

GUARDIAN

A Publication of the Commercial Vehicle Safety Alliance

Volume 23, Issue 1
1st Quarter 2016



Implementation of the Electronic Logging Devices Rule

A Plan to Move Forward

Plus...

Collin Mooney is CVSA's
New Executive Director

FMCSA Publishes Safety
Fitness Determination Notice
of Proposed Rulemaking

CVSA Releases Results from
2015 Operation Safe Driver Week
and 2015 Brake Safety Week

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GUARDIAN

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Together, whether we are dealing with challenges or changes, we must continue working toward zero fatalities resulting from motor vehicle crashes.



Collin B. Mooney, CAE, signs his contract at the CVSA Winter Executive Committee Meeting, officially accepting the position of CVSA executive director.



In addition to meeting with CVSA President Maj. Jay Thompson (pictured left) in Arkansas, FCMSA Acting Administrator Scott Darling (pictured right) visited two other states (Idaho and Colorado) to learn more about the challenges officers face roadside.

PRESIDENT'S MESSAGE

Changes and Challenges

By Maj. Jay Thompson, Arkansas Highway Police

It's absolutely amazing how time flies by us. I have already been your president for six months, yet it seems like yesterday we were in Boise, Idaho, where I began my term as CVSA's president. I want to express to each of you how truly honored I am to be serving the Alliance as president. Over the past six months, the Alliance has witnessed changes and challenges, but most importantly, we have continued working toward making our nation's highways a safer place. I would like to share with you a few interesting and positive things the Alliance has been involved with during my time in office.

Changes

I'm sure you have all heard the old saying, "No one likes change." Maybe this is true, but I think it's the uncertainty of change that makes us uneasy. It has been my experience, in most cases, that there are many positives with change. The biggest change within the Alliance is that we have a new executive director, Mr. Collin Mooney. I am confident this will be a positive change for the Alliance, bringing new energy and new ideas to the forefront.

If you haven't already, please join me in congratulating Mr. Mooney on his new position. I want to thank the Search Committee and the CVSA Executive Committee for their diligent efforts in selecting a new executive director. Throughout the process of selecting a new executive director, this group of professionals left no stone unturned and I truly appreciate all their hard work.

Challenges

Challenges seem to come by us daily, but I want to share a couple of stories with you related to challenges.

First, the Federal Motor Carrier Safety Administration's (FMCSA) Acting Administrator Scott Darling had a request. Mr. Darling wanted to get out in the field with our officers so he could see firsthand the many

challenges our officers face while performing their jobs. Mr. Darling visited three states during the months of October and November: Arkansas, Idaho and Colorado. In each state, Mr. Darling rode with officers and got a firsthand view of us performing our jobs, and trust me, he saw some challenges.

On behalf of CVSA, I want to thank Mr. Darling for not only taking the time to visit with us, but having a desire to learn more about the challenges our officers face while conducting commercial motor vehicle enforcement.

Second, in December 2015, members of CVSA, the Canadian Council of Motor Transport Administrators (CCMTA) and FMCSA were invited to participate in the first international highway safety meeting held in Guadalajara, Mexico. In part, the meeting was designed to assist with plan development and integration/harmonization of commercial motor vehicle enforcement throughout Mexico. There were leaders present from 16 different enforcement agencies from throughout Mexico who all had many questions about CVSA and how commercial motor vehicle enforcement was conducted in a uniform manner in the United States and Canada.

Interpreters were present which allowed all who were in attendance to communicate with each other. Although our partners in Mexico have many challenges ahead, it is very important that we take the opportunity to assist with their efforts in making transportation across our borders safer.

In closing, I remind you to stay positive and focused on the extremely important job each of you perform every day to make our nation's highways a safer place. Together, whether we are dealing with challenges or changes, we must continue working toward zero fatalities resulting from motor vehicle crashes. I look forward to seeing you all at the CVSA Workshop in Chicago. ■



EXECUTIVE DIRECTOR'S MESSAGE

A New Beginning

By **Collin B. Mooney**, CAE, Executive Director, Commercial Vehicle Safety Alliance

With a membership firmly committed to our mission, a highly professional and dedicated staff, and an array of industry stakeholders with whom we collaborate and partner, the Alliance is well positioned to face the challenges that lie ahead.

As CVSA's new executive director, I would like to take this opportunity to say that I'm delighted and truly humbled to have been selected to lead the organization. It will be my privilege to serve the Alliance and further its mission of promoting uniformity in commercial motor vehicle (CMV) safety and enforcement.

It is an honor to be associated with an organization that, for more than a quarter century, has done so much to improve CMV safety throughout North America. Since first becoming involved in the Alliance in the early 1990s, I have watched the organization start with a vision to become the international authority on CMV safety, to realizing its goal through the creation of a quality, uniform and efficient North American roadside inspection and enforcement program. All of this could not have been accomplished without the passion, hard work, and dedication to truck and bus safety by so many who worked collaboratively with member jurisdictions and industry stakeholders to bring this vision to fruition.

As we look ahead to the coming months, I'm both optimistic and enthusiastic about the opportunities that we have before us as an organization. In order to grow and expand the capacity of the Alliance and continue to provide leadership and guidance to enforcement, industry and policy makers, the CVSA Executive Committee is in the process of finalizing a new and refreshed strategic plan. As a result, the

future of the Alliance continues to look very bright, and 2016 is shaping up to be another busy year for CVSA, full of exciting challenges and new initiatives. With a membership firmly committed to our mission, a highly professional and dedicated staff, and an array of industry stakeholders with whom we collaborate and partner, the Alliance is well positioned to face the challenges that lie ahead.

In closing, I would personally like to extend a special thank you to all of the members of the CVSA Executive Committee, specifically the Selection Committee volunteers, for all of your hard work and extra effort that was required to select the organization's next executive director. Volunteer leadership can sometimes be very taxing on your professional and personal life, especially when presented with additional unplanned responsibilities; however, all of you stepped up to the plate and accepted the task at hand, and assumed those additional responsibilities without hesitation. On behalf of the membership and our extended CVSA community, I thank you for your dedicated service to the Alliance.

Over the coming days, weeks and months, I look forward to working with my friends and colleagues within the highway transportation safety industry, as we collectively work together to eliminate all injuries and deaths on our North American roadways and move the Alliance into the future. ■



LETTERS TO THE EDITOR

A Simple Solution

By **Jim LaRue**, Safety Supervisor, Barney Trucking

I am the field safety supervisor for a company that operates about 230 light commercial vehicle (10 and 11 axle) dry-bulk pneumatic tankers and belly dump trucks. I routinely conduct safety meetings for our drivers and inspections of our fleet.

A few months ago, while talking to a Utah Highway Patrol trooper about our roadside inspection violations, I mentioned that we had been struggling with our brake violations. I keep an open line of communication with our state enforcement folks who are very helpful when we are facing compliance challenges. He asked what our biggest violation was. I told him that it was brakes out of adjustment on our trailers.

I, representing the safety department, and the maintenance manager were going to meet with our brake parts suppliers and factory representatives in an effort to figure out what we were doing wrong. I told the trooper that I had been looking for a method whereby a driver could quickly and effectively check the pushrod travel on his truck by himself, without someone running the brake pedal. I had considered some commercially available brake travel devices I'd found on the internet for about \$5 per pushrod, but with the large number of 10-axle rigs we run (around 250 sets), the cost would be a challenge with the accountants upstairs.

The trooper looked at me and said, "Why don't you just put cable ties on the pushrods?" Wow! How simple is that? I'd love to take credit for this simple, effective idea. I can't, but I'm happy to run with it and pass it along.

I did take the idea a step further, though. I searched the internet and found a company that sells fluorescent cable ties. I ordered a thousand of them (about \$20 plus shipping). I went through the trial and error of the new procedure and, with the help of the maintenance manager, trained the shop guys on the installation. I now use the 8" 50 lb. ties. I then went out to our safety meetings and trained the drivers on the ties' use. Our shop has installed the ties on nearly all our trucks and almost all the drivers have been trained. Our drivers are very receptive to the new tool and our violations for out of adjustment brakes have gone down considerably.

We install the cable ties on the pushrods with the brake fully released, and we make sure the air tanks are between 90 and 100 pounds per square inch (psi). The ties have to be even with,

but not bending against, a reference point like the bracket or mounting stud. CVSA-certified inspectors are trained to carefully mark pushrods during their Level I Inspections and will likely ignore the cable ties for their enforcement measurements, but for helping our fleet reduce its rate of out-of-adjustment brakes, this method has helped. The following outlines our procedures for checking brake pushrod travel on trailers during pre- and post-trip inspections:

1. Make sure the truck has full (130 psi) air pressure in the tanks.
2. With the tractor brakes set and the trailer brakes released, make three 90 psi applications with the brake pedal. This is to ensure the slack adjusters are taking up all the slack in the system that they can. *[Editor's Note: CVSA does not see harm in this step — it may help exercise the brake system — but notes that a properly functioning slack adjuster should have already adjusted during operation.]*
3. Set the tractor brakes, chock the wheels and make sure the trailer brakes are released.
4. Look at the cable ties and make sure they are even with and touching their points of reference.
5. Return to the cab, turn the key on and fan the brakes down to between 90 and 100 psi of tank pressure. Ninety to 100 psi on the dash gauge is the CVSA standard for reservoir pressure prior to applying the brakes during roadside inspections. The target application pressure per Federal Motor Carrier Safety Regulation (FMCSR) for maintenance in Appendix G is 80 to 90 psi.
6. With the engine off, apply the hand brake or "Johnson" bar to the fullest extent. *[Editor's Note: Some trailer hand brakes are pressure limited below 80 psi, which may result in pushrod stroke measurements lower than during a CVSA Level I Inspection. If a measurement is close to the adjustment limit at a lower pressure, it may exceed the limit at a full 80 to 90 psi brake application.]*
7. Go back through the axles and measure the distance the cable ties have moved off their reference points. A 24 can is allowed 1 3/4" of travel and a 30 can is allowed 2". If you don't know the difference, default to the 1 3/4" distance. This is the width of a 2x4. All adjustment limits can be found in Part 393.47(e) of the FMCSRs: www.fmcsa.dot.gov/regulations/title49/section/393.47.

If the pushrod has traveled farther than the adjustment limits, there is something wrong. Do not assume the problem is the slack adjuster. Any of the brake components (worn clevis pins, worn S-cam bushings/tubes and worn drums) can cause excessive pushrod travel. When you do a DVIR, write up an "out of adjustment brake." Do not write up a bad slack adjuster unless you are sure that is the faulty component. Let the mechanics diagnose the problem.

I hope this simple procedure helps with your fleet's safety and compliance. ■



Angled bracket applied.



Angled bracket released.



Face of bracket out of adjustment.



Mounting bolt applied.



CALL FOR GUARDIAN SUBMISSIONS

CVSA is always looking for interesting, relevant content for its quarterly magazine. We would be happy to consider your news, ideas, insights and articles on the issues facing the commercial motor vehicle safety community for upcoming editions of *Guardian*.

Deadlines for Article Submissions:

Q3 2016 — June 10, 2016

Q4 2016 — Sept. 9, 2016

Questions?

Contact CVSA at 301-830-6152 or communications@cvsa.org.

LETTERS TO THE EDITOR

An Untapped Resource: Retired MCSAP/DOT Officers

By **Andrew K. Blair**, *York Area Regional Police Department, MCSAP (Retired)*

In the quest for safer highways across the country, there is a resource available for companies/carriers that remains largely untapped – retired or former MCSAP or DOT officers.

Retired or former MCSAP or DOT officers typically spent many years working with state and federal regulations on truck safety. They have spent many hours around trucks, buses, drivers, logbooks, etc. Yet, once they retire or leave, their knowledge is left unused. Former officers can do a lot of good for companies who are trying to keep their fleet and drivers in good shape.

Trucks and drivers will, at some point, get stopped, and current enforcement officers may find violations that were not caught by inspectors who may not be well schooled in the “North American Standard Out-of-Service Criteria.” Former MCSAP/DOT officers, however, have the real-world knowledge and experience necessary to conduct inspections with a local company and identify what would be caught during a Level I Inspection.

These former officers are no longer considered the “bad guy.” No fines, out-of-service orders, or missed or delayed deliveries. They can be very effective in helping companies who have high BASIC scores or even ones that don’t have high scores but would like to make sure their shop is doing a good job on maintenance.

These types of “private” inspections can go a long way toward improving the safety of vehicles on the roads today. More trucks will be fixed before hitting the road. Companies will spend less on expensive roadside repairs and delivery schedules will be kept. Isn’t that what this is all about? Making the roads safer, companies making appropriate repairs, fewer fines and fewer delayed deliveries. Sounds like a win for everybody.

Companies should inquire if any officers in their area will be retiring or leaving soon and see if they would be interested in conducting private inspections. ■

Help Fight Human Trafficking and Exploitation

By Matt Alderton



Wherever there is an overlap between trucking and law enforcement, there is an opportunity to educate drivers about human trafficking.

Sometimes, a phone call isn't just a phone call. Made at the right time, in the right place, it's a lifeline. Just ask truck driver Kevin Kimmel of Tavares, Florida. On the morning of Jan. 6, 2015, he pulled his rig into the Pilot Travel Center in New Kent County, Virginia. Fresh from a spate of night time deliveries, he was thirsty for sleep. Instead of shuteye, however, what he found was a suspicious RV parked two spots away from him. Its windows were blacked out, and outside was a grisly looking man alternating between the RV and the convenience store that anchored the truck stop.

As he continued watching the vehicle over the course of the next day, Kimmel witnessed numerous men knock on its door, then disappear inside. Things didn't look right. But they didn't necessarily look wrong, either – until he saw a young girl's face framed in one of the RV's windows. She appeared only for a moment, and then disappeared behind a black curtain, as if she had been violently jerked away. Shortly after, the RV began to rock, as if

there were a skirmish inside. That's when Kimmel called the police.

"It turns out that this girl – a 20-year-old woman – had been kidnapped and coerced from Clive, Iowa, by a couple who beat her and starved her," reports Kendis Paris, executive director of Truckers Against Trafficking (TAT), a Denver-based nonprofit that teaches truck drivers like Kimmel to recognize and report instances of human trafficking and exploitation. "This couple had burned her stomach and the soles of her feet and were pimping her out on Craigslist. Those men who were coming to the RV were purchasing her for commercial sex, but thanks to Kevin's call she's now home with her family and that couple has pled guilty to human trafficking in federal court. They face 15 years to life in prison."

Paris established TAT in 2009 because in addition to hotels, motels, malls and other venues of opportunity, human traffickers often find and sell victims at truck stops and rest areas, which puts truck drivers in a good

Continued on next page

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Who You Gonna Call?

The National Human Trafficking Resource Center is a national, toll-free hotline that answers calls in more than 200 languages from anywhere in the country, 24 hours a day, 7 days a week, 365 days a year.

To report a tip, connect with local anti-trafficking resources or request training and technical assistance, call 1-888-373-7888 or text “HELP” to BeFree (233733).

position to stop human trafficking – if only they knew what to look for.

“The trucking industry is basically the eyes and ears of the nation’s highways,” Paris explains. “Because they way outnumber law enforcement, we recognized that they could be a really valuable source of intelligence if they understood what they were looking at.”

Their relationship with commercial drivers and transportation companies across the United States and Canada makes inspectors ideal partners through which to spread the message.

“Wherever there is an overlap between trucking and law enforcement, there is an opportunity to educate drivers about human trafficking,” Paris says.

Dehumanizing Victims: The Global Human Trafficking Industry

U.S. Immigration and Customs Enforcement (ICE) defines human trafficking as the “recruitment, harboring, transportation, provision or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.”

Because human trafficking is underreported, reliable numbers are hard to come by. The International Labour Organization (ILO), however, says nearly 21 million people worldwide – three out of every 1,000 people – exist in forced labor. Of these, 4.5 million (22 percent) are victims of forced sexual exploitation and 14.2 million (68 percent) are victims of forced labor exploitation in economic activities such as agriculture, construction, domestic work or manufacturing.

“To coerce someone into prostitution or involuntary servitude is truly reprehensible,” says Peter T. Edge, executive associate director for ICE’s Homeland Security Investigations, the Department of Homeland Security (DHS) team that investigates and prosecutes human

trafficking crimes. “It is among the most base of actions to strip another person of their humanity, and that is essentially what these criminals are doing: dehumanizing their victims.”

Although dehumanization is big business – the global human trafficking industry is valued at \$32 billion a year, according to ILO – the cost isn’t just financial. “The average life expectancy for a victim is seven years [from when they are first trafficked for sex],” Paris says. “For those who come out on the other side, there are physical injuries, neurological problems, reproductive health issues, substance abuse issues. The amount of assistance required by women, girls and boys who experience this level of trauma is incredible.”

