



PROFESSIONAL DEVELOPMENT
CONFERENCE
MARCH 5TH 2018



AGENDA

- Department of Transportation (D.O.T.) Regulations
 - ❖ Non-Regulated vs Regulated Vehicles
 - ❖ What Regulations Apply When?
 - ❖ Exemptions...
- License Classes
- FMCSA CSA - Safety Management System
- D.O.T. is Not Your Worst Nightmare
 - ❖ Liability
 - ❖ Best Practices
 - ❖ Be Proactive



D.O.T. Regulations... Non-Regulated vs. Regulated Vehicles

❖ Non-Regulated Vehicle

- Under 10,001 pounds Gross Vehicle Weight Rating (GVWR)

or

- Gross Combination Weight Rating (GCWR) (truck + trailer)

- Vehicle not crossing State lines,

- Not transporting hazardous materials



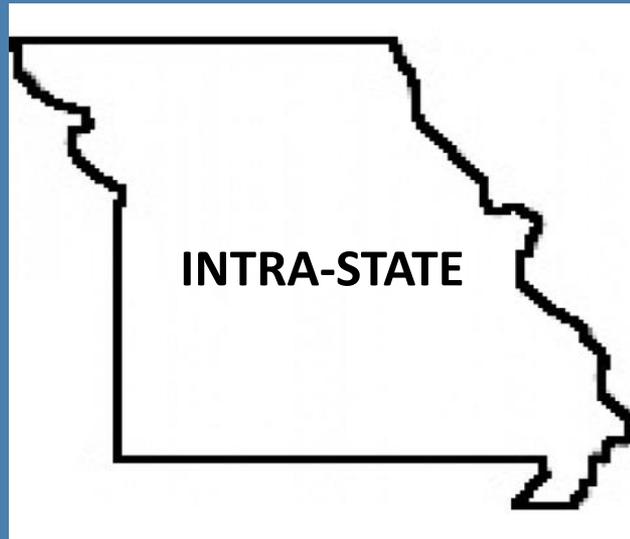
D.O.T. Regulations...Non-Regulated vs. Regulated Vehicles

❖ Regulated Vehicle

1. 10,001 pounds and over GVWR , GCWR crossing State lines.
2. 10,001 pounds and over GVWR, GCWR hauling any amount of Hazmat including class 9 (tractor, mower, combustibile engine)
3. 26,001 pounds and over GVWR,GCWR



D.O.T. Regulations...Non-Regulated vs. Regulated Vehicles



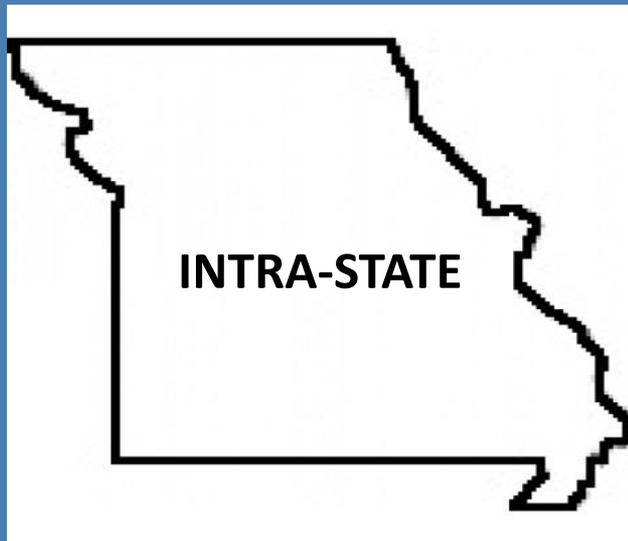
- ❖ Gross Vehicle Weight Rating (GVWR)/Gross Vehicle Combinations Weight (GVCW) Below 10,001 LBS.

Non - Regulated

In State only (intra-state commerce) not hauling hazardous materials is not regulated



D.O.T. Regulations...Non-Regulated vs. Regulated Vehicles



Regulated

- ❖ Gross Vehicle Weight Rating (GVWR)/Gross Vehicle Combinations Weight (GVCW) 10,001 LBS and above.



