Your DOT Compliance Checklist

NRLRC Annual Seminar
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NRCA Director Risk Management
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## 2014 Roadside Inspections

### Roadside Inspections, Driver Violations

**Fields:**
- **Domestic:** United States
- **Vehicle Type:** All Trucks
- **Report Focus:** National
- **Time Period:** 2014

### U.S. All Trucks Roadside Inspections, Driver Violations (2014 - Calendar)

<table>
<thead>
<tr>
<th>Violation Code</th>
<th>Violation Description</th>
<th># of Inspections</th>
<th># of Violations</th>
<th>% of Total Violations</th>
<th># of O/S Violations</th>
<th>O/S Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 756.B</td>
<td>Log Violation (General Form And Warning)</td>
<td>65,422</td>
<td>65,004</td>
<td>15.02%</td>
<td>65</td>
<td>0.10%</td>
</tr>
<tr>
<td>2 756.24D</td>
<td>Driving beyond 8 hour limit since the end of the last off-duty or sleeper period of at least 30 minutes</td>
<td>46,155</td>
<td>56,043</td>
<td>15.26%</td>
<td>225</td>
<td>0.00%</td>
</tr>
<tr>
<td>3 755.GP</td>
<td>Drivers Record Of Duty Status Not Current</td>
<td>49,641</td>
<td>50,075</td>
<td>10.05%</td>
<td>99</td>
<td>0.01%</td>
</tr>
<tr>
<td>4 392.SSL.S2</td>
<td>State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit</td>
<td>35,278</td>
<td>33,279</td>
<td>7.16%</td>
<td>2</td>
<td>0.01%</td>
</tr>
<tr>
<td>5 392.G6</td>
<td>Failing To Use Seat Belt While Operating Crv</td>
<td>20,098</td>
<td>20,019</td>
<td>5.14%</td>
<td>4</td>
<td>0.01%</td>
</tr>
<tr>
<td>6 395.SAPROD</td>
<td>Driving beyond 14 hour duty period (Property carrying vehicle)</td>
<td>22,508</td>
<td>26,728</td>
<td>6.84%</td>
<td>11,155</td>
<td>4.13%</td>
</tr>
<tr>
<td>7 391.A4AF</td>
<td>Operating a property-carrying vehicle without possessing a valid medical certificate</td>
<td>23,568</td>
<td>22,735</td>
<td>4.55%</td>
<td>439</td>
<td>1.62%</td>
</tr>
<tr>
<td>8 756.BE</td>
<td>False Report Of Drivers Record Of Duty Status</td>
<td>18,086</td>
<td>20,599</td>
<td>3.81%</td>
<td>15,291</td>
<td>76.23%</td>
</tr>
<tr>
<td>9 392.2C</td>
<td>Failure To Obey Traffic Control Device</td>
<td>20,183</td>
<td>20,273</td>
<td>3.75%</td>
<td>9</td>
<td>0.04%</td>
</tr>
<tr>
<td>10 391.A1A</td>
<td>Driver Not In Possession Of Medical Certificate</td>
<td>16,884</td>
<td>16,820</td>
<td>3.48%</td>
<td>893</td>
<td>5.95%</td>
</tr>
<tr>
<td>11 395.BA</td>
<td>No Drivers Record Of Duty Status</td>
<td>14,792</td>
<td>14,953</td>
<td>2.77%</td>
<td>13,344</td>
<td>89.90%</td>
</tr>
<tr>
<td>12 395.B2H</td>
<td>Driver Failing To Retain Previous 7 Days Log</td>
<td>14,813</td>
<td>14,981</td>
<td>2.78%</td>
<td>12,623</td>
<td>86.47%</td>
</tr>
<tr>
<td>13 395.SAPROD</td>
<td>Driving beyond 11 hour driving limit in a 14 hour period. (Property Carrying Vehicle)</td>
<td>12,321</td>
<td>12,020</td>
<td>2.62%</td>
<td>5,968</td>
<td>42.26%</td>
</tr>
<tr>
<td>14 392.SSL.S3</td>
<td>State/Local Laws - Speeding 11-14 Miles Per Hour Over The Speed Limit</td>
<td>12,838</td>
<td>12,638</td>
<td>2.37%</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>15 392.2041</td>
<td>Using A Hand-Held Mobile Telephone While Operating A Crv</td>
<td>10,046</td>
<td>10,046</td>
<td>1.86%</td>
<td>4</td>
<td>0.04%</td>
</tr>
<tr>
<td>16 392.ZLV</td>
<td>Lane Restriction Violation</td>
<td>8,099</td>
<td>9,015</td>
<td>1.67%</td>
<td>2</td>
<td>0.02%</td>
</tr>
<tr>
<td>17 393.2DAJ</td>
<td>Operating A Crv Without A Clt</td>
<td>6,792</td>
<td>8,679</td>
<td>1.54%</td>
<td>8,450</td>
<td>95.17%</td>
</tr>
<tr>
<td>18 392.SSL.N4</td>
<td>State/Local Laws - Speeding 15 Or More Miles Per Hour Over The Speed Limit</td>
<td>7,734</td>
<td>7,740</td>
<td>1.43%</td>
<td>1</td>
<td>0.01%</td>
</tr>
<tr>
<td>19 391.40S</td>
<td>Expired Medical Examiners Certificate</td>
<td>7,502</td>
<td>7,595</td>
<td>1.40%</td>
<td>274</td>
<td>3.61%</td>
</tr>
<tr>
<td>20 392.SLC</td>
<td>Improper Lane Change</td>
<td>178</td>
<td>222</td>
<td>1.34%</td>
<td>1</td>
<td>0.01%</td>
</tr>
</tbody>
</table>
Accidents-HOS, Distracted