The Iowa Model

When he learned the heartbreaking realities of human trafficking, Iowa Department of Transportation Chief of Motor Vehicle Enforcement David Lorenzen contacted TAT to inquire as to how he could help.

“The Motor Vehicle Enforcement Unit that I oversee has a real tight connection with the commercial vehicle industry. We conduct about 50,000 commercial vehicle inspections annually and interact with thousands of commercial vehicle drivers on a yearly basis,” Lorenzen says. “Because truck drivers are such a mobile group – they’re constantly moving throughout the state and throughout the country, 365 days a year, 24 hours a day – the Iowa attorney general’s office thought we would be a good agency to partner with to raise awareness around human trafficking in our state. One of the ways they suggested we do that was through Truckers Against Trafficking.”

Two years later, the Iowa DOT isn’t just fighting human trafficking in the Hawkeye State; the program it created is serving as a model for how to do so across North America. Co-created by TAT with Lorenzen and his colleague, Mark Lowe, 2014-15 American Association of Motor Vehicle Administrators chair and director of Iowa DOT’s Motor Vehicle Division, the “Iowa Motor Vehicle

Enforcement Model” has been fully adopted in two states – Iowa and Michigan – and partially adopted in 13 others: Arizona, California, Colorado, Connecticut, Illinois, Indiana, Maryland, Minnesota, Mississippi, New Mexico, Ohio, South Carolina and Virginia.

Its key ingredients are:

- Training motor vehicle enforcement and law enforcement officers to recognize human trafficking.
- Stocking weigh stations, ports of entry and rest areas with human trafficking literature.
- Visiting truck stops with human trafficking literature that can be distributed to truckers and used to train truck stop employees.
- Including human trafficking training in mandatory safety compliance meetings within trucking companies.
- Spreading awareness about human trafficking via multiple channels, including Iowa DOT’s website and the Iowa State Fair, among others.
- Using influence to spread the word about human trafficking to industry partners, including AAMVA.
- Distributing educational DVDs and wallet cards as part of all motor vehicle enforcement programs for law enforcement, service clubs, motor carriers, etc.
- Using asset forfeiture funds to pay for human trafficking training materials.
- Joining the National Human Trafficking Resource Center (NHTRC) law enforcement network.
- Introducing TAT to state trucking associations.

- Ensuring every commercial driver’s license issued or renewed is accompanied with an educational wallet card.
- Collecting data of interdiction stops that lead to human trafficking investigations.

“Deep down, no matter what occupation you’re in, everybody wants to do something that’s for the good of mankind,” reflects Lorenzen, who says Iowa DOT leverages official TAT training materials to educate officers, truckers, DMV staff and truck stop personnel on human trafficking identification and reporting, the latter of which is accomplished nationwide through a 24-hour toll-free NHTRC hotline.

“This is an opportunity for our people to make a difference because it doesn’t require a ton of equipment and a ton of training; it’s just teaching people to be alert, to look for certain things and to make a phone call when they see those things.”

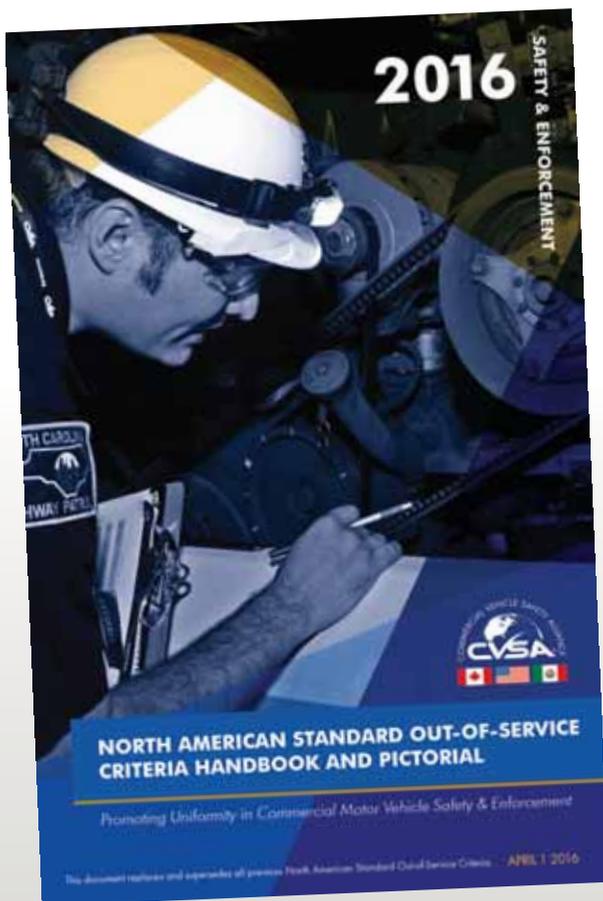
Law Enforcement

Law enforcement is on the front lines of motor vehicle enforcement, according to Lowe, who says officers can leverage their authority on roads to both enforce and educate.

“Law enforcement may be encountering vehicles that have victims in them, so their own internal training is really important,” Lowe explains, emphasizing that officers can positively impact human trafficking by treating prostitutes as victims instead of criminals, by being visible at rest areas and truck stops, and by honing their investigative skills to recognize human trafficking when they see it – for instance, when a passenger in a stopped vehicle has missing or false identification. “Identity investigations frequently uncover other criminal activities because traffickers often control their victims’ identities.” ■



ORDER YOUR PRINT OR ELECTRONIC VERSION OF THE NEW 2016 CVSA OUT-OF-SERVICE CRITERIA HANDBOOK



New and updated out-of-service criteria for commercial motor vehicles go into effect on April 1, 2016. Make sure you're prepared. Purchase the new CVSA "North American Standard Out-of-Service Criteria Handbook and Pictorial" today.

New this year, you have the option to purchase a print or electronic version of the handbook.

If you opt to purchase the electronic version of the handbook, once you've downloaded the secure, restricted electronic file, you can access the e-handbook at any time, on any device – desktop, tablet or mobile – without the need for additional downloads, apps or plug-ins. In addition, you will be able to download the e-handbook on up to three of your devices. Access to the e-handbook is restricted to the purchaser; not for redistribution.

The April 1, 2016, edition replaces and supersedes all previous editions. If you do not have this new edition of the handbook, you will be operating using outdated information.

- **PART I** details violations which would place a driver out of service.
- **PART II** identifies critical vehicle inspection items and provides direction on identifying the point at which a CMV can no longer be safely operated due to the risk of causing an accident or breakdown.
- **PART III** provides guidance for unsafe hazardous materials transportation, including conditions which fail to communicate a hazard and those which are themselves hazards.
- **PART IV** establishes criteria for placing a motor carrier out of service.

Visit www.cvsa.org and select "Store" to purchase your print or electronic copy of the new edition of the CVSA "North American Standard Out-of-Service Criteria Handbook and Pictorial."

The handbook is \$35 for members, \$45 for non-members. Spanish and French Canadian versions will be forthcoming.

THE LEGISLATIVE & REGULATORY RUNDOWN

By **Adrienne Gildea**, Deputy Executive Director, Commercial Vehicle Safety Alliance

Congress Passes FAST Act, Attention Turns to Implementation

On Dec. 4, 2015, the president signed the Fixing America's Surface Transportation (FAST) Act of 2015. The FAST Act provides funding and policy guidance for surface transportation programs, including the Motor Carrier Safety Assistance Program (MCSAP), for five years. While funding for fiscal year (FY) 2016 remains flat, the bill includes increases in funding for both FMCSA and the MCSAP program for fiscal years 2017-2020. In addition, the bill includes a substantial reorganization and consolidation of the MCSAP program, several provisions related to FMCSA's regulatory process, changes to the Compliance, Safety, Accountability (CSA) program, data quality improvements, exemptions and studies on a number of topics.

Now that the bill is complete, attention turns to FMCSA and its implementation of the various provisions. Of particular interest to CVSA members is the Agency's transition to the new grant consolidation and other programmatic changes. FMCSA has begun outreach to the states regarding the transition. In addition, the Agency initiated the Formula Working Group, which was tasked with coming up with a recommendation for a new formula for MCSAP BASIC funds distribution.

On the regulatory front, the Agency is working to meet petition and regulatory reform requirements. The Agency will add a page to the FMCSA website allowing stakeholders to review and track the status of petitions submitted to the Agency. In addition, FMCSA is working to implement programmatic changes to how the Agency handles regulatory guidance.

FMCSA has also begun work on the CSA-related provisions in the bill. Immediately following passage of the FAST Act, the Agency removed all CSA-related data from public display in order to adjust the system to comply with the requirement in the FAST Act that all property-carrying motor carrier scores be removed from public display. The bill allows the underlying

inspection data and scores related to passenger-carrying motor carriers to remain on display. In January, the Agency reinstated the appropriate CSA data for public viewing. FMCSA has also begun working with the National Academy of Sciences on the study of the CSA program required by the bill.

Finally, FMCSA held several listening sessions focused on taking input regarding the creation of a new "Beyond Compliance" program that would recognize motor carriers for efforts to improve safety beyond the minimum compliance requirements, possibly through a credit to the carrier's CSA score. The Agency will also hold a listening session in conjunction with CVSA's 2016 Workshop in April.

CVSA will continue to monitor implementation of the FAST Act and work with FMCSA and other agencies as appropriate.

FMCSA Publishes Safety Fitness Determination Proposal

On Jan. 21, 2016, FMCSA published its new Safety Fitness Determination (SFD) proposal. In the Notice of Proposed Rulemaking, the Agency proposes a number of changes to how it identifies unfit motor carriers. The new methodology would incorporate roadside inspection data, in addition to investigation data, to make fitness determinations. FMCSA also proposes a number of changes to what sort of data is included. For example, under the new methodology, only crashes that have been reviewed and deemed preventable will factor into a motor carrier's SFD. In addition, unlike the calculation of BASIC scores in CSA, the SFD methodology is not a relative system. Instead, carriers are measured against a set failure standard.

Comments were due March 21, 2016, with an additional 30 days after that for stakeholders to review and respond to other comments submitted to the Agency. CVSA has submitted comments. A full summary of the proposal and additional resources can be found on FMCSA's website at www.fmcsa.dot.gov/sfd.

ELD Rule Finalized, Effective December 2017

On Dec. 16, 2015, FMCSA published its electronic logging device (ELD) final rule. The final rule specifies who must use an ELD, sets technical standards and specifications for the devices, makes changes to supporting documents requirements and addresses the issue of driver harassment.

The rule requires that, at a minimum, ELDs must be able to transfer data using either wireless web services and email OR via Bluetooth and USB. Jurisdictions will be able to select a minimum of one wireless data transfer method AND one local data transfer method, in order to ensure that data can be received from all devices encountered roadside. All ELDs must capture, transfer and display an identical data set for enforcement purposes.

Carriers must comply with the rule by December 2018, although carriers currently using automatic onboard recorders (AOBRDs), are allowed to continue to use AOBRDs for an additional two years after that date, through Dec. 18, 2019.

See page 17 for a full summary of the ELD rule.

Commerce Holds Confirmation Hearing for Darling

Acting FMCSA Administrator Scott Darling moved one step closer to confirmation earlier this year. On Jan. 20, 2016, the Senate Commerce Committee held a confirmation hearing for the president's nominee. The hearing lasted about an hour and was attended by nine members of the Committee. In his opening remarks, Mr. Darling focused on the Agency's commitment to partnerships in the coming year and the Agency's work to implement the provisions in the FAST Act. Members focused their questions on CSA and the Safety Fitness Determination proposal, hours-of-service issues and implementation of the FAST Act provisions. ■



We recognize that there is a lot of work ahead of us, but we move forward knowing the changes will result in safer companies, vehicles and drivers.

FMCSA COLUMN

FMCSA's 2016 Enforcement Balance and Partnerships

By **Anne Collins**, Associate Administrator for Field Operations, and **William Quade**, Associate Administrator for Enforcement, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

The Federal Motor Carrier Safety Administration (FMCSA) and its state partners both know that with each new regulation, IT tool or enforcement initiative, a new balance must be found to take advantage of new opportunities to improve safety and save lives. Both federal and state resources are limited, so finding the right mix of programs takes planning and communication.

The Office of Field Operations and the Office of Enforcement at FMCSA regularly discuss and negotiate the Agency's next steps. Something always has to come off the plate to make room for something new or an emerging safety problem. However, making the decision of what to put on the back burner is never an easy one.

2016 will be another year requiring adjustments to maintain balance as we move forward on exciting safety programs such as preparing for the electronic logging devices (ELD) requirement, the rollout of the new high-risk motor carrier definition, establishing a workgroup to establish a new formula for the Motor Carrier Safety Assistance Program (MCSAP) and the release of the Agency's certification policy. In all of these programs, state input will be critical to success.

While the requirement for ELDs is two years away, FMCSA is optimistic that voluntary adoption of the equipment will begin soon. FMCSA began offering training to state and federal staff in January to help improve familiarity and consistency when working with motor carriers and drivers using the new equipment. Equipment manufacturers started submitting requests for certification to FMCSA on Feb. 16, 2016.

In an effort to prioritize the motor carriers with the highest levels of non-compliance and crash risk, FMCSA recently announced its new high-risk carrier

definition. This change allows FMCSA to stratify motor carriers to identify those needing attention soonest, so resources can be directed accordingly. This program also provides new tools for the dynamic management of other moderate risk and at-risk motor carriers so that the interventions are appropriate and timely.

The Fixing America's Surface Transportation (FAST) Act establishes new funding levels for the Agency's MCSAP program and requires a workgroup with at least 51 percent state participation for the development of a new funding formula. FMCSA recently requested resumes from MCSAP partners and CVSA representatives interested in serving on the workgroup. This group will meet at FMCSA's MCSAP Planning Meeting in March. Work must be completed within 18 months.

The FAST Act also requires the Agency to establish standards for the certification of safety inspectors. To this end, FMCSA is completing a policy that will accept the CVSA inspector standards. This policy has been vetted by CVSA.

Other 2016 initiatives that will require the involvement of state representatives include developing the functional specifications for inspection software, including hardcoding and smart logic, and initiation of a "Beyond Compliance" program. In these endeavors, FMCSA will need the input of our state partners.

Throughout this busy year, we are committed to continuing our communication and planning so that implementation of these important programs is successful. We recognize that there is a lot of work ahead of us, but we move forward knowing the changes will result in safer companies, vehicles and drivers. We thank you, in advance, for your involvement and support so that we can reduce crashes and save lives. ■

FMCSA Enforcement Activities Related to the Safe Transportation of Energy Products

By **Paul Bomgardner**, Chief, Hazardous Materials Division, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

Investigations of energy products transportation – combined with several cases of unregistered and unqualified mechanics welding on cargo tanks containing petroleum distillates – alerted FMCSA to problems within the cargo tank industry at both the carrier and cargo tank manufacturing, inspection and repair facility levels. In addition, FMCSA investigations of cargo tank facilities have identified numerous violations of the hazardous materials regulations (HMRs).

From Jan. 1 to Sept. 30, 2015, FMCSA’s hazardous materials (HM) specialists focused on the energy products industry and conducted:

- 43 comprehensive investigations of cargo tank motor carriers, resulting in 21 enforcement cases
- 19 ratable HM investigations, resulting in the issuance of six satisfactory, nine conditional and four unsatisfactory safety ratings

- 59 cargo tank facility reviews, resulting in 32 enforcement cases
- 25 shipper reviews, resulting in 14 enforcement cases

The ensuing civil penalty enforcement cases resulted in a total of \$952,410 in proposed fines and penalties.

Incomplete tests and inspection reports were the most-cited violations during cargo tank facility reviews. Improper test procedures and the lack of proper HM employee training programs constituted the remainder of the top 10 violations discovered during these reviews. The top 10 violations accounted for 75 percent of the violations cited during these cargo tank facility investigations (See Table 1).

Investigations of cargo tank motor carriers resulted in a total of 1,453 violations. In these motor carrier investigations, the top 10 violations accounted for 41 percent of the total violations cited (See Table 2). The most-cited

HM violations were training-related, while non-HM offenses related to hours-of-service and drivers’ records of duty status (RODS) dominated the remainder of the top 10 violations discovered during the cargo tank carrier reviews.