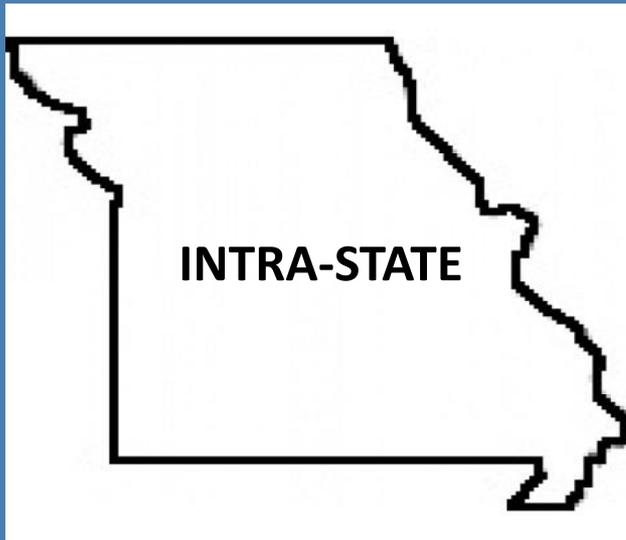
In State only (intra-state commerce) hauling any amount of hazardous materials is regulated.

-including class 9

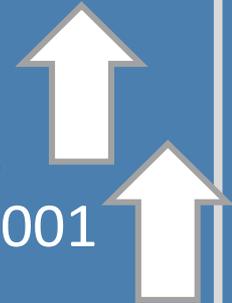
(tractor, mower, combustible engine)



D.O.T. Regulations...Non-Regulated vs. Regulated Vehicles



❖ GVWR/GVCW 10,001
with haz-mat and 26,001



REGULATIONS THAT APPLY:

FMCSR general safety regulations found in parts 380, 382, 383,
390 - 397

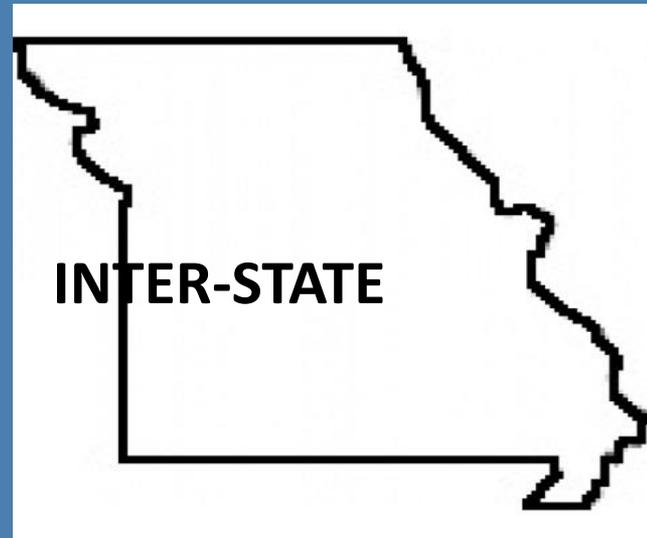
- DOT SUBSTANCE ABUSE TESTING PROGRAM (A&B CDL)
- ACCIDENT INFORMATION
- DRIVER QUALIFICATION
- HOURS OF SERVICE
- MAINTENANCE
- HAZARDOUS MATERIALS (if applicable)



D.O.T. Regulations...What Regulations Apply When?

❖ GVWR/GVCW 10,001
CROSSING STATE LINES

❖ GVWR/GVCW 26,001



REGULATIONS THAT APPLY:

FMCSR general safety regulations found in parts 380, 382, 383, 387, 390-397

- DOT SUBSTANCE ABUSE TESTING PROGRAM (A&B CDL)
- ACCIDENT INFORMATION
- DRIVER QUALIFICATION
- DRIVERS MUST BE 21
- HOURS OF SERVICE
- MAINTENANCE
- HAZARDOUS MATERIALS (if applicable)



Licenses/Medical Certificates

➤ Class E License

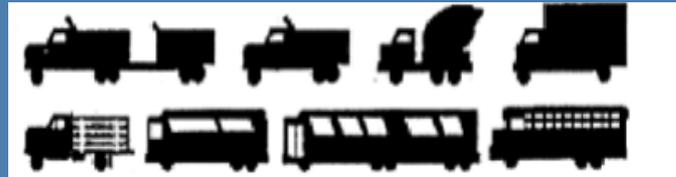
A single vehicle less than 26,001 pounds GVWR
Medical card required if driving a regulated vehicle

➤ Class B CDL

A single vehicle with a GVWR of 26,001 or more pounds
Towing a vehicle not in excess of 10,000 pounds GWR
Medical card required if driving a regulated vehicle
Must attach to CDL thru DMV

➤ Class A CDL

Any combination of vehicle with a GCWR of 26,001 or more pounds
Towed vehicle is in excess of 10,000 pounds
Medical card required if driving a regulated vehicle
Must attach to CDL thru DMV



D.O.