Texting pickup driver, 2 fatalities, Missouri

Armored truck driver on cell phone, injury, AZ

Fatigued truck driver, 10 fatalities, Oklahoma
Compliance Review
Federal Motor Carrier Safety Regulations

• Apply to companies operating commercial motor vehicles (CMVs) transporting property in interstate commerce

• Identical rules may apply to companies operating intrastate under state motor carrier rules
Commercial motor vehicle

Defined (for most purposes) as a self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property if:

• **10,001** pounds or more (GVW, GVWR, GCW, GCWR), OR
• Used to carry hazardous material in quantity that requires **placarding**
CMV driver qualification

• 21 years old
• Read and speak English sufficiently
• Experience or training to operate CMV
• Physically qualified
• Valid CMV license
• List of violations or certificate of no violations
• Certificate of successful road test
A CDL is defined as a license issued to an individual by a State that authorizes the individual to operate a class of CMV. CMVs for purposes of CDL requirements include:

- Vehicles with GVW or GVWR of 26,001 pounds +
- Vehicles with GCW or GCWR of 26,001 pounds +
- Any size vehicle used to transport hazardous materials that require placarding
CDL endorsements

Certain vehicles require a CDL endorsement based on a driver passing a knowledge and skills test related to the unique vehicle type or safety issues, for example:

- **H**-hazardous materials
- **N**-tank vehicles
- **P**-passenger vehicles
- **X**-tanker and hazmat combined
Drug and alcohol testing

• Applicability—CDL drivers
  – 26,001 CMVs
  – Hazmat

• Tests
  – Pre-employment
  – Reasonable suspicion
  – Random testing
  – Post-accident
  – Return to duty
  – Follow up
Testing

- Alcohol concentration
- Drugs
  - Marijuana
  - Opiates
  - PCP
  - Amphetamines
  - Cocaine
Hours of service

• Applicability
  – Vehicle 10,001 pounds or greater
  – Vehicle transporting hazmat required to be placarded

• Overview—property carrying vehicles
  ▪ 8 hours—may not drive after 8 consecutive hours since end of last 30 minute break
  ▪ 10 hours—may not drive without first taking 10 consecutive hours off duty
  ▪ 11 hours—may not drive more than 11 total hours after 10 consecutive hours off duty
  ▪ 14 hours—may not drive after the 14th consecutive hour after coming on duty
  ▪ 60/70 hours—may not drive after being on duty for 60 hours in 7 consecutive days or 70 hours in 8 consecutive days; subject to a 34 hour reset
HOS Penalties/Fines

• FMCSA civil penalties against driver/employer range from $1,000 to $11,000...going over the maximum drive time by more than 3 hours is an egregious violation...can result in maximum fine
• State or local citations may be issued
• Driver will usually be placed out-of-service (OOS)
• Knowing or willful violations of HOS may result in criminal penalties
Distracted Driving

• Drivers in their 20s make up 27% of the distracted drivers in fatal traffic accidents
• Over 3,300 people are killed in distraction-related traffic incidents in the U.S. every year
• Use of a hand-held phone or other device while driving increases the likelihood of a crash by 3 times
• 172 billion text messages are sent in the U.S. every month!
Mobile devices

• FMCSR texting/cell phone use-CMVs
  – Holding a mobile device; touching more than one key

• Penalties
  – State/local fines
  – Federal
    • Driver-$2,750
    • Driver disqualification
    • Employer-$11,000
Citation example

A roof system installation has been completed and 25 unopened 5-gallon cans of flammable bonding adhesive remain unused and must be returned to your shop or supplier. One of your workers, Eddie, takes the liberty of loading the cans onto his pickup truck to bring them back to the shop. While stopped at a light, Eddie’s truck is rear-ended causing minor damage but causing one of the cans to leak adhesive on the road. A state trooper witnesses the accident and pulls up behind the vehicles. What, if any, are the DOT issues that concern you?
Transporting hazardous material

Bonding adhesive:

• Hazard class 3 (flammable)
• Hazard ID UN1133 from HM Table
• 1,001 pounds + require vehicle placarding
Driver Requirements

- CDL
- HazMat Endorsement
Other issues

- Shipping papers
- Placarding
- HazMat Security Plan
- HazMat Incident Report
- HazMat Registration PHSMA
- Worker Training Requirements
  - General awareness
  - Function specific
  - Safety
  - Security awareness
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