FMCSA investigated a third group comprised of HM shippers. These shippers included motor carriers identified as private carriers that both ship and transport their own HM. The shipper investigations resulted in a total of 665 violations cited, with 57 percent of them appearing in the top 10. Failing to prepare communications records when transporting HM requiring a hazardous materials safety permit and failing to maintain adequate training records were the only HM violations included in the top 10 violations cited in the shipper investigations category. Drivers’ records of duty status, vehicle maintenance and employment records constituted the remainder of the top 10 violations cited. ■

TABLE 1:
Top 10 Violations from Cargo Tank Facility Reviews

SECTION	VIOLATION DESCRIPTION	NUMBER
180.417(B)	Failing to include all required information on test/inspection report	209
180.407(G)	Failing to perform a pressure retest as prescribed	53
180.407(H)	Failing to perform leakage test as prescribed	30
180.407(D)	Failing to perform an external visual inspection as prescribed	29
172.704(D)	Failing to retain record of training for HM employee	22
172.704(A)	Failing to train HM employees as required	13
172.704(C)(2)	Failing to retrain hazmat employees every three years	12
172.328(D)	Failing to mark cargo tank with emergency shutoff	11
180.409	Failing to meet the minimum qualifications for inspectors of cargo tanks	11
172.704(A)(2)	Failing to train HM employee in function specific training	8

TABLE 2:
Top 10 Violations from HM Cargo Tank Carrier Reviews

SECTION	VIOLATION DESCRIPTION	NUMBER
395.8(A)	Failing to require driver to make a record of duty status (RODS)	106
177.800(C)	Carrier failed to provide initial and/or recurrent HM employee training	73
395.8(F)	Failing to prepare RODS in form and manner prescribed	69
395.8(F)(11)(12)	Failing to prepare RODS in a form and manner prescribed - Total hours	63
382.105	Using a DOT custody and control form to perform non-DOT test	49
172.704(D)	Failing to retain record of training for HM employee	47
395.8(A)	Failing to require driver to prepare RODS when required	47
382.601(A)	Failing to provide controlled substances educational materials	46
396.3(B)(1)	Failing to keep a maintenance record identifying the vehicle	45
382.305(I)(2)	Not ensuring each driver has an equal chance at random test	35

Not All Foreign Commercial Licenses Are Equal

The Federal Motor Carrier Safety Administration (FMCSA) reminds both federal and state enforcement officials throughout the country that the only foreign commercial driver licenses (CDLs) that are accepted in the United States are from the federal government of Mexico and provinces and territories in Canada.

The United States has CDL reciprocity agreements with only these two North American countries. In rare instances, FMCSA may issue temporary waivers (up to 90 days) or exemptions (up to two years) to allow drivers licensed in other countries to operate in the United States. These drivers are required to carry the waiver or exemption document with them.

The following includes information on some of the most common questions on these license issues.

Foreign Drivers with FMCSA-Issued Waivers

FMCSA has granted temporary waivers (up to 90 days) or exemptions (up to two years) to foreign commercial drivers under the provisions of 49 C.F.R. § 381.200 to operate commercial motor vehicles (CMVs) in the United States under their foreign CDLs. Drivers granted such waivers or exemptions are required to carry the waiver or exemption document when operating a CMV in the United States. This document will show the expiration date of the waiver or exemption. Most of the drivers that have been granted temporary waivers or exemptions by FMCSA are test drivers for foreign CMV manufacturers. To check the validity of these documents, contact Chief of Driver and Carrier Operations Tom Yager at 614-942-6477 or Tom.Yager@dot.gov.

Foreign Drivers and Temporary Work Visas

As distinct from a foreign driver with an FMCSA-issued waiver, a foreign driver who is in this country on a temporary work visa may not obtain a resident CDL since he or she is not "domiciled" in the United States. Because FMCSA has

determined Canadian commercial driver's licenses and Mexican Licencias Federales de Conductor are issued in accordance with the standards established by FMCSA's regulations, CMV drivers from Mexico or Canada with temporary work visas are not eligible for non-resident CDLs. Only those foreign drivers who hold a temporary work visa in the United States from countries outside of North America may obtain a non-resident CDL (see 49 C.F.R. § 383.23(b)). *Note: As of July 8, 2015, the non-resident CDL is now called the non-domiciled CDL.*

Foreign Drivers with International Driver License/Permit Documents

On occasion, drivers may show an international license/permit claiming they can operate a CMV, or any vehicle, within the United States. The international license/permit is a basic translation of the information on a foreign license into the language of the country being visited; it is **not** a license. If operating a CMV, the driver should be asked to provide a government-issued commercial driver's license for verification. If the government issued license provided is from any other country than the United States, Mexico or Canada and the driver doesn't have a waiver, the driver is operating a CMV without a license.

Enforcement Action

If, during an inspection, you encounter a driver who is operating a CMV with a CDL from a foreign country other than Canada or Mexico and the driver does not hold a waiver or an exemption, you should cite the appropriate violation in your jurisdiction for not possessing a valid CDL and place the driver out of service.

Should you have any additional questions on these issues, contact Jan Balkin in the North American Borders Division at 202-366-0981 or jan.balkin@dot.gov, or Mike Gordon from the CDL Division at 304-549-2651 or michael.gordon2@dot.gov.

FMCSA Underscores Important Role Partnership Will Continue to Serve in 2016

By William Quade, Associate Administrator for Enforcement, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

In January 2015, FMCSA made a commitment to renew the Agency's focus on our state partners. To reiterate the importance of these relationships, Acting Administrator Scott Darling sent letters to the executives of our Motor Carrier Safety Assistance Program (MCSAP) and state driver licensing agencies (SDLAs), and FMCSA staff was briefed on the Agency's focus to underscore the point.

Four listening sessions held with partners last winter provided FMCSA with great feedback and ideas for ways to improve the working dynamics with the states. Many of the issues identified by our partners have already been completed.

The Agency's MCSAP plan reflected revised policies and cost eligibility based on discussions with the states. The Agency provided training on grants programs. The integration of the Electronic Field Operations Training Manual (EFOTM) into the Guard Program has improved access to FMCSA regulations, policies and interpretations by centralizing all of the information into one system. The Agency increased coordination while planning for strike forces, and information technology modifications improved connectivity and access to Agency systems. In addition, FMCSA's certification policy for inspectors, auditors and investigators was revised to incorporate CVSA's standards.

FMCSA continues to focus on being professional, respectful, courteous and responsive to our state partners. But, one year later, this is not a special initiative; it is a commitment and hopefully a new normal. We are not done listening, and we continue to need your assistance in helping us identify ways in which we can continue to improve.

Acting Administrator Darling has tasked the Agency with expanding our efforts to partner with other stakeholders within the transportation community in 2016. However, the relationships with our state partners remain our priority, and we know that we could not be successful without you.

Thank you for your candor and ideas. May 2016 bring even more opportunities for change and improvement.

FMCSA Updates High-Risk Carrier Identification Criteria to Improve Timeliness of Action Against Carriers with Highest Crash Risk

By **Dee Williams**, Chief, Office of Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

The Federal Motor Carrier Safety Administration's (FMCSA) ability to take immediate action against the highest risk motor carriers is key to its mission to reduce crashes and save lives. The Agency is introducing a policy that sharpens and improves the focus and timeliness of investigator actions on those motor carriers representing the highest crash risk to improve safety on the nation's roads.

The policy adopts a new high-risk motor carrier definition. Under the new definition, passenger carriers are high risk if they have two or more of the following behavior analysis and safety improvement categories (BASICS) at or above the 90th percentile for one month and they have not received an onsite investigation in the previous 12 months: unsafe driving, crash indicator, hours-of-service compliance and vehicle maintenance. Non-passenger carriers are considered high risk if they have two or more of these BASICS at or above the 90th percentile for two consecutive months and they have not received an onsite investigation in the previous 18 months.

The new policy will identify a smaller number of high-risk carriers, but this pool of carriers will have a higher crash rate than those currently identified for mandatory investigations.

	CURRENT MANDATORY	NEW HIGH-RISK
Crash Rate (24 months) per 100 Power Units	13.35	18.25

The policy also defines additional categories of risk based on safety data. Enforcement staff will dynamically monitor carriers in these categories using new data analysis tools that will help them determine which carriers to address next based on current safety risk. These changes will allow the Agency greater flexibility to promptly address carriers that pose the greatest risk to public safety.

The policy incorporates input from enforcement personnel and recommendations from the Independent Review Team convened by U.S. Transportation Secretary Anthony Foxx. FMCSA started training enforcement staff on the new policy in October 2015 and will continue training in early 2016. The updated policy and resulting prioritization lists and management tools will replace the current prioritization approach early in 2016.

To stay up to date on the new policy and associated outreach and training, visit www.csa.fmcsa.dot.gov/yourrole/FMCSA or click "CSA Outreach" on the Portal site. ■

Planning Successful Training with NTC

By **Ron Crampton**, Director, National Training Center, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

The Federal Motor Carrier Safety Administration's (FMCSA's) National Training Center (NTC) provides classroom-based safety program training to thousands of local, state and federal law enforcement officials throughout the United States. This instruction is critical as it transfers knowledge, skills and best practices within the field. NTC designs and delivers this training to continuously improve students' performance on the job, and build relationships with partners who share the common goal of saving lives by making our nation's highways safer.

The NTC relies on the support it receives from our state partners, or points of contact (POC), to determine training needs. Once these needs are identified, the following steps occur.

Scheduling, Hosting and Logistical Information

Information is made available at <https://www.fmcsa.dot.gov/ntc>. Using a secure user name and password, a POC may request class materials and instructors by identifying the class in the NTC Course Catalog using the scheduled intake form (SIF). The SIF is an online form that provides the NTC with the basic logistical information about the class (including, but not limited to, class dates, locations and number of students). Once the SIF is complete, the POC can submit the form to NTC directly through the website. Materials are ordered and instructors are secured. NTC requests that training be submitted at a minimum 45 days prior to the desired start date of the training.

Final Class Approvals and Material Shipments

For students interested in attending a course, NTC's easy to navigate website provides a list of all the courses NTC offers, brief descriptions and a list of prerequisites needed for attendance. Class schedules allow students to view upcoming courses, the dates and locations of scheduled classes, and information on who to contact to register.

Courses at the NTC are tuition free. All training materials needed to successfully comprehend and achieve course objectives are provided.

For questions, additional details, or to find out the POC in your state, contact the National Training Center at 703-235-0501 or NTC-State-Programs@dot.gov.

The National Training Center relies on the support it receives from state partners to determine training needs.

FMCSA Publishes Safety Fitness Determination Notice of Proposed Rulemaking

By **Joe DeLorenzo**, Director, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

FMCSA estimates that the proposed rule will result in significant safety benefits, avoiding 41 fatalities, 508 injuries and 872 tow-away commercial motor vehicle crashes each year.

To significantly improve the ability of the Federal Motor Carrier Safety Administration (FMCSA) to identify the most at-risk commercial motor carriers and remove them from operating on the nation's roadways, the Agency is proposing a rule that will expand the use of roadside inspection data, in addition to findings from investigations, to determine a carrier's safety fitness. This proposed rule would allow the Agency to assess the safety fitness of a larger number of motor carriers on a monthly basis. A notice of proposed rulemaking (NPRM) on Safety Fitness Determination (SFD) was published on Jan. 21, 2016. As one of FMCSA's top priorities, public input will be critical.

The proposed SFD will establish higher data sufficiency and performance standards than those used in the Safety Measurement System (SMS) used by FMCSA to prioritize motor carriers for investigations and other interventions. The proposed rule will replace the current three-tiered safety rating system for motor carriers with a single unfit determination. Under the proposed rule, there are three ways a carrier could be proposed unfit based on the carrier's performance compared to fixed failure thresholds proposed in the rule:

1. A carrier exceeds a fixed failure measure in two or more Behavior Analysis and Safety Improvement Categories (BASICS) based on its on-road safety performance.
2. A carrier exceeds a fixed failure measure in two or more BASICS based on violations of a revised set of critical and acute regulations found during an investigation.
3. A carrier fails two or more BASICS based on a combination of on-road safety performance data and investigation results.

When considering roadside inspection results, the NPRM proposes to set a minimum of 11 inspections with violations in a BASIC in a 24-month period before a motor carrier could be considered unfit. About 75,000 carriers meet that basic qualification for being assessed for safety fitness. This is five times the number of carriers that are investigated each year by FMCSA and its state partners.

In addition, the fixed measures for failure in SFD are significantly higher than the percentile-based thresholds used for interventions in SMS.

The proposed SFD failure measures place more emphasis on the unsafe driving and hours-of-service compliance BASICS, which have the highest correlation to crash risk. These failure measures would be set in the final rule and each month a carrier's performance would be compared to the failure measure, not other carriers' performance.

In addition, under the proposed rule, FMCSA investigators could only assess the crash indicator and controlled substances/alcohol BASICS during investigations. And only crashes deemed preventable following an investigation could be used to issue a carrier a proposed unfit determination.

After receiving a proposed unfit SFD, a motor carrier would be able to submit a request for an administrative review. The types of review include:

1. A review for material errors in assigning a proposed unfit SFD.
2. A review claiming unconsidered on-road safety performance data.
3. A review after requesting to operate under a compliance agreement.

After a final unfit determination, a motor carrier could request to resume operations by demonstrating corrective action and agreeing to operate under a compliance agreement.

FMCSA estimates that less than 300 of those proposed unfit SFDs will be based on on-road safety performance data alone. Overall, the Agency estimates that the proposed rule will result in significant safety benefits, avoiding 41 fatalities, 508 injuries and 872 tow-away commercial motor vehicle crashes each year.

To help motor carriers understand the potential impacts of the proposed rule, FMCSA developed the SFD Calculator. This educational tool asks questions about a carrier's on-road safety performance and investigation results to determine if the carrier would be proposed unfit under the NPRM.

The SFD Calculator is available at www.fmcsa.dot.gov/sfd. ■

Implementation of the Electronic Logging Devices and Hours-of-Service Supporting Documents Rule

A Plan to Move Forward

The Federal Motor Carrier Safety Administration's (FMCSA) electronic logging devices (ELDs) and hours-of-service (HOS) supporting documents are designed to increase the efficiency of law enforcement personnel and safety inspectors reviewing drivers' HOS records and improve HOS compliance.

By **La Tonya Mimms**, *Transportation Specialist, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation*

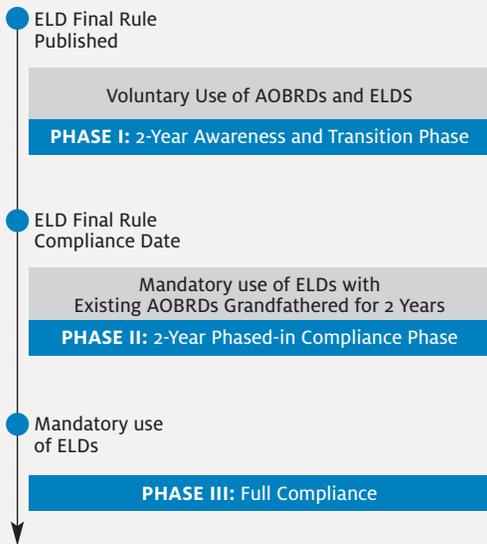
On an annual average basis, the ELD rule is estimated to save 26 lives and prevent more than 550 injuries resulting from crashes involving large commercial motor vehicles. Additionally, the ELD rule will result in an annual net benefit of more than \$1 billion – largely by reducing the amount of required industry paperwork.

Therefore, a major focus for the implementation of the ELD rule is ensuring all stakeholders understand the rule's requirements and when they go into effect.

Continued on next page

Continued from page 15

For each implementation phase, FMCSA is developing enforcement policies, procedures and training focused on roadside inspections, carrier investigations and audits that meet FMCSA standards in the ELD rule.



Scope

The ELD rule applies to motor carriers whose drivers are required to keep records of duty status (RODS) under FMCSA's existing HOS rules. The ELD mandate does not cover drivers who maintain time cards under the HOS short-haul exception and who are never required to keep RODS.

Exception

The ELD rule allows motor carriers to let drivers who would otherwise require an ELD to use paper RODS under three limited scenarios:

- If a driver must keep RODS for no more than eight days within any 30-day period.
- If the driver is involved in a drive-away/tow-away operation in which the vehicle being driven is part of the shipment.
- The driver is operating a commercial motor vehicle manufactured before model year 2000.

Implementation Phases

Using a three-phase approach, FMCSA will provide extensive guidance, training and outreach for successful implementation of the ELD rule.

Timeline with the ELD Rule Implementation Phases

Phase I: Awareness and Transition

Voluntary use of ELDs begins 60 days following the rule's publication date of Dec. 16, 2015, and ends two years later on Dec. 16, 2017. During Phase I, ELD system providers may begin registering their ELDs with FMCSA, and then motor carriers may voluntarily install and use registered ELDs. Drivers and motor carriers may also voluntarily use automatic onboard recording devices (AOBRDs) meeting the requirements of 49 C.F.R. § 395.15, devices installed with logging software and applications or paper RODS during Phase I.

In Phase I, when an ELD is used and the RODS information is requested during an inspection or investigation, the driver or motor carrier has the option of providing either the actual ELD display or a printout with the standardized ELD data set to document HOS.