Hours Of Service

CDL Vehicles (A & B)

Outside 100 air miles

11 drive

14 on duty

10 hour break

60/7-70/8

Paper log/ELD (Dec 18,2017)

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FMCS

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SUBSTA

(A&B CDL)

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(consortiu

Substance

Supervisor

ACCIDE

DOT Accid

Accident F

Post-accid

for record

Inside 100 air miles

12 on duty

10 hour break

Time card

Non-CDL Vehicles (E license)

150 air miles

11 drive

14 on duty

(16 on duty extension 2 days of 7)

10 hour break

60/7-70/8

Time card

S...What Regulations Apply When?

Violations found in parts 380,

HOURS OF SERVICE

Hours of service logs /time sheets must be maintained for least 6 months
Log auditing process

D.O.T Recordable Accidents:

- ❖ Vehicle is towed from the scene due to inoperable damage
- ❖ Party is transported due to injury
- ❖ Fatality

D.O.T. Regulations...What Regulations Apply When?

REGULATIONS THAT APPLY:

FMCSR general safety regulations found in parts 380, 382,383,387 390-397

DRIVER QUALIFICATION

Driver Qualification Files
Motor Vehicle Report
Past Employment Histories
Copy of Commercial Driver's License
Medical card
Substance Abuse Testing custody and
Drug testing results for pre-employment testing
Road Test or equivalent of
Entry Level Driver Training

HAZARDOUS MATERIALS

If you transport placarded hazmat cargo additional regulations apply.
Class 9 is non-placarded haz-mat



D.O.T. Regulations...What Regulations Apply When?

➤ H.O.S.:

- After 24 hours off, driver gets full 60/70 back if working within a 75 mile radius. 395.1(m) (Driver primarily in transporting construction materials & equipment, cannot be a full time laborer)
- ELD implementation Dec. 18th 2017
 - 100 air mile radius
 - outside 100 air mile radius No more than 8 days in 30

➤ Driver Qualification:

- K-exempt for intra-state CDL holders before May 13, 1988
- Medical card not required on E license drivers if intra-state and not hauling haz-mat.

➤ Drug and Alcohol:

- Class E license not in D.O.T. random pool





FMCSA

Federal Motor Carrier Safety Administration



Compliance • Safety • Accountability

SMS Safety
Measurement
System

➤ What is FMCSA, CSA/SMS.....

➤ BASICS

- Carrier Scorecard
- Driver Scorecard
 - PSP





Compliance Safety & Accountability (CSA) Safety Management System (SMS)

