operating these units . . . and without any behind-the-wheel training. (1)

Do not assume that a driver of a semi-trailer combination unit can easily make the switch to a multiple trailer unit with little or no special training. The controllability and maneuverability of these multiple trailer units can vary greatly between straight truck and even single-unit trailer configurations.

For example:

- The small tractor steering movements or braking applications, particularly in a lane change, are magnified by a second trailer and can reach uncontrollable levels, producing considerable yawing and subsequent rollover.
- The chances of the rear trailer unit rolling over during a sharp turn vary with the combination trailer unit configuration. The last trailer of a triple with 27-foot trailers is 3½ times more apt to roll over in a sharp turn than a 5-axle tractor semi-trailer with a 45-foot trailer. (2)
- The height and positioning of cargo in a combination vehicle are even more important than in straight trucks in determining the likelihood of a rollover.
- The type of cargo also contributes to the likelihood of a rollover. With bulk liquids, for instance, sudden steering movements or braking applications can cause product surge in a tank vehicle and shifting of the vehicle's center of gravity.

The following accident summaries from the NTSB study on heavy trucks illustrate the controllability and maneuverability hazards in operating combination tractors with multiple trailers:

- The driver of a twin trailer combination unit lost control when he steered sharply left to pass an automobile on an interstate highway. Both trailers began swinging from side to side. The first trailer then struck the automobile, and the rear trailer broke away and rolled over.

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On Guard

- The driver of a twin trailer combination unit was taking a right curve on a downward mountain grade, when he felt the rear trailer begin a violent counter-clockwise rotation. The rear trailer broke away, rolled over onto its left side, slid through a guardrail and down a mountain slope before it came to rest.
- The driver of a twin trailer combination unit ran off the right side of an interstate highway and struck a concrete drainage cover at the outer edge of the shoulder. When he steered left to return the unit to the roadway, the rear trailer broke away and rolled over.
- A driver of a twin trailer unit on a two-lane highway made a sharp right steering maneuver onto the grassed shoulder to avoid an oncoming automobile. When the driver steered back onto the roadway, the rear trailer began weaving laterally; it broke away from its coupling pin and rolled over.
- The driver of a twin trailer unit was taking a right curve on a downgrade when the rear trailer began weaving on the roadway. The weaving became rapid; the trailer broke away from its coupling pin and rolled over on the roadway.
- The driver of a twin cargo tank trailer combination unit was taking a left curve on a downward mountain grade when the rear trailer began swinging laterally. As the unit continued through the curve, the rear trailer broke away and rolled over. The driver had 10 years' experience driving combination units but only 2 weeks driving twin trailer units.

These were experienced single trailer unit drivers in the above examples. Yet, they reported having training ranging from no formal training in the operation of multiple trailers to a maximum of a single trip behind the wheel of a similar vehicle with a senior driver. Most of the drivers only had training on the inspection and hookup of multiple trailers.

Drivers must have adequate driver training, both on the road and in the classroom, to make them aware of the variables that influence the controllability and maneuverability of the multiple trailer configurations and how these variables compare to and contrast with those that affect operation of the semi-trailer combination.

DRIVERS SHOULD NOT BE DRIVING THESE MULTIPLE TRAILER COMBINATION UNITS WITHOUT THIS SPECIALIZED TRAINING.

(1) "Case Summaries of 189 Heavy Truck Accident Investigations." National Transportation Safety Board, Safety Study, NTSB/SS-88/06.

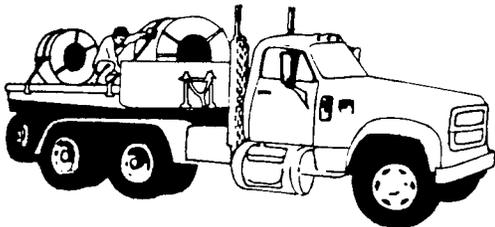
(2) "Influence of Size and Weight Variables on the Stability and Control Properties of Heavy Trucks." R. D. Ervin, R. L. Nisonger, C.C. MacAdam, and P.S. Fancher. University of Michigan Transportation Research Institute, 1983.

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STEEL AND ALUMINUM COIL LOAD SECUREMENT!



On August 5, 1991, two aluminum coils fell off a U.S.-based carrier's trailer near Gananoque, Ontario, killing four members of a family in a passenger car, all U.S. residents. One of the deceased had just returned from service in Operation Desert Storm.

On October 5, 1992, several 7,000-pound steel coils fell off a carrier's trailer on I-190 near Buffalo, New York, striking several cars and killing four occupants.

On May 18, 1993, a 20-ton coil of steel fell off a carrier's trailer on I-290 near Buffalo, injuring the driver. Luckily, no one was killed and the injuries were minor.

Between those dates, several other incidents of lesser severity occurred in Western New York in which steel or aluminum coils fell off vehicles. In all instances, improper load securement was a factor.

To determine the extent of the load securement problem, the New York Department of Transportation implemented a commercial vehicle roadside inspection policy in February 1993 in the Western New York area, devoting 1 day each week to load securement.

Approximately 50 percent of the vehicles checked were placed out of service for load securement problems.

Investigation of the past incidents and the recent inspections in New York indicate that load securement is a major problem and that it is not limited to New York-based carriers. The problem appears to be of national and international scope.

The FHWA is advising motor carriers to pay particular attention to their load securement policies and practices. Specific attention should be paid to the number of tie-down assemblies, the condition and strength of the tie-downs and anchors, and any blocking or bracing that may be necessary. Webbing, chains, cables, and tie-down anchors must be inspected for wear and damage, and the blocking and bracing must be inspected for adequacy before any load is transported.

Sections 393.100 through 393.106 of the Federal Motor Carrier Safety Regulations specify the load securement requirements applicable to interstate carriers, and the Commercial Vehicle Safety Alliance (CVSA)/FHWA "out-of-service" criteria identify defects which will cause a carrier to be placed out of service. Carriers should acquaint themselves with both.

The CVSA has also developed "Cargo Securement Tie-Down Guidelines" and other related training materials.



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Safety Administration**



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