Phase II: Initial Compliance Phase

Phase II starts two years after the publication

date of the rule (Dec. 16, 2017). In Phase II, all drivers subject to ELD requirements must use a registered ELD or a "grandfathered" AOBDR. A grandfathered AOBDR is an AOBDR that a motor carrier required its drivers to use before the ELD rule compliance date that meets the requirements of 49 C.F.R. § 395.15. Drivers may continue using these AOBDRs throughout Phase II.

Phase III: Full Compliance Phase

The final phase for implementation starts four years after the publication date of the ELD rule (Dec. 16, 2019). At that time, all drivers subject to the rule are required to use registered ELDs. AOBDRs will no longer be considered compliant devices for HOS recording.

Outreach, Policy and Training

Throughout all of the ELD implementation phases, collaborative partnerships will be vital to relay information about the ELD rule to numerous stakeholders. Stakeholders can visit www.fmcsa.dot.gov/elds to retrieve information and the tools needed to comply with the ELD rule. To support nationwide deployment, opportunities will be provided for stakeholders to share lessons learned and successes related to the technical and institutional aspects of ELD deployment.

For each implementation phase, FMCSA is developing enforcement policies, procedures and training focused on roadside inspections, carrier investigations and audits that meet FMCSA standards in the ELD rule. In addition to the informal webinar training, modularized online and in-classroom training is under development. Hands-on training that includes simulations and demonstrations is planned for inspectors, investigators and auditors to learn about the technology and its use for enforcement and compliance purposes.

FMCSA will regularly assess stakeholders' needs to provide technical assistance and develop new resources in response to stakeholder feedback.

Enforcement personnel with questions or concerns can contact ELDENFORCEMENT@dot.gov. Motor carriers, drivers and vendors can email ELD@dot.gov.

See page 17 for CVSA's summary of the rule for its membership. ■

CVSA's Summary of FMCSA's Electronic Logging Device Final Rule

On Dec. 16, 2015, the Federal Motor Carrier Safety Administration (FMCSA) published in the "Federal Register" its electronic logging device (ELD) final rule. The final rule specifies who must use an ELD, sets technical standards and specifications for the devices, makes changes to supporting documents requirements, and addresses the issue of driver harassment.

CVSA created the following summary for its members to help in understanding the rule and its requirements.

Transfer of Data and Device Requirements

The rule requires that, at a minimum, ELDs must be able to transfer data using either:

- Wireless – via wireless web services and email OR
- Local – via Bluetooth and USB

All ELDs must capture, transfer and display an identical data set regarding a driver's hours-of-service (HOS) status for enforcement purposes. In addition, to ensure data transfer is possible when there are connectivity issues, all devices must be equipped, as backup, to provide either a digital display or paper printout of the standardized information set when requested by an enforcement official. Devices not using a printing method as a backup method must be designed so that the digital display is reasonably viewable by an inspector without requiring the inspector to enter the commercial motor vehicle.

Jurisdictions will be able to select a minimum of one wireless data transfer method AND one local data transfer method, in order to ensure that data can be received from all devices encountered roadside.

Compliant devices must automatically record the following data elements at certain intervals:

- Date
- Time
- Location information
- Engine hours
- Vehicle miles
- Identification information for the driver, authenticated user, vehicle and motor carrier

The rule does not require precise location tracking information, and sets forward requirements for accuracy standards related to location information.

All ELDs must be capable of exporting data in a standard file format to facilitate importing by other systems. However, devices and systems are not required to be capable of importing these records. Devices that make audible sounds must include a mute function to allow drivers to rest uninterrupted. The rule allows for limited edits of ELD records, by both the driver and the motor carrier; however, when a record is edited, there must be a notation indicating why the edit was necessary and the original record must be retained. ELDs are not required to include a capability to communicate between the driver and the motor carrier.

Device Certification

FMCSA allows for self-certification of ELD devices by vendors. ELD providers must register through the FMCSA website and certify that their products meet the technical specifications in the rule. FMCSA will also publish compliance test procedures to assist providers in determining whether their products meet the requirements. However, ELD providers are not required to use FMCSA's compliance test procedures. FMCSA will use the compliance test procedures during investigations and rely upon the results from that procedure in making any preliminary determinations of whether a system satisfies the requirements of today's rule. FMCSA will maintain a list of provider-certified ELD devices on the Agency's website.

Supporting Documents

The rule makes changes to the supporting documents requirements. Under the new rule, motor carriers must retain up to eight supporting documents for every driver for each 24-hour period. The documents come from several different categories, including:

- Bills of lading, itineraries, schedules or equivalent documents that indicate the origin and destination of each trip
- Dispatch records, trip records or equivalent documents
- Expense receipts
- Electronic mobile communication records that reflect information transmitted through a fleet management system (FMS)
- Payroll records, settlement sheets or equivalent documents that indicate payment to a driver

Supporting documents must include:

- Driver name or carrier-assigned identification number, either on the document or on another document enabling the carrier to

link the document to the driver, or the vehicle unit number if that number can be linked to the driver

- Date
- Location (including name of nearest city, town, or village)
- Time

If a driver has fewer than eight documents that include the four elements above, a document that contains all of the elements except "time" is considered a supporting document.

Motor carriers must continue to retain the documents for six months. Drivers must submit supporting documents to the motor carrier within 13 days of receiving them. If a driver submits more than eight documents to the motor carrier for a single day, the motor carrier must include the first and last documents for that day among the eight documents that must be retained. While there is no requirement that a driver retain supporting documents in the vehicle, drivers are required to make any supporting documents in their possession available to an enforcement official upon request. The rule allows FMCSA to authorize exemptions to allow a motor carrier to use a supporting document self-compliance system.

Compliance Date

ELDs must be installed by Dec. 16, 2017. However, drivers and motor carriers currently using § 395.15-compliant automatic onboard recorders (AOBRDs) are allowed to continue to use AOBRDs for an additional two years after that date, through Dec. 16, 2019.

Applicability/Exemptions

Most motor carriers and drivers who are currently required to complete paper logs to document record of duty status (RODS) to comply with HOS rules will be required to use ELDs. However, the final rule exempts several sectors from the ELD requirement:

- Drivers who use paper RODS for not more than eight days during any 30-day period.
- Drivers who conduct driveaway-towaway operations, where the vehicle being driven is the commodity being delivered.
- Drivers of vehicles manufactured before model year 2000.

Exempted drivers must still document RODS using either paper logs or ELDs, whichever they choose. ■

CVSA Releases Results from 2015 Operation Safe Driver Week

CVSA Holds Press Conference and Offers Safety Demonstrations for New Jersey Students during Operation Safe Driver Week

CVSA, the Federal Motor Carrier Safety Administration (FMCSA), New Jersey State Police, South Jersey Transportation Planning Organization, Amazon.com and Atlantic Investigations held a media event and safety demonstrations at Hammonton High School in New Jersey on Oct. 21, 2015, during Operation Safe Driver Week.

The press conference, as part of Operation Safe Driver Week, featured the following speakers: Collin Mooney, Executive Director, CVSA; Chris Rotondo, Division Administrator, New Jersey, FMCSA, U.S. Department of Transportation; Dan Blachford, Hammonton School District Superintendent, New Jersey; James Bertino, Atlantic County Freeholder, Fifth District, Atlantic County, New Jersey; and Greg Crescenzo, Owner, Atlantic Investigations, Retired Hammonton Police Officer.

The Teens and Trucks educational component of the event consisted of classroom instruction and outdoor safety demonstrations for approximately 750 Hammonton High School students.

During Operation Safe Driver Week – Oct. 18-24, 2015 – law enforcement agencies across North America engaged in heightened traffic safety enforcement and educational activities to combat unsafe driving behaviors by truck and bus drivers and car drivers. This Teens and Trucks educational event in New Jersey was one of many events scheduled during Operation Safe Driver Week aimed at educating drivers on how to operate safely in or around a commercial motor vehicle.

See pages 27-28 for more information on the Teens and Trucks educational component of the Operation Safe Driver Week kickoff event.

Law enforcement officers pulled over 21,012 commercial motor vehicle (CMV) drivers and passenger vehicle drivers during CVSA's 2015 Operation Safe Driver Week. In addition, 19,480 North American Standard Roadside Inspections were conducted by CVSA-certified inspectors on commercial drivers and vehicles.

During this year's Operation Safe Driver Week – a seven-day enforcement and awareness campaign conducted on Oct. 18-24, 2015 – data was collected by 2,789 law enforcement officials at 706 locations across the United States and Canada. There also were outreach, educational and awareness events throughout the week at high schools, state capitals, state fairs, truck rodeos, sporting events and other locations.

Officers found that non-commercial motor vehicle (passenger vehicle) drivers speed significantly more than commercial motor vehicle (CMV) drivers. Passenger vehicle drivers were issued a warning or citation for speeding 27.3 percent of the time, versus 9.3 percent for CMV drivers.

The top five warnings and citations issued to CMV drivers were:

1. size and weight
2. speeding
3. failure to use a seatbelt while operating a CMV
4. failure to obey traffic control device
5. using a handheld phone

The top five warnings and citations issued to non-CMV (passenger vehicle) drivers were:

1. speeding
2. failure to use a seatbelt
3. failure to obey traffic control device
4. following too closely
5. improper lane change

"Unsafe driving behaviors can result in lives lost. That's what Operation Safe Driver Week aims to combat through driver enforcement and education," said CVSA President Maj. Jay Thompson with Arkansas Highway Police. "Our mission is to make our roadways as safe as possible. We will continue to work toward that goal by ensuring drivers are operating safely in and around large trucks and buses."

The following is a closer look at the numbers:

- In 2015, 13,807 CMV traffic enforcement contacts were made; the total was 19,980 in 2014.

- Non-CMV (passenger vehicle) traffic enforcement contacts totaled 7,205 in 2015; there were 39,100 in 2014.
- Roadside inspections totaled 19,480 in 2015 versus 24,184 in 2014.
- In 2015, the number of warnings and citations per contact to CMV drivers was 0.58; whereas the number of warnings/citations per contact to non-CMV (passenger vehicle) drivers was 0.69.
- The percentage of warnings and citations issued to CMV drivers for speeding increased from 5.8 percent in 2014 to 9.3 percent in 2015.
- The percentage of warnings and citations issued to non-CMV (passenger vehicle) drivers for speeding decreased from 52.3 percent in 2014 to 27.3 percent in 2015.
- The percentage of warnings and citations issued to CMV drivers for failing to obey traffic control devices increased from 2.5 percent in 2014 to 3.85 percent in 2015.
- The percentage of non-CMV (passenger vehicle) drivers issued warnings and citations for alcohol possession/use/under the influence in 2015 was 0.57 percent; in 2014, it was 1.7 percent.
- The percentage of warnings and citations issued to CMV drivers in 2015 for failure to use seat belts was 5 percent. It was 2.8 percent in 2014. For non-CMV (passenger vehicle) drivers, the percentage increased from 4.1 percent in 2014 to 8.5 percent in 2015.

"Everyone traveling on our highways and roads should reach their destination safely," said FMCSA Acting Administrator Scott Darling. "I thank CVSA and its members for their partnership and commitment to safety. By working together through efforts like Operation Safe Driver, crashes will be prevented and lives will be saved."

Operation Safe Driver was launched in 2007 by CVSA, in partnership with FMCSA and with support from industry and a number of other transportation safety organizations, to combat the number of deaths and injuries resulting from crashes involving large trucks, buses and cars by improving the behavior of all drivers operating in an unsafe manner — either in or around commercial vehicles — and initiating educational and enforcement strategies to address individuals exhibiting high-risk behaviors.

For more information on Operation Safe Driver, visit www.operationsafedriver.org. ■



2015 Operation Safe Driver Traffic Enforcement, Top 5 Violations

CMV TRAFFIC ENFORCEMENT | TOTAL CMV TRAFFIC ENFORCEMENT CONTACTS: 13,807

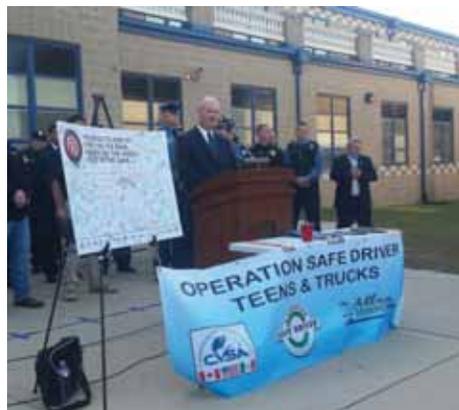
TOP 5 VIOLATIONS	WARNINGS			CITATIONS			% of Warnings & Citations/Contact
	Number	% of Warnings/Contact	% of Total Warnings/Contact	Number	% of Citations/Contact	% of Total Citations/Contact	
Size and Weight	13,493	12.7%	3.6%	1,243	30.6%	9.0%	12.60%
Speeding	877	22.4%	6.4%	404	9.9%	2.9%	9.28%
Failing to use a seat belt while operating a CMV	112	2.9%	0.8%	580	14.3%	4.2%	5.01%
Failure to obey traffic control device	251	6.4%	1.8%	281	6.9%	2.0%	3.85%
Using a handheld phone	67	1.7%	0.5%	76	1.9%	0.6%	1.04%

NON-CMV TRAFFIC ENFORCEMENT | TOTAL NON-CMV TRAFFIC ENFORCEMENT CONTACTS: 7,205

TOP 5 VIOLATIONS	WARNINGS			CITATIONS			% of Warnings & Citations/Contact
	Number	% of Warnings/Contact	% of Total Warnings/Contact	Number	% of Citations/Contact	% of Total Citations/Contact	
Speeding	630	40.9%	8.7%	1,337	41.0%	18.6%	27.3%
Failing to use a seat belt	16	1.0%	0.2%	596	18.3%	8.3%	8.5%
Failure to obey traffic control device	62	4.0%	0.9%	106	3.3%	1.5%	2.3%
Following too closely	61	4.0%	0.8%	18	0.6%	0.2%	1.1%
Improper lane change	65	4.2%	0.9%	8	0.2%	0.1%	1.0%



Brian Neal, chair of CVSA's Operation Safe Driver program, is pictured here (left) with Ted Greenberg (right) of NBC10.



CVSA Executive Director Collin B. Mooney speaks during the press conference about the Operation Safe Driver program and its aim to reduce the number of deaths and injuries resulting from crashes due to unsafe driver behaviors by both passenger vehicle drivers and commercial motor vehicle drivers.



Local print and television media attended the press conference, and interviewed students and members of law enforcement.

CVSA Accepting 2016 College Scholarship Applications

Is your child currently a high school senior planning to attend college this fall? Could he or she use a scholarship toward their education? CVSA is accepting applications for its 2016 College Scholarship Award.

CVSA provides two \$1,000 scholarships or four \$500 scholarships annually to graduating high school seniors whose parent or legal guardian is a member of the Alliance in good standing.

This CVSA Scholarship Award Program is competitive in its selection criteria, uniquely tailored to recognize outstanding high school seniors. Scholarship recipients are selected by weighing academic performance and extracurricular activities.

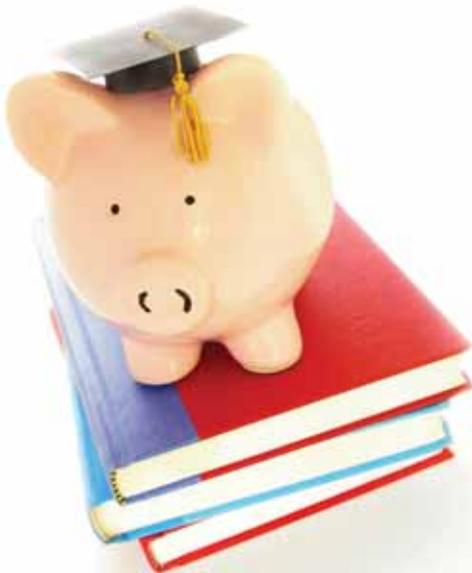
Students who meet the following criteria are eligible for the scholarship. The candidate must:

- Be legal dependent of a Class I Member, Class II Local Member or Class III Associate Member
- Be a graduating high school senior
- Have a minimum high school GPA (or equivalent) of 3.0
- Be a citizen and/or permanent legal resident of the United States, Canada or Mexico

All application documents must be received by April 29, 2016.

Recipients will be selected by the Scholarship Committee and notified of the committee's decision by May 31, 2016. Payment will be made to the recipient's school of choice upon notification and in accordance with the schools' scholarship guidelines.

Visit www.cvsa.org/programs/academic_scholarship_2016 to download the 2016 scholarship application form. ■



Attend the North American Cargo Securement Harmonization Public Forum on April 25 in Chicago

The North American Cargo Securement Harmonization Public Forum continues efforts begun by the Canadian Council of Motor Transport Administrators (CCMTA) in 1993 when it approved funding and management for research designed to update and improve cargo securement standards. CCMTA's initial research and standards were expanded with support from the United States with the goal of harmonizing a North American standard.