What is CSA & SMS

DOT's Carrier Measurement Program

- ❖ **Data Compiled through D.O.T. road side inspections**

Measures safety performance

Identification and evaluation of high risk motor carriers and driver's behavior

Covers the full spectrum of safety issues

Authorization to intervene more effectively and efficiently

Public access

Insurance carriers

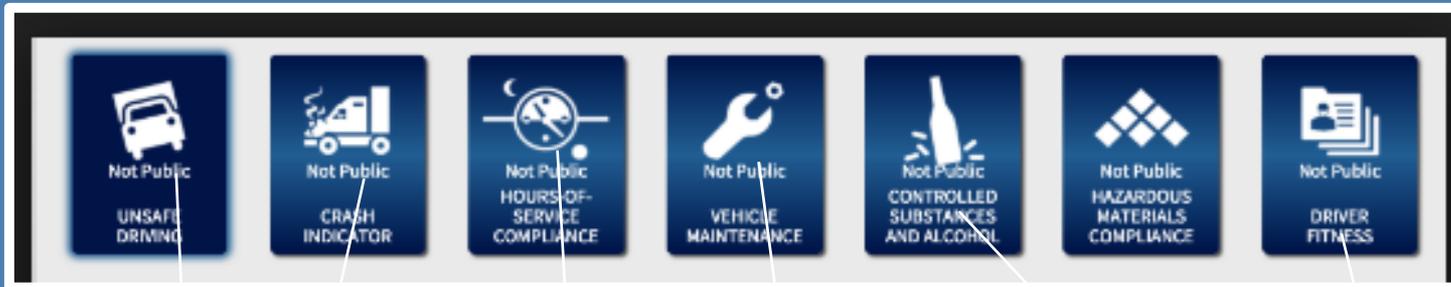
Vendors

Customers

Attorneys



Behavior Analysis & Safety Improvement Categories (BASICS)



MOVING VIOLATIONS
Speeding,
C&I,
Improper Lane Change,
Failure to obey

HOURS OF SERVICE VIOLATIONS
11, 14, 70
Falsification
Change of Duty status
ELD

DRUG / ALCOHOL OFFENSES
Under the influence
Paraphernalia

DRIVER QUALIFICATIONS
License
Medical Card

DOT RECORDABLE ACCIDENTS
On public roadway
Nurse
Hurse
Tow

EQUIPMENT VIOLATIONS
Lights
Brakes
Tires
Etc.





FMCSA

Federal Motor Carrier Safety Administration



Scorecards

Carrier scorecards 24 months

Violations are weighted by
Severity and Time

Point assessed by Severity :

0pts – 10pts

Weighted by time:

0 - 6 months – X 3

6 -12 months – X 2

12 -24 months – X 1

After 24 months violations/score falls off.

Driver scorecards 36 months

Violations are weighted by
Severity and Time

Point assessed by Severity :

0pts – 10pts

Weighted by time:

0 - 12 months – X 3

12 -24 months – X 2

24 -36 months – X 1

After 36 months violations/score falls off.



FMCSA

Federal Motor Carrier Safety Administration



SMS Safety
Measurement
System

- **Liability**
- **Best Practices**
- **Be Proactive**



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The End

Question 6: Does off-road motorized construction equipment meet the definitions of "motor vehicle" and "commercial motor vehicle" as used in §§383.5 and 390.5?

Guidance: No. Off-road motorized construction equipment is outside the scope of these definitions: (1) When operated at construction sites; and (2) when operated on a public road open to unrestricted public travel, provided the equipment is not used in furtherance of a transportation purpose. Occasionally driving such equipment on a public road to reach or leave a construction site does not amount to furtherance of a transportation purpose. Since construction equipment is not designed to operate in traffic, it should be accompanied by escort vehicles or in some other way separated from the public traffic. This equipment may also be subject to State or local permit requirements with regard to escort vehicles, special markings, time of day, day of the week, and/or the specific route.

Question 7: What types of equipment are included in the category of off-road motorized construction equipment?

Guidance: The definition of off-road motorized construction equipment is to be narrowly construed and limited to equipment which, by its design and function is obviously not intended for use, nor is it used on a public road in furtherance of a transportation purpose. Examples of such equipment include motor scrapers, backhoes, motor graders, compactors, tractors, trenchers, bulldozers and railroad track maintenance cranes.

Question 8: Do operators of motorized cranes and vehicles used to pump cement at construction sites have to meet the testing and licensing requirements of the CDL program?

Guidance: Yes, because such vehicles are designed to be operated on the public highways and therefore do not qualify as off-road construction equipment. The fact that these vehicles are only driven for limited distances, at less than normal highway speeds and/or incidental to their primary function, does not exempt the operators from the CDL requirements. **Question 34: Would a tillerman, a person exercising control over the steerable rear axle(s) on a commercial motor vehicle (CMV), be considered a driver or " * * * person who operates a [CMV] * * *" (§ 383.3), and thus subject to applicable commercial driver's license regulations?**

Guidance: A person physically located on the rear of the CMV who controls a steerable rear axle while the CMV is moving at highway speeds would be considered a " * * * person who operates a commercial motor vehicle * * *" (§ 383.3), and would therefore be subject to the applicable commercial driver's license regulations in 49 CFR part 383. A person walking beside a CMV or riding in an escort car while controlling a steerable rear axle at slow speeds would not be considered a " * * * person who operates a [CMV] * * *" (§ 383.3), and therefore would not be subject to applicable commercial driver's license regulations.