Today, on an ongoing basis, Canadian and U.S. regulators and other constituents continue this forum to identify and, where appropriate, address cargo securement-related issues for potential implementation in an internationally harmonized standard. The forum is open to the industry, enforcement and all interested parties.

The North American Cargo Securement Harmonization Public Forum will take place on Monday, April 25 from 8 a.m. to 3 p.m. (Central) at the Sheraton Grand Chicago hotel, in conjunction with the CVSA Workshop.

The North American Cargo Securement Harmonization Public Forum is free to attend; however, you must register.

To register, visit www.cvsa.org and log in to your CVSA account. Once logged in, under the "Events" heading, click on "Browse Events" and select "North American Cargo Securement Harmonization Public Forum" to register.

If you do not have a CVSA account, you'll need to create one to register for this event.

To reserve a hotel room at the Sheraton Grand Chicago, the location of the forum, visit www.cvsa.org/events/workshop/2016/hotel.

If you are interested in attending the CVSA Workshop (April 24-28) in addition to the North American Cargo Securement Harmonization Public Forum, you must register separately. To learn more about the CVSA Workshop, register for the event and view the full program schedule, visit www.cvsa.org/events/workshop/2016. ■



CVSA Releases 2015 Brake Safety Week Inspection Results

CVSA-certified commercial motor vehicle safety inspectors conducted 18,817 brake-system inspections on large trucks and buses throughout North America during Brake Safety Week, Sept. 6-12, 2015.

During the week-long brake safety campaign, local, state, provincial, territorial and federal motor carrier safety officials throughout the United States and Canada conducted roadside inspections to identify out-of-adjustment brakes and brake-system violations.

“Brake-related violations comprise the largest percentage of all out-of-service violations cited during roadside inspections,” said CVSA President Maj. Jay Thompson with the Arkansas Highway Police. “Improperly installed or poorly maintained brake systems can reduce braking capacity and increase stopping distance of large trucks and buses, which poses serious risks to driver and public safety.”

“For everyone’s safety, it’s vital that every vehicle operating on our highways and roads is mechanically sound and properly maintained,” said Federal Motor Carrier Safety Administration (FMCSA) Acting Administrator Scott Darling. “We thank the CVSA members across North America for their longstanding strong partnership, for their professionalism and their dedication toward protecting the motoring public each and every day.”

Roadside inspections conducted during Brake Safety Week included inspection of brake-system components to identify loose or missing parts; air or hydraulic fluid leaks; cracked, damaged or worn linings, pads, drums or rotors; and other faulty brake-system components. Inspectors also checked anti-lock braking system (ABS) malfunction indicator lamps, inspected brake components and measured pushrod stroke, where applicable.

This year, inspectors from participating agencies inspected 18,817 vehicles throughout Brake Safety Week and placed 2,321 commercial motor vehicles out of service (OOS) for brake violations. Of the vehicles inspected, the OOS rate for all brake-related violations conducted in North America was 12.3 percent, compared to 16.2 percent from last year’s Brake Safety Week. The OOS rate for brake adjustment was lower at 7.7 percent, compared to 10.4 percent in 2014. The OOS rate for brake components was 6.9 percent, down from 9.3 percent in 2014.

Out-of-service rates for Canadian jurisdictions are historically lower than those in U.S. jurisdictions. This can be seen again this year with the OOS rates for:

- Brake adjustment violations – 8.2 percent in the U.S. versus 3.7 percent in Canada
- Brake component violations – 6.9 percent in the U.S. versus 6.2 percent in Canada
- Total brake violations – 12.7 percent in the U.S. versus 9.0 percent in Canada

2015 Brake Safety Week results for the U.S. and Canada combined:

- 18,817 vehicles were inspected (13,305 inspected in 2014)
- 1,457 or 7.7 percent of vehicles were placed OOS for brake adjustment (10.4 percent in 2014)
- 1,292 or 6.9 percent of vehicles were placed OOS for brake components (9.3 percent in 2014)
- 2,321 or 12.3 percent of vehicles were placed OOS for brakes overall (16.2 percent in 2014)

Brake Safety Week is part of CVSA’s Operation Airbrake Program in partnership with FMCSA and the Canadian Council of Motor Transport Administrators (CCMTA). The Operation Airbrake Program is an international enforcement activity dedicated to preventing large truck and bus crashes, and saving lives throughout North America. The campaign seeks to highlight the importance of proper brake inspection and maintenance in an effort to reduce the number of brake-related violations discovered during a roadside inspection. The program was first developed in 1998 in Canada and has grown to include two annual enforcement events, as well as educational outreach activities throughout the year all across North America. More than 3.8 million brakes have been inspected since the program’s inception.

[Learn more about CVSA’s Operation Airbrake Program and Brake Safety Week at www.operationairbrake.com.](http://www.operationairbrake.com) ■

PART I - UNITS

	# Units Checked	# Units OOS Brake Adjustment	% of Units OOS for Brake Adjustment	# Units OOS Brake Components	% of Units OOS for Brake Components	Total # Units OOS Brakes	% of Units OOS for Brakes	# Units OOS for Other Items
Canada Total	2,039	75	3.7%	127	6.2%	183	9.0%	165
United States Total	16,778	1,382	8.2%	1,165	6.9%	2,138	12.7%	2,104
TOTAL	18,817	1,4577	7.7%	1,292	6.9%	2,321	12.3%	2,269

PART II - BRAKES

	# AIR DRUM BRAKES CHECKED			# AIR DRUM BRAKES OUT OF ADJUSTMENT			Air Disc Brake Count	% AIR DRUM BRAKES OUT OF ADJUSTMENT		
	Manual	Auto	Total	Manual	Auto	Total		Manual	Auto	Total
Canada Total	709	16,351	17,060	73	865	938	1,308	10.3%	5.3%	5.5%
United States Total	8,617	103,012	111,629	847	4,294	5,141	4,044	9.8%	4.2%	4.6%
TOTAL	9,326	119,363	128,689	920	5,159	6,079	5,352	9.9%	4.3%	5.64.7%

2016 CVSA Enforcement Events

International Roadcheck JUNE 7-9

International Roadcheck is a 72-hour period when CVSA-certified local, state, provincial and federal inspectors in jurisdictions across North America perform truck and bus inspections. International Roadcheck is the largest targeted enforcement program on commercial motor vehicles in the world, with nearly 17 trucks or buses inspected, on average, every minute across North America during a 72-hour period.

Brake Safety Week SEPTEMBER 11-17

Brake Safety Week is an annual week-long brake safety campaign when CMV inspectors conduct brake system inspections on large trucks and buses throughout North America to identify out-of-adjustment brakes and brake-system violations.

Operation Safe Driver Week

OCTOBER 16-22

Law enforcement agencies throughout North America will engage in heightened traffic safety enforcement and education aimed at unsafe driving behaviors by commercial motor vehicle drivers and passenger-vehicle drivers.

CVSA Selects Collin Mooney as its New Executive Director

Collin has 27 years of experience in the transportation safety industry, all of which have been dedicated to large truck and bus safety.

CVSA has appointed Collin B. Mooney as its new executive director. Collin has been with CVSA for the past 13 years and has been the Alliance's deputy executive director since 2010. Most recently, he has been serving as the Alliance's acting executive director.

Collin joined CVSA in 2003 as director of training programs and later as the organization's director of enforcement programs. He was later promoted to the position of deputy executive director, where he has served the Alliance for the past six years. Since September 2015, after the departure of the existing CVSA executive director, Collin has been dutifully serving as the Alliance's acting executive director until recently being selected as the organization's fifth executive director in the history of the Alliance.

"After conducting a comprehensive search for an executive director, I am pleased to announce, on behalf of the CVSA Executive Committee, we have selected Collin Mooney as the Alliance's next executive director," said CVSA President Maj. Jay Thompson with the Arkansas Highway Police. "After 13 years with CVSA, through his unwavering commitment to this Alliance and its mission, his deep industry knowledge, and his devotion to transportation safety, Collin has demonstrated he has what it takes to lead this organization and we are confident he will move us forward in achieving our strategic goals and mission."

Collin has 27 years of experience in the transportation safety industry, all of which have been dedicated to large truck and bus safety. Prior to joining CVSA, Collin's public safety career began in Canada with the Saskatchewan Highway Transport Patrol working in various locations within the province. He also spent more than a decade as a transport officer with



CVSA Executive Director Collin B. Mooney, CAE

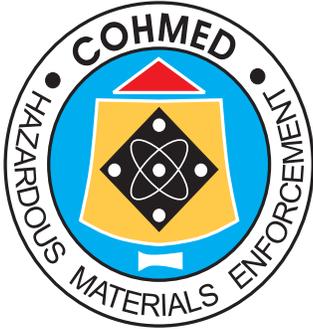
the Commercial Vehicle Enforcement Branch of Alberta Transportation (now Alberta Justice and Solicitor General).

"As a former transport officer and CVSA-certified inspector, I understand the many challenges our roadside inspectors face, each and every day, in order to ensure the safe and efficient movement of people and commerce throughout North America," stated newly appointed CVSA Executive Director Collin B. Mooney, CAE. "I'm excited about the opportunity to continue with my dedicated service of promoting commercial motor vehicle safety, by working collaboratively with member jurisdictions, all levels of government and the various industry stakeholders to lead the Alliance into the future."

Collin's responsibilities as CVSA's executive director will be to provide leadership, direction and administration for all aspects of the Alliance, respond to the needs of the membership, advocate CVSA's public policy positions, provide quality programs and services to members and partners, and work toward the achievement of CVSA's mission, vision and goals. ■

CVSA Holds 2016 COHMED Conference

Regulation, enforcement and safety community gathered to discuss and address the unique challenges of the hazmat industry.



Attendees were welcomed to the COHMED Conference in San Antonio, Texas, by COHMED leadership and CVSA staff.



At the Hazmat Olympics, enforcement and industry worked together as a team to test their knowledge of hazardous materials regulations.



Congratulations to the winning team of the Hazmat Olympics.

Approximately 200 representatives from hazardous materials (hazmat) and hazmat-related industries attended the Cooperative Hazardous Materials Enforcement Development (COHMED) Conference, an annual one-of-kind event where federal, state and local agencies responsible for regulating and enforcing the safe transportation of hazardous materials/dangerous goods participate in advanced-level technical sessions and in-depth training workshops.

The COHMED Conference took place on Jan. 25-29, 2016, in San Antonio, Texas, and is a five-day informational and training event hosted by CVSA.

Representatives from federal, provincial and state agencies, hazardous materials specialists and instructors, enforcement personnel, emergency planning managers, manufacturers of hazardous materials, first responders, trucking companies, academics, interest groups and private industry attended the conference to receive advanced training on highly specialized topics, present and discuss concerns related to regulations and enforcement, and share perspectives and provide input into future changes and regulations.

"The transportation, inspection, enforcement and emergency response to hazardous materials/dangerous goods present unique challenges," said CVSA President Maj. Jay Thompson with the Arkansas Highway Police. "The COHMED Conference provides the advanced hazmat training that regulatory and enforcement officers need to safely navigate the processes and procedures when dealing with hazardous materials."

The 2016 COHMED Conference featured informative and collaborative sessions on some of the most important topics related to the hazmat industry, such as:

- Hands-on cylinder, medical and industrial inspection training
- Regulatory updates from Transport Canada, the Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Safety Administration
- Explosives used during fracking processes
- Transportation and inspection requirements for Ebola
- International regulatory harmonization
- Electronic shipping papers

The 2017 COHMED Conference is scheduled for Jan. 23-27, 2017, in Savannah, Georgia.

COHMED was initiated in 1986 by the states, the U.S. Department of Transportation and the Research and Special Programs Administration (RSPA), which is now known as the Pipeline and Hazardous Materials Safety Administration (PHMSA). COHMED is comprised of federal, state and local agencies, and industry from the United States and Canada. COHMED works cooperatively with other federal and state agencies, enforcement personnel, emergency planning managers, responders, academic institutions, interest groups and private industry.

To learn more about CVSA's COHMED Program, visit www.cvsa.org/programs/cohmed. ■



During the Inspection of Compressed Gas Cylinders in Transport training session, attendees learned about package design, construction, markings and labeling requirements of various cylinders, as well as proper loading and transport requirements.





As a CMV enforcement officer, you will never know how many collisions, deaths and injuries you prevented by placing a vehicle out of service before a situation occurred.

INSPECTOR'S CORNER

Always

By Master Tpr. J.D. Berrong II, North Carolina State Highway Patrol, Motor Carrier Enforcement

I found myself trying to figure out what to write for my article. I sat drinking my morning Monster® and remembered a meeting where my first sergeant talked about change and how scary it can be. Then I remembered a very vague quote from a computer pioneer:

“Humans are allergic to change. They love to say, ‘We’ve always done it this way.’ I try to fight that. That’s why I have a clock on my wall that runs counter-clockwise.”

—Schieber, *The Wit and Wisdom of Grace Hopper*, 1987

I drive my wife crazy. I do not have a backwards running clock, but I have seven clocks in my house set to different times. She finally quit asking me to stop it years ago.

“We’ve always done it this way.”

I hate that answer, and I hate very few things in this world. We are living and working in a time of unprecedented technology and advancements. I have more computing power in my left pocket than NASA had to land a craft on the moon some 46 years ago, and my patrol car is more advanced than the craft itself. So it boggles my mind why any agency would want to try and run things the way they used to, or the way they always have.

I just returned from the Body Worlds® exhibit in Charlotte, North Carolina. It focused on aging and the human body from birth to death. In the section for elderly, I paused and pondered an informational board

about leadership. The board stated that older individuals are usually held in positions of power because they have been around and learned from experience and have knowledge only time can teach. But, that got me thinking: What happens if that person is resistant or just refuses to accept a new world? What if that person ignores what technology tells them and does it the way it has always been done, or how it was when they started?

I write all that to say this... we spend millions on technology for CMV enforcement. We have so many databases of information at our disposal, and so much more collected every day. Don’t be afraid of the change or the technology, embrace it. Just because they did it “that way” 30 years ago, doesn’t mean we still have to do it that way today. CMV enforcement personnel are some of the most intelligent officers I know. You have to be in order to do this job. Anyone who has ever checked a log book knows that. All the millions we spend on technology and all the information it gathers is useless if no one puts it to use.

I will draw to an end by asking all of you to stay safe out there. CMV enforcement is unique by being one of the only proactive tasks in law enforcement. Almost all other aspects of law enforcement are reactive, but not us. We remove the vehicles from the road before anything happens. As a CMV enforcement officer, you will never know how many collisions, deaths and injuries you prevented by placing a vehicle out of service before a situation occurred.

Be safe and have a great shift. ■

REGION I

Maryland State Police Wins Three National Awards

The International Association of Chiefs of Police, in cooperation with the National Highway Traffic Safety Administration, the National Sheriff's Association, the Governor's Highway Safety Association and the American Association of Motor Vehicle Administrators, recently presented the Maryland State Police with three top national awards in recognition for outstanding traffic safety efforts aimed at reducing crashes and injuries.

The Maryland State Police won first place in the 2015 National Law Enforcement Challenge for state police or highway patrol departments with between 500 and 1,500 sworn members. A Special Category Award was also presented to the Maryland State Police for commercial vehicle safety efforts by state police agencies. A third honor, the Clayton J. Hall Memorial Award, was received for submitting the most comprehensive traffic safety program out of more than 200 law enforcement agencies participating in the national competition.

"It was an honor to accept these awards on behalf of the dedicated troopers in the Field Operations Bureau," Maryland State Police Superintendent Colonel William Pallozzi

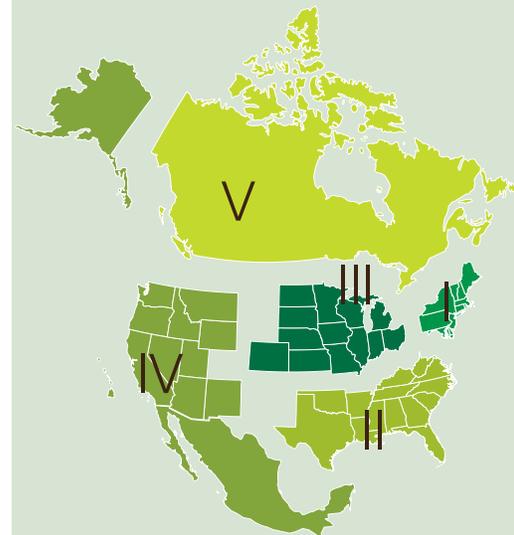
said. "While receiving this recognition is appreciated, our commitment to traffic safety is not to earn awards, but because we know the harder we work, the more impact we can have on reducing crashes, saving lives, and making our highways safer."

The National Law Enforcement Challenge focuses on the police department's comprehensive strategies to address the traffic safety issues of impaired driving, occupant protection and speed awareness. Agencies can select an additional traffic safety issue that has been identified as a problem in their state. Police departments are evaluated and judged on their approaches to traffic safety issues based on the factors of problem identification, policies, planning, training, public information and education, enforcement, and outcomes.

Impaired driving enforcement remains a priority for the Maryland State Police. The introduction of the State Police Impaired Driving Reduction Effort (SPIDRE) Team has been a major advancement in this effort. This team of highly trained troopers works specific areas of the state that have a high number of impaired driving crashes.

Continued on next page

Maryland has been recognized as having more commercial vehicle safety inspections per road mile than any state in the country.



REGIONAL MAP

Region I

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, US Virgin Islands and Vermont

Region II

Alabama, American Samoa, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia

Region III

Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Northern Mariana Islands, Ohio, South Dakota and Wisconsin

Region IV

Alaska, Arizona, California, Guam, Hawaii, Idaho, Mexico, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming

Region V

Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Northwest Territories, Nunavut, Ontario, Prince Edward Island, Quebec, Saskatchewan and Yukon

Continued from page 25

Throughout the state, troopers use geographic information system mapping to determine where DUI enforcement is needed most in each county. Troopers at each barrack are responsible for conducting saturation patrols and sobriety checkpoints in those targeted areas.

Additional training in impaired driving enforcement was provided to 746 troopers in 2014. That year, state troopers arrested 7,044 impaired drivers. In 2015, troopers arrested more than 5,800 impaired drivers.

The Maryland State Police instituted the Reducing Crime and Crashes initiative, which requires each patrol trooper to spend a portion of their duty day focusing on enforcement in an identified “hot spot” for crime or where traffic crashes are most prevalent in their area of responsibility. This program has been especially effective in efforts aimed at reducing speeding and aggressive driving. It also ensures troopers are working in the documented areas where enforcement is most needed and appropriate.

In 2014, patrol troopers issued 117,931 citations for speeding and conducted more than 5,200 special speed enforcement details across the state. Seat belt and child safety seat laws have helped Maryland reduce traffic fatalities to record lows. Both education about and enforcement of occupant protection laws are a focus of the Maryland State Police. In 2014, Maryland State Police launched an effort to train more troopers as child safety seat technicians and increased opportunities around the state for parents to learn how to properly install a safety seat and buckle up their children. Troopers issued 19,268 seat belt citations in 2014 and conducted more than 500 occupant protection enforcement initiatives.

The Maryland State Police identified crashes involving heavy trucks and buses as a problem after 70 people died in 2012 in crashes involving those types of vehicles. The Commercial Vehicle Enforcement Division launched a number of education and enforcement initiatives aimed at reducing those fatalities and increasing the awareness of both commercial and non-commercial drivers which are continuing.

Especially being targeted are new drivers, who receive instruction from troopers about how to stay out of the “No Zone” and drive safely around commercial vehicles. Maryland State Police conducted multiple commercial vehicle enforcement initiatives during 2014 and 2015 and have trained police in allied agencies who have similar enforcement teams. Fortunately, fatalities involving heavy trucks and buses showed a steep drop in Maryland, declining to 39 in 2014. Maryland has been recognized as having more commercial motor vehicle safety inspections per road mile than any state in the country.

The focus of Maryland State Police efforts was in coordination with and support of Maryland’s Strategic Highway Safety Plan. Many of the enforcement efforts the Maryland State Police were recognized for were funded by grants from the Maryland Highway Safety Office, the State Highway Administration, the Federal Motor Carrier Safety Administration and the National Highway Traffic Safety Administration. Maryland State Police traffic safety efforts will continue, in cooperation with local, state and federal law enforcement and highway safety partners.

Traffic safety is the responsibility of everyone who drives on Maryland roads. Maryland State Police ask drivers to ensure they are doing their part to comply with traffic laws and to keep Maryland roads safe. ■



Maryland SuperTech Grand Champion Wins CSA Compliance Station at Nationals

By **Matthew T. Farcosky**, Vice President, Operations, Fleetpro Inc.

Two-time Maryland SuperTech Grand Champion Tom “TK” Kilchenstein of Fleetpro continued his banner year at the National Technician Skills Competition – TMC SuperTech – in August by winning the CSA Compliance Station.

TMC SuperTech is North America’s premier skills competition for professional commercial vehicle technicians. TMC SuperTech contestants come from all segments of the trucking industry, and many are state, regional or corporate champions.

The competition is a two-day event. Technicians are tested on their knowledge of CVSA’s “North American Standard Out-of-Service Criteria” and Federal Motor Carrier Safety Regulations (Appendix G). In addition, given a roadside inspection form, each technician will be tested on their knowledge of FMSCRs and CVSA out-of-service requirements.

TMC SuperTech brings several hundred of the finest technicians from around the country and all segments of the trucking industry to show off their extraordinary skills in keeping commercial motor vehicles running safely on the road.

Congratulations, TK, on a great showing. ■

New Jersey Hosts 2015 Operation Safe Driver Week Kickoff Event and Educates High School Students on Safely Sharing the Roads with Commercial Motor Vehicles

By **Shari Leichter**, Administrative Analyst II, Bureau of Trucking/Freight Services, New Jersey Department of Transportation

A classroom and outdoor educational event was held on Oct. 21, 2015, at Hammonton High School in Hammonton, New Jersey, to teach students how to safely share the roads with large trucks and buses. The event was held as a kickoff for CVSA's Operation Safe Driver Week, Oct. 18-24, 2015.

This all-day educational event was offered to Hammonton High School juniors and seniors, about 750 in all. The day started with classroom instruction where teens were educated on topics such as blind spots (otherwise known as "No Zones"), the dangers of distracted driving, following and stopping distances around large trucks and buses, the limitations and requirements of operating a commercial motor vehicle on the nation's roads, and much more.

Outside, the students visited a series of stations aimed at demonstrating dangerous driving behaviors and scenarios. There was a "No Zone" demonstration to indicate the areas around large trucks and buses that create dangers for car drivers. Students had the opportunity to sit in the cab of a commercial

motor vehicle to see firsthand the blind spots that a truck driver experiences.

New this year, there was a simulated crash scene featuring vehicles destroyed in real-life crashes. Informational flyers were given to students and there was a "texting promise" poster board, which was signed by the teens, who pledged not to text while behind the wheel.

The classroom instructors were Sgt. Scott Dorrier from New Jersey State Police (NJSP) Transportation Safety Bureau, and retired NJSP Captain Tina Arcaro, who now works for South Jersey Transportation Planning Organization.

The speakers were: Dan Blackford, Hammonton School District Superintendent; Greg Crescenzo, retired Hammonton Police Officer and now owner of Atlantic Investigations; Collin Mooney, Executive Director for CVSA; Chris Rotondo, Division Administrator of New Jersey, Federal Motor Carrier Safety Administration; and James Bertino, Atlantic County Freeholder, Fifth District, Atlantic County, New Jersey.

Instructors, attendees and participants who helped out were: Thomas Ramsay, principal of Hammonton High School; Gregory Brandis (MC of the event) and Kimberly Rudnesky, both assistant principals of Hammonton High School; Lt. Steve Albanese, Assistant Bureau Chief of NJSP-TSB; Tpr. II Jeff Bowman, Safety Freight; SFC Jay Wolf, Field Ops (DHTS); Patrolman Jason Rigby, Hammonton Police Department; Joseph Notarfrancesco; Dave McWilliam, Truck Enforcement Unit, Philadelphia Police Department; Jennifer Marandino and Tina Arcaro, South Jersey Transportation Planning Organization; Kevin Conover and Shari Leichter (New Jersey liaison for CVSA), New Jersey Department of Transportation, MCSAP Office; Suzanne O'Hearn, Division of Highway Traffic Safety; Detective Ryan Hutton, Atlantic County Prosecutors Office; Peter Staats, CPS Investigations; Larry Beahrs, Amazon/Eagle Transportation; Brian Neal, Worldwide Line Haul Safety/Manager, Amazon.com; New Jersey Licensed Private Investigators Association; Joseph Girelo, retired Hammonton School Board president; Leo Petetti, Hammonton High School Board member; Mike Davy, MJD Trucking; Leon Sobczak, Lee Transport; Johnny Morales, Santelli Trucking; Will Adams, Brian Schafer and John Coggins, Gold Medal Environmental; Lonnie Reevis, Safeway Trucking; and several Hammonton High School gym teachers.

A special thank you to Nicole Leandro and Courtney Fritzsche from CVSA, along with Brian Neal from Amazon.com, for their help coordinating this event. An extra special thank you to Greg Crescenzo, owner of Atlantic Investigations, for continuing to organize this program. And another big thank you to Superintendent Dan Blackford, his Administration and the Hammonton High School Board for allowing us to have this program at their school.

The goal of these safety demonstrations is to prevent crashes involving teens. We want to promote safety, reduce commercial motor vehicle crashes and save lives. Remember, driving is a privilege, and our goal is to have zero fatalities. If we save one life by teaching this program, then we have made a difference. ■



Students had the opportunity to sit inside a truck cab to see the blind spots around a truck, also known as the "No Zones," where the truck driver cannot see other vehicles.

Continued on next page

Continued from page 27



There were simulated crash scenes featuring vehicles destroyed in real-life crashes.



Teens received driving tips from law enforcement officers about how to operate safely around large trucks and buses, the dangers of distracted driving and why seat belts are important.



The goal of these safety demonstrations is to prevent accidents involving teens. We want to promote safety, reduce commercial motor vehicle crashes and save lives.



Participants signed a pledge promising not to engage in dangerous driving behaviors.



The day started with teens learning about topics such as blind spots, the dangers of distracted driving, following and stopping distances around large trucks and buses, the limitations and requirements of operating a commercial motor vehicle on the nation's roads and much more.

REGION II

Oklahoma Highway Patrol Conducts Cargo Tank Inspection Course

By **Tpr. Steven Payne**, Commercial Vehicle Enforcement, Oklahoma Highway Patrol

The Oklahoma Highway Patrol (OHP) Commercial Motor Vehicle Enforcement Unit (Troop S) conducted a Cargo Tank Inspection Course at its headquarters in Oklahoma City. Eighteen OHP troopers and two Oklahoma Department of Public Safety (DPS) port-of-entry inspectors participated in the training. Troopers Chuck Longfellow and David Alvarado, Texas DPS, instructed the course.

During the class, United Petroleum Transports (UPT) ceased operations in their cargo tank repair facility to allow students the opportunity to closely examine commonly seen low-pressure cargo tank vehicles. UPT shop foreman Randy

Decker and his mechanics answered questions and explained the cargo tank repair process, the numerous required inspections performed to ensure safe operations of the cargo tanks on the roadways and safety features of the cargo tanks.

During the 40-hour course, the students learned the processes used to properly conduct CVSA inspections on low-pressure, high-pressure and non-specification cargo tank vehicles. After completion of the course, the students were assigned to a CVSA-certified inspector to complete their certification requirements. ■



United Petroleum Transports shop foreman Randy Decker explains cargo tank periodic inspections.



Tpr. Terry Shiever and Lt. James Watson examine a low-pressure tank.

REGION II

Florida Highway Patrol Safe Drive Summary

By **Chief Troy L. Thompson**, Office of Commercial Vehicle Enforcement, Florida Highway Patrol

Florida Highway Patrol conducted a three-day "Safe Drive" enforcement wave, Nov. 3-5, 2015, along the I-95, I-85 and I-10 corridors. Below is a short summary of the results.

I-95: There were 21 identified CMV crashes, two fatality crashes and two fatalities during the three-day wave. Additionally, 2,145 inspections were documented by law enforcement and FMCSA, yielding 188 vehicles and 292 drivers being placed out of service.

I-85: There were 17 identified CMV crashes with no fatalities reported. During the wave, 928 inspections were documented by law enforcement, yielding 104 vehicles and 131 drivers being placed out of service.

I-10: There were no crashes or fatalities reported. During the wave, 84 inspections were documented with four vehicles and seven drivers being placed out of service.

All: There were 38 identified crashes, two fatality crashes and two fatalities during the three-day wave from Nov. 3-5, 2015. During the wave, 3,157 inspections were documented yielding 318 vehicles and 459 drivers being placed out of service. ■

REGION II

Inspection Photos

Photos by **Special Agent Bill J. Johnson**, Commercial Carrier and Tax Enforcement Unit, Law Enforcement Division, Virginia Department of Motor Vehicles



Four of four sliding tandem locking pins disengaged. US Route 58, Patrick County, Virginia.



Tire violation. Route 103, Patrick County, Virginia.



Inoperable brake due to being cammed over. US Route 58, Grayson County, Virginia.



Severely contaminated brake drum. US Route 460, Appomattox County, Virginia.



Broken main spring leaf. US Route 460, Appomattox County, Virginia.

REGION III

Michigan State Police Conducts 542 Commercial Vehicle Driver Inspections during 'Eyes on 94' Commercial Vehicle Enforcement Effort

Michigan State Police (MSP) motor carrier officers conducted 542 commercial driver inspections during the five-day "Eyes on 94" commercial vehicle crash reduction effort along the I-94 corridor from Dec. 7-11, 2015.

During this multi-state initiative, which involved officers from the Indiana State Police on I-94 and the Ohio Highway Patrol on I-80 and other major freeways, officers focused on violations by commercial vehicles most likely to contribute to a crash including speeding, following too closely, improper passing, distracted driving and improper lane use.

During the enforcement, MSP motor carrier officers conducted over 542 driver inspections and issued 455 citations and 455 warnings. Officers in Indiana and Ohio issued an additional 471 citations and 1,618 warnings.

The most common citation was for speeding, followed by improper lane use, improper passing, following too closely, using a handheld device and texting.

"This enforcement effort is a great example of the commitment by the MSP, Indiana State Police and Ohio Highway Patrol to raise awareness of the behaviors that lead to commercial vehicle crashes," stated Capt. Michael Krumm, commander of the MSP Commercial Vehicle Enforcement Division.

In addition to the enforcement efforts, officers also distributed more than 200 DVDs to motorists at rest areas along the I-94 corridor regarding the safety precautions all drivers should take when driving near commercial motor vehicles. The DVDs were provided through a partnership with the Michigan Center for Truck Safety.

This initiative was part of the statewide Toward Zero Deaths traffic safety campaign, based on the national strategy on highway safety that seeks to reduce the number of traffic deaths on our nation's freeways. ■

Michigan Ramps Up for Motorcoach Inspections

By **Capt. Michael A. Krumm**, *Commercial Vehicle Enforcement Division, Michigan State Police*

Although Michigan's motorcoach-involved crashes are below the national average, even one crash involving a motorcoach has the potential for catastrophic injuries or loss of life.

The Michigan State Police Commercial Vehicle Enforcement Division (CVED) has ramped up its passenger-carrying/motorcoach inspection program. Michigan recently added 18 certified inspectors in CVSA passenger-carrying certification. This now provides the division with a total of 26 officers certified to conduct Level I Inspections on passenger-carrying/motorcoach vehicles.

In addition to the newly certified officers, CVED also purchased seven new sets of motorcoach ramps, bringing the total number of ramps throughout the state up to 11 sets. Also added to the fleet, were five new trailers for hauling the ramps and other equipment to motorcoach destinations locations statewide.

With tourism being one of Michigan's top industries, CVED plans to use the additional inspectors and equipment to increase the number of inspections conducted annually and reduce crashes involving passenger-carrying vehicles. Although Michigan's motorcoach-involved crashes are below the national

average, even one crash involving a motorcoach has the potential for catastrophic injuries or loss of life.

Michigan has three international ports of entry where officers regularly conduct inspections on passenger-carrying vehicles. Along with the ports of entry, Michigan has several tourist destinations that bring many passengers-carrying vehicles into the state, including casinos, state parks, major sporting events and festivals.

In addition to doing Level I Inspections on passenger-carrying vehicles at destination locations, all officers conduct roadside Level II and Level III Inspections throughout the state during routine patrol. Along with inspections, CVED investigators conduct comprehensive reviews on passenger-carrying/motorcoach carriers and their safety management practices.

Michigan State Police is dedicated to reducing crashes and ensuring the safety of passenger-carrying vehicles as they travel on our state's roadways. ■



Nebraska State Patrol's Post-Crash Inspection Course

By Sgt. Philip Thede, Nebraska State Patrol

When a commercial motor vehicle is involved, the time and resources needed to find the truth increase dramatically.

A crash is a very complex set of circumstances and our law enforcement agencies are tasked with putting together the facts to determine its cause. This is a time-consuming task which requires a keen eye for small details that can often prove or disprove a case. The lives of those involved are changed because of these crashes, and they look to the crash investigators to find the truth about what occurred in an attempt to ensure justice is done.

The complexity of crash scenes varies considerably, but even the less complex scenes involve collecting large amounts of evidence. Markings on the roadway, crush of the vehicles, injuries of the occupants, positioning of debris and electronic evidence all get put together to determine what occurred prior to the crash. When a commercial motor vehicle (CMV) is involved, the time and resources needed to find the truth increase dramatically.

The training to become a crash reconstructionist takes several weeks, with additional training required to understand the dynamics of a CMV involved in a crash. This gets an investigator the basic information he needs to be able to correctly determine the movements of a CMV involved in a crash. But what if the CMV has faulty equipment that could have contributed to the crash? What if the brakes were not working correctly and one grabbed but others didn't? What if the driver of the CMV had been driving for the past 15 hours? Is the

investigator going to have the knowledge and experience to determine if the condition of the CMV or its driver caused or had an influence on the severity of the crash? In some cases they do, but in many they would need to call experts from other fields. This is where the NAS Level 1 inspector is needed.

In the Nebraska State Patrol's (NSP) Carrier Enforcement Division, we noticed that we were often called to conduct inspections on CMVs after the crash, but we would only give an account of what was defective on the vehicle after the crash occurred. Someone trained in NAS Level 1 Inspections was needed, but we also needed someone who would dig deeper than just seeing and recording the existing violations. So we set out to train our personnel to look at the defects closer to determine if any may have been present prior to the crash and, whether they could have had an influence on the crash. In 2007, there were no current classes available to educate our personnel so we decided to build our own and in 2009 we held our first Post-Crash Inspection Course. Since then, we have evolved our course using student feedback to make it better each year.

The class requires students to utilize their critical thinking skills to determine if a violation found after a crash existed prior to the crash, and if that violation could have been a possible contributing factor in the crash. This critical thinking is then applied to a hands-on scenario. In the end,



students leave with increased knowledge and skills regarding how to work through a post-crash CMV to find answers.

An example of this critical thinking during the 2012 class led the students to disassemble the wheel end of a truck/tractor (taking the wheels off and removing the brake drum with help from a local tow company) and found the brake to have broken pieces which didn't allow proper movement of the brake lining. Through successes like this one, the students saw that digging deeper to find the truth behind whether a CMV was roadworthy (according to FMCSA standards) prior to a crash can have huge impacts on a case. The impact of a post-crash inspection is just as crucial when there are no violations found on the vehicle or driver. Our goal is seeking the truth, as that is what will bring to light guilt and innocence.

Our most recent class was held Sept. 21-25, 2015, at the NSP's Training Academy in Grand Island. Participating students came from state agencies (Idaho, Illinois, Missouri, New Jersey, Puerto Rico, Vermont) and local agencies (Harris County Texas Sheriff's Office and Kansas City Missouri Police Department) with the curriculum made up of the following topics:

- **Evidence Considerations** — This prepares students with the correct mindset that a crash is a crime scene, and the CMV is their evidence. Crime scene procedures, evidence

recognition, preservation, documentation and collection were some of the highlights of this class.

- **Photography** — Outlines how a digital camera "sees the world," basic camera operations and night-time photography techniques.
- **Vehicle Mechanics** — Focusing particularly on different types of brakes, brake components and ABS functions. This block of instruction was presented by a representative of Bendix, a manufacturer of brake components, who exposed the students to the details of brake systems from the manufacturer's perspective.
- **ECM** — Includes instruction on preventing data loss from engine control modules.
- **EOBR/AOBRD** — How to obtain, handle and interpret electronic log data.
- **FMCSA** — The capabilities and resources of FMCSA and how they can assist the post-crash inspector.
- **Driver Impairment Awareness** — DUI and DUID, driver fatigue and sleep apnea, driver focus and interviewing.
- **Depositions/Expert Witness Testimony** — Provided by the Nebraska Attorney General's Office.

By the end of the week, the students worked through five real-life scenarios which involved previously wrecked CMVs. Our goal is to offer the students a learning environment that is as close to reality as we can make it. In these settings, the students have shown the ability and the desire to learn, and we have found that they become more engaged in their learning by sharing their own experiences which, in turn, adds to the education of all the students.

In our society, the quest for knowledge often depends on funding. People's time and resources tend to be measured with dollars and cents. Development of the NSP Post Crash Inspection Course proved that those who seek the truth know its value. The course is a testament to industry and government working cooperatively, devoting their time and resources.

Mark your calendars for the 2016 Post-Crash Inspection Course which is scheduled for Sept. 26-30, 2016, at the Nebraska Law Enforcement Training Center in Grand Island, Nebraska. The only expense to your agency will be transportation, meals and lodging, since there is no tuition for attending the class. Students must be a NAS Level I certified inspector and the class will be limited to the first 20 students (two from each jurisdiction).

If you are interested in attending, please send an email to Philip.Thede@nebraska.gov. ■



Inspectors and Drivers Receive Training from Each Other for Operation Safe Driver

By **Tim Austin**, Motor Carrier Enforcement Section, Wisconsin State Patrol



Andrea Sequin, Dan Pierce and Herb Moring of Schneider National pose with Inspectors from the Green Bay and Appleton areas following training for Operation Safe Driver.

Every year, the Wisconsin State Patrol participates in Operation Safe Driver Week. During this time, law enforcement agencies throughout North America engage in heightened traffic safety enforcement and education aimed at unsafe driving behaviors by commercial motor vehicle drivers and car drivers. The initiative, which is sponsored by CVSA, the Federal Motor Carrier Safety Administration (FMCSA), law enforcement and industry, is aimed at reducing injuries and fatalities associated with crashes involving large trucks, buses and cars.

According to CVSA, from 2011 through 2013, 12,502 people were killed and more than 287,000 were injured in crashes involving at least one large truck or bus. More than 70 percent of the deaths and injuries from these

crashes were from multi-vehicle crashes with cars. Many of those accidents are the direct result of the drivers – both commercial motor vehicle drivers and car drivers.

During Operation Safe Driver Week, activities are held across the United States, Canada and Mexico with the goal of increasing commercial vehicle and non-commercial vehicle traffic enforcement, safety belt enforcement, driver roadside inspections and driver regulatory compliance.

In preparing for Operation Safe Driver Week, the Wisconsin State Patrol and Schneider National partnered to stress the importance of enforcing traffic laws with both commercial motor vehicles and with passenger cars operating in their vicinity.

On Oct. 16, 2015, inspectors in the Green Bay and Appleton areas were invited to Schneider National's training facility to gain first-hand experience on the operation and driving of a full-size tractor-semitrailer combination. By getting behind the wheel with a professional Schneider National driving instructor, inspectors were able to see the attention needed to drive a commercial motor vehicle and how the truck interacts with other traffic.

The plan to provide inspectors CMV driving experience came from Andrea Sequin, Schneider National's Director of Regulatory Services, and Tim Austin, who supervises inspectors in the state's northeast region.

The training included a safety briefing, training using Schneider's computer-controlled truck



driving simulators, low-speed operation and backing exercises with an actual tractor-semitrailer unit, and the chance to “ride-along” with a driving instructor on city streets, through roundabouts and on the interstate. The intent was for inspectors to truly see the importance of traffic enforcement not only when it comes to large trucks and buses, but also with light vehicles being around them.

Before getting into actual trucks, inspectors received driver training using the company’s driving simulators. These state-of-the-art devices use computer screens to simulate the roadway environment as viewed from inside the cab, including rearview mirrors. The simulators respond to driver actions as well as conditions input by the instructor. In addition, they are designed to simulate movement of the vehicle by pitching, rolling and providing auditory cues. The experience gave inspectors the feel of a commercial vehicle in various driving environments.

Besides the indoor computer environment, the Schneider National campus in Green Bay consists of a large outdoor training area where low-speed vehicle maneuvers and backing exercises are overseen by driving instructors. It was here that inspectors climbed behind the wheel and experienced steering around obstacles and backing into tight places. Schneider National equips their vehicles with modern crash-avoidance technology. This technology actively detects slowed or stopped vehicles ahead of the truck and provides warning to the driver. If necessary, the technology will also apply the truck’s brakes to help avoid or mitigate a pending collision. Inspectors were shown this technology and other systems employed by Schneider National in their highway safety efforts.

Following the driving simulator and low-speed maneuvers, inspectors rode along with instructors in fully loaded tractor-semitrailer units on the highway. Their route took them through narrow urban streets, via a roundabout and onto Interstate 41. Inspectors observed tight turns, techniques for navigating the traffic circles and merging with traffic.

Ironically, on several trips, inspectors watched as light vehicles improperly passed their truck while on the ramp merging onto the interstate. As the instructors explained, these types of maneuvers are all too common on our highways.

When the driver training portion concluded, the Wisconsin State Patrol demonstrated the inspection process for Schneider National personnel responsible for fleet and driver safety. These are the officials who receive reports following roadside inspections from throughout North America. This allowed both enforcement officers and industry representatives the opportunity to ask questions and see how violations are documented. Inspectors led the Schneider staff around a vehicle and addressed common concerns related to specific areas of the truck. The vehicle’s driver was also on hand to provide assistance and operate the truck as needed.

In preparing to participate in Operation Safe Driver Week, area inspectors gained real-world knowledge about the importance of their efforts. While the main focus of their job is to ensure that commercial motor vehicles, drivers and carriers are in compliance with the Federal Motor Carrier Safety Regulations, they also have the goal of ensuring a safe and efficient transportation system. This means being mindful of traffic violations being committed in the vicinity of large trucks and buses as they operate on our state’s roadways. Inspectors also recognize that operating a large truck requires undivided attention given its size and limited maneuverability. Therefore, the importance of being mindful to driver distractions and hours of service is critical to avoiding collisions.

In addition to this joint training, the Wisconsin State Patrol and Schneider National have partnered on several occasions in the interest of highway safety. This has included safety talks, presentations and researching the use of engine control modules in crash investigation. In recent years, Schneider’s help was critical in publishing several technical papers in this field through the Society of Automotive Engineers.

The Wisconsin State Patrol is very appreciative of Schneider National’s continued commitment to safety. One of Schneider National’s core values is “Safety First and Always.” It is certainly a value we can all respect. ■



Professional driving instructor Paul Schanding opens the door to Schneider’s full-size simulator as Inspector Steve LaVigne finishes a training run. The simulator reacts accordingly to driver input and physically moves as would an actual vehicle.



John Keating of Schneider National assists Inspector Doug Kellner in backing a tractor and 53’ trailer into a simulated loading dock.



Inspectors Dahl and Kellner lead a discussion on vehicle examination procedures with staff from Schneider National.

REGION IV

Idaho State Police Conducts Border Enforcement Grant Operations, Visited by FMCSA Acting Administrator

By Lt. Scott Hanson, Commercial Vehicle Safety, Idaho State Police

Idaho State Police (ISP) Commercial Vehicle Safety (CVS) troopers participated in the Federal Motor Carrier Safety Border Enforcement Grant program to reduce crashes, injuries and fatalities involving commercial vehicles on U.S. Highway 95 in northern Idaho.

ISP CVS Commander Capt. Tim Horn joined six ISP CVS specialists to work at the United States Eastport border crossing at the Bonners Ferry Port of Entry and conduct roadside inspections on motor carriers and drivers operating in international commerce.

ISP's mobile command center was utilized due to the remote location at Eastport. There is a lack of radio communication and cell phone availability near the border. The mobile command center is manned by an ISP communications dispatcher who has the ability to provide driver's license status checks and vehicle registration information to officers.

Due to grant constrictions, ISP was only able to conduct two border enforcement grant operations this year. An operation conducted in May resulted in 270 vehicles/drivers being inspected, with 5.9 percent of drivers being placed out of service, and 15.2 percent of vehicles inspected placed out of service. An operation held in late October resulted in 228 inspections. Of those inspections, four drivers and 10 vehicles were placed out of service. One driver was arrested on an outstanding warrant.

CVSA Past President Maj. Bill Reese of the Idaho State Police and Federal Motor Carrier Safety Administration Acting Administrator Scott Darling visited the area during the October operation. Administrator Darling toured ISP's mobile command center and observed inspectors as they conducted inspections. The cool, wet weather in October did not dampen the spirit of the officers. Several unsafe drivers and vehicles were removed from the roadway, while the majority of drivers were found to be in compliance and continued their trip in furtherance of international commerce. ■



REGION V

Improvements Made Under Alberta's Traffic Safety Plan

By Wendy Doyle, Executive Director, Office of Traffic Safety, Alberta Transportation

Alberta's latest traffic collision statistics show the overall casualty rate continues on a downward trend, with a large drop in alcohol-related fatalities. 2014 had the lowest number of alcohol-related fatalities ever recorded in Alberta. Compared to 2013, there were 15 percent fewer alcohol-related fatalities, and drinking drivers in fatal collisions decreased by 20.5 percent over 2013. These are encouraging results following the implementation of tougher sanctions for impaired driving.

On July 1, 2012, Alberta implemented tougher sanctions for graduated driver's license (GDL) drivers and drivers with a blood alcohol concentration (BAC) of .08. On Sept. 1, 2012, tougher sanctions were also implemented for drivers with a BAC of .05. Our province's impaired driving laws aim to reduce the number of drinking drivers on our roads – and that means fewer deaths and serious injuries. Drivers who are criminally impaired or refuse to provide a breath sample receive the harshest sanctions. Tougher consequences at the .05 to .08 level are designed to discourage drinking and driving – before drivers reach the criminally impaired level. Our goal is to create safer roads by ensuring Albertans take personal responsibility for their actions behind the wheel.

Overall, traffic fatalities have declined by 19 percent since Alberta's first Traffic Safety Plan was introduced in 2007. The number of fatalities has dropped from 458 fatalities in 2007 to 369 in 2014. Serious injuries have also dropped by 12 percent and minor injuries by 25 percent.

There were a total of 144,740 collisions and 18,745 injuries on Alberta roads in 2014 – which is an increase of about 3,000 collisions compared to 2013. While Alberta has also seen increases in population, registered drivers and vehicles, the fatality rate is unchanged and the injury rate decreased slightly from 2013.

In the past year, the number of drivers has increased by 89,247 and the number of vehicles is up by 131,064. Traffic volumes on our provincial highways have also jumped by 4.53 percent.

From 2009 to 2013, Alberta's fatality and injury rates per billion vehicle kilometers traveled declined by 0.7 fatalities and 50.1 injuries. Alberta has some of the lowest rates in Canada. Four provinces had a lower fatality rate than Alberta and only two territories had a lower injury rate in 2013.

Since 2007, the Government of Alberta has worked with its traffic safety partners to implement the Traffic Safety Plan, the first strategy of its kind in Canada. This critical work continues under Alberta's Traffic Safety Plan 2015.

More information on Alberta's Traffic Safety Plan can be found at www.transportation.alberta.ca/TSP. Alberta's traffic collision statistics can be found at www.transportation.alberta.ca/statistics. ■

REGION V

Inspection Photos



Cracked frame. Photos by Ofr. Sheldon Barteau, Whitehorse Weigh Station, Yukon, Canada.



Boomer not secured in locked position. Photo by Ofr. Roxanne Brady, Watson Lake Weigh Station, Yukon, Canada.



Unsafe load. Photo by Ofr. Carol Bates, Whitehorse Weigh Station, Yukon, Canada.



Eight out of 10 wheel nuts missing. Photos by Ofr. Sheldon Barteau, Whitehorse Weigh Station, Yukon, Canada.



Improper cargo securement. Photos by Ofr. Roxanne Brady, Watson Lake Weigh Station, Yukon, Canada.



Photos by Ofr. John Scott, TIR-Vehicle Compliance, Commercial Vehicle Enforcement, Transportation and Infrastructure Renewal, Province of Nova Scotia, Canada.

Inspection Photos



Photos by Ofr. Rod Dykeman, TIR-Vehicle Compliance, Commercial Vehicle Enforcement, Transportation and Infrastructure Renewal, Province of Nova Scotia, Canada.



FROM THE DRIVER'S SEAT

Unlikely Partnership Produces Results in Arizona

By Eric James Ramsdell, *Walmart Transportation, Inc.*

What started as a partnership to improve teen driving habits turned into a cooperation that allows truck drivers and law enforcement officers to do their jobs more effectively.

When two groups are working for a share of the same market, the groups are seen as being in competition. Companies and organizations go to great lengths to make their ideas and products appeal to certain demographics, and no demographic is more important to marketers than the younger crowd. Teenagers are trendsetters in things like fashion and technology and will someday be a majority of the motoring public. So, if you can make an idea catch on in the mind of a teenager, there's a good chance that the idea will gain some traction.

To many of us, highway safety is the most important concept we want the next generation to understand and practice. That's why, eight years ago, when a program I was involved with called "Committed to Safety" learned that the Arizona Department of Public Safety and Highway Patrol had a similar initiative, we decided to join forces. What some would call competition, quickly turned into collaboration because we both share the same mission, which is to educate young drivers about how to safely share the highway with large trucks.

Partnering with the Arizona Highway Patrol gave our program new dimensions. Each session, we do a 10-15 minute classroom lesson before taking the students out to our "lab," made up of a tractor-trailer and police vehicles. We let each student get in the cab of the truck and attempt to find the police vehicles that are parked in the blindspots. This gives the students a greater perspective on why it is important to avoid those blindspots when navigating around a truck. Having the law enforcement officers on hand also confirms our advice because the officers can speak with authority about issues such as distracted or impaired driving and cite sources from the Arizona Department of Public Safety. Highway fatalities are one of the leading causes of death amongst young drivers worldwide and we believe our lessons are more impactful when they are part of a joint effort.

This lesson, though, is as much about collaboration as it is about educating teen drivers. We intended to make an impact on highway safety and reduce risky driving behaviors among teens, and I believe we are

succeeding on that front. But, we did not know the effect that dialogue between truck drivers and law enforcement officers would have on our day-to-day work in our respective fields. And not just small talk on the side of the road that a driver may have with an inspector or highway patrol officer, but rather, thorough discussions about the ways that both groups approach the ins and outs of their jobs. From spending time with highway patrol officers and inspectors, I now have a much better understanding of their jobs and what they are looking for, why they are looking for it and how what once seemed like a minor detail to me might greatly impact highway safety.

Some drivers might suggest that I am gaining an advantage from forming a relationship with inspectors and officers and I have to be honest – they are correct. I am gaining an advantage and my company is also gaining an advantage, because we now more fully understand the reason behind the details of an inspection or the driving behaviors that officers view as bad practice. When we can prevent those mistakes, it not only makes the highways a safer place for the motoring public, it also allows us to move goods more efficiently.

What started as a partnership to improve teen driving habits turned into a cooperation that allows truck drivers and law enforcement officers to do their jobs more effectively. I can call my friends at the Arizona Highway Patrol or Arizona Department of Public Safety and ask them to explain their interpretation of a law and the reason for that law. Similarly, I can offer them an explanation for why a driver thinks his or her action is the safest move.

The most important part of this program is that it can be replicated in any state. A company or state trucking association can work closely with their state law enforcement to create a mutually beneficial partnership that improves the way we do our jobs and makes a positive impact on teen driving habits.

Thank you to the inspectors, law enforcement officers and professional truck drivers for your commitment to safety on our nation's highways. ■

Air Disc Brakes Gain Momentum

By **Jon Morrison**, *President, WABCO Americas*

Whatever direction commercial motor vehicle technology is heading, air disc brakes expect to be along for the ride.

Fleet owners and operators are increasingly choosing air disc brakes (ADB) over traditional drum brakes, citing superior stopping distance, reliability, lower weight and maintenance costs, and safety and technical advantages.

Heavy Duty Trucking magazine (August 2015 edition), for example, reported that ADB penetration in Class 8 trucks within the North American Free Trade Agreement (NAFTA) region increased from 9 percent in 2012 to 16 percent in 2015 (mainly in steer axle applications). By 2018, penetration is projected to reach 22 percent.

Our outlook for ADBs is also bolstered by a recent study WABCO commissioned with CK Marketing, a commercial vehicle research firm, that shows 32 percent of Class 8 operators, representing a wide range of vehicle duty cycles and fleet descriptions, say they are planning to add ADBs by 2020. Another 13 percent indicate they'll add ADBs to their trailers in the same time frame.

Among the major considerations for adopting ADBs, the study's findings indicate that overall quality, functionality and a strong replacement network rank the highest. Regarding specific features, 56 percent ranked quality as the most important, followed by 46 percent who designated reduced maintenance.

Naturally, cost is a key factor. ADBs currently require a \$2,500 investment or \$500 per wheel more than drum brakes, although prices vary by manufacturer. As volume grows and technology expands, prices are expected to decline, opening up opportunities in all segments and vehicle usages. Furthermore, the industry anticipates that ADBs will contribute to the residual value of trucks and trailers equipped with ADBs as they are traded or sold.

Clearly the market is there and growing, particularly in two areas where ADBs excel: first, with fleets that are looking for superior brake performance in severe environments, such as heavy steel haulers and tankers; and secondly, where vehicles make frequent stops, such as delivery trucks, waste haulers and buses.

Education is the Key

Education is the key to encouraging those on the fence to eventually make the switch to ADBs. A white paper published by Hendrickson Trailer Commercial Vehicle Systems, titled "Understanding Your Brakes: Considerations When Specifying Air Disc Brakes," underscores the need for education.

"By gaining a deeper understanding of the operating principles of both drum and disc brake designs, fleet managers are empowered to make more informed decisions when it comes to specifying equipment," the Hendrickson paper states. "Differences in wheelbase and number of axles on the tractor and trailer can have a profound effect on vehicle dynamics and the resulting brake setup needed to optimize performance."

Understanding the Advantages of ADB Technology

Safety: ADBs provide better stopping distance compared to conventional drum brakes. In a typical scenario, ADBs' stopping distance is up to 15 percent better than required by FMVSS 121.

Lighter weight: When ADBs are maximized, they can provide up to 100 pounds in weight savings on tandem trailers, helping to improve fuel efficiency or enabling increased payloads.

Fewer CSA Violations: Unlike drum brakes, ADB brake adjustment is done internally, resulting in fewer Compliance, Safety and Accountability (CSA) violations by eliminating out-of-adjustment brake concerns. These concerns account for nearly half of out-of-service roadside commercial motor vehicle inspection violations, according to CVSA's 2015 International Roadcheck results.

Fewer parts: New ADB systems are designed with approximately 25 percent fewer parts, improving reliability and installation efficiency while lowering maintenance costs.

Service: ADB service intervals are up to twice as long as the ones for drum brakes. It takes less than half the time to perform a lining change. ADB pads by some estimates need servicing every 500,000 to 600,000 miles and rotors up to a million miles.

In terms of total package optimization, ADBs directly correlate to the advantages that technology and safety collision mitigation systems bring to the table. Also, when considering advances such as platooning, which rely heavily on braking performance, the superior stopping ability of ADBs is the key to ensuring its viability. Drum brakes can achieve the basic braking standard, but ADBs take platooning to the next level of performance, acceptance and adoption.

There is significant growth in all segments for ADBs. Whatever direction commercial motor vehicle technology is heading, air disc brakes expect to be along for the ride. ■

Anatomy of a Rollover Seminar Program

By *Advantage Fleet Services Inc.*

Rollover Facts

- **Log truck drivers have the second highest rate of serious injury and fatality in the forest industry.**
- **Rollover is the number one motor vehicle incident (MVI) type in which log truck operators are involved.**
- **MVIs involving log truck rollovers impact those outside of the forest industry too.**
- **Overweight loads decrease safety and increase rollover potential and damage the road infrastructure.**
- **Not wearing seatbelts increases the driver's chances of being killed or seriously injured in a MVI.**

The Anatomy of a Rollover (AoR) presentation was developed to deal specifically with commercial motor vehicle rollovers. Rollover incidents often involve serious injuries and/or death and are very costly. These incidents also become very high profile in the media due to their seriousness and the disruption to traffic. Large commercial motor vehicles are not designed to be on their sides and offer limited protection to the driver when not on their wheels. The saying "keep the rubber part down and the metal part up" came from the transportation industry and was specific to rollover-type incidents.

AoR is a high-impact presentation designed specifically for any driver who operates a heavy commercial motor vehicle and for supervisors and fleet managers. The presentation focuses on the dynamics of a rollover and the five specific causes. Each contributing factor is discussed and drivers are given the tools/knowledge to prevent rollover-type incidents from happening.

The AoR presentation for the forest industry addresses different configurations of trucks that have been approved over the years and are still currently being used in the transportation of both long and short logs. It has been shown through detailed analysis that a log-haul professional driver with 30 years of experience will never haul the same load (dynamically) twice. It is critical that the loader person and the driver work together to build the best load possible to improve overall log stability during the transportation process.

Topics in the AoR presentation include:

- Dynamics of a rollover
- The five causes of rollover
- Specific case studies with supporting physical evidence
- Importance of load securement and the dynamics of various loads
- Tire and road surface considerations
- Incident examples
- The importance of load weight and placement
- Why drivers should wear a seatbelt on and off highway

The British Columbia Forest Safety Council, in partnership with forest industry licensees and employers, have organized and offered more than 45 driving education and awareness sessions to over 2,370 attendees since Feb. 22, 2014. Most of the sessions delivered were AoR; however, due to the impact of these presentations, additional sessions titled "Standard of Care" and "Your Greatest Risk" were presented to a broader audience.

The AoR presentations were organized by the BC Forest Safety Council, fully supported by the Trucking Advisory Group and other forest industry members with sessions delivered by Grant Aune of Advantage Fleet Services Inc.

Visit www.bcforestsafe.org/seatbelt for more information. ■

RGL Achieves National Recognition for Workplace Safety

Trucking division receives sixth consecutive "ACUITY" Outstanding Safety Award

By Katharine Braunschweiger, Mueller Communications, Inc.

RGL's trucking division was recently awarded the ACUITY Safety Award for its continued commitment to fostering a culture of safety in the workplace. Each year, less than 2 percent of ACUITY's 3,000 transportation policy owners are eligible for the company's Safety Award. RGL is one of only eight companies to receive the award for six consecutive years.

"At RGL, we take pride in our commitment to ensuring all employees are safe at all times," said Bob Johnson, CEO of RGL. "Acuity's recognition of our trucking division,

for the sixth consecutive year, shows that our employees have bought into this culture and are truly looking out for the safety of themselves, their coworkers and the motoring public."

"RGL has always prided itself on maintaining an excellent record for workplace safety," said Carol Jamrosz, vice president of risk management at RGL. "We make sure our drivers completely understand our safety policies through continuing education. In turn, our associates are prepared for any situation they might find on the road."

Annually, RGL sets aside days for a Safety Blitz Campaign, where all RGL drivers go through a comprehensive safety checklist. This campaign ensures that everything the drivers do is done safely and legally. RGL's "master drivers" are trained at Fox Valley Technical College, where they learn to identify unsafe habits, skills and behaviors. Through RGL's detailed education of the rules and regulations, every RGL driver understands what is legal, what is safe and what is required. ■



Pictured left to right: Steve Ahrens, Steve Owens, Russ Skurr, Chad (Acuity), David Hoelzel, Quinn Murphy, Mike Hammond

Making Safety a Top Workplace Priority for 2016

By **Carol Jamrosz**, Vice President of Risk Management, RGL

Workplace safety incidents or emergency situations can happen at any company, in any industry, at any time. Thus, actions such as conducting safety risk assessments, taking prevention steps and being familiar with response preparation are of the utmost importance. Listed below are some safety tips and practices to keep employees safe.

- **Implement continuous training** – Training is the key to safer workplace methods. Use peer-to-peer safety observation and employee involvement in facility risk assessments to enable less-experienced employees to learn directly from leadership.

Educate employees on safety-related practices and requirements, as well as changes to organizational operations and regulations. By clearly defining and explaining the organization's safety mission and vision upfront, the employees can expect continuous development throughout their career.

- **Keep up to date** – Organizations should identify internal strengths and weaknesses yearly, and then determine the best ways to mitigate risks. It is vital to equip employees with this necessary information, communicating procedures clearly and consistently across various departments. As necessary, update the company safety plan and communicate these changes to staff.
- **Create a safe work environment** – While written policy and procedures are essential, they're useless if they are not coupled with regular training and a culture that expects safety protocols to be followed. If a hazardous situation arises, it's critical that employees know how to address the situation or how to report the incident to management. Hold leadership responsible for overseeing regular workplace inspections and monitor employees adhering to procedure.

- **Make safety interesting** – Safety is not always the most captivating topic to discuss at staff meetings, so to help keep employees engaged, consider bringing in a guest speaker to offer a fresh third-party perspective.

- **Applaud best practices** – Recognize when employees are behaving with good conduct and following appropriate procedure. This positive reinforcement will keep morale up and serve as a good example and reminder of best safety practices in the workplace.

The Bureau of Labor Statistics reports that employer-reported injury and illness have steadily decreased over the last several years. The decrease is largely due to the better implementation of best practices by employers and employees in the workplace.

"Making a living shouldn't have to cost you your life. Workplace fatalities, injuries and illnesses are preventable. Safe jobs happen because employers make the choice to fulfill their responsibilities and protect their workers," said Dr. David Michaels, assistant secretary of Labor for Occupational Safety and Health.

It takes time and effort for an organization to develop and implement a world-class safety and wellness program, and improvements can always be made to ensure a safer tomorrow. Once the initial legwork is complete, maintenance and improvement of safety in the workplace become easier with time. In fact, most organizations will find enjoyment in setting and beating safety goals, and employees will thank supervisors and fellow workers for paying such close attention to their well-being.

Ask any leading employer, and they will tell you that a happy, healthy and engaged workforce is the key to an organization's ongoing success. ■

Ask any leading employer, and they will tell you that a happy, healthy, and engaged work force is the key to an organization's ongoing success.

RAD INSPECTION NEWS

About RAD Inspection News

RAD Inspection News features news and other stories pertaining to the North American Standard Level VI Inspection Program for transuranic waste and highway route controlled quantities (HRCQ) of radioactive material. This inspection is for select radiological shipments that include enhancements to the North American Standard Level I Inspection Program and the "North American Standard Out-of-Service Criteria" with added radiological requirements for transuranic waste and HRCQ of radioactive material.

Learn more at www.cvsa.org/levelVI.

RAD Inspection News is made possible under a cooperative agreement with the U.S. Department of Energy (DOE). Since January 2007, it has run as a section inside CVSA's *Guardian*. ■



DOE Reviewing Possibility of Shipping Certain Quantities of Surplus Plutonium to WIPP

The U.S. Department of Energy/National Nuclear Security Administration (DOE/NNSA) announced its preferred alternative for the disposition of certain quantities of surplus plutonium evaluated in the Final Surplus Plutonium Disposition Supplemental Environmental Impact Statement (Final SPD Supplemental EIS) (DOE/EIS-0283-S2, April 2015).

Among the potential actions considered in the Final SPD Supplemental EIS, DOE/NNSA analyzed the potential environmental impacts for the disposition of 13.1 metric tons (14.4 tons) of surplus plutonium for which a disposition path is not assigned, including 7.1 metric tons (7.8 tons) of plutonium from pits that were declared excess to national defense needs and 6 metric tons (6.6 tons) of surplus non-pit plutonium.

With regard to the 6 metric tons (MT) of surplus non-pit plutonium, DOE/NNSA's preferred alternative is to prepare this plutonium for eventual disposal at the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, a geologic repository for disposal of transuranic (TRU)¹ waste generated by atomic energy defense activities.

DOE/NNSA may issue a record of decision (ROD) containing its decision(s) for disposition of this quantity of material, no sooner than 30 days from the date of publication of this notice in the Federal Register 80FR80349. ■

2016 Level VI Peer Reviews

As part of CVSA's cooperative agreement with the U.S. Department of Energy's Carlsbad Field Office, CVSA will be conducting two Level VI Program peer reviews in 2016. The Level VI Programs of New Mexico and Iowa will participate in the 2016 peer reviews.

The purpose of the peer review of the Level VI Inspection Program is to identify and share best practices among member state Level VI Programs. Initially, it was also intended that recommendations would be made to prepare the Level VI Inspection Program for shipments of spent nuclear fuel to Yucca Mountain. With the Yucca Mountain program suspended, the peer reviews concentrate on inspections, training, cross-agency communication and public outreach for the transuranic shipments destined for the WIPP and for other highway route controlled quantity shipments.

Prior peer review reports are located in Level VI Program section of the CVSA website at www.cvsa.org/programs/nas_vi_wipp.

Questions regarding the CVSA Level VI Program peer review process and reports should be directed to Director of Hazardous Materials Programs Carlisle Smith at carlises@cvsa.org. ■

Level VI Program Goes to Canada



Certified Level VI Inspector Kerri Wirachowsky provides instruction on the differences between the Canadian and U.S. regulations for the class.



Ontario Ministry of Transportation (MTO) students in Class 154.



Level VI National Instructor J.R. Lewis reviews Level VI Inspection procedures with the class.

The 154th Basic Level VI Program Class was a first of its kind. At the request of CVSA Member Ontario Ministry of Transportation (MTO), the 154th class marked the first time a Level VI class was held outside of the United States.

This non-Carlsbad Field Office class provided its share of challenges for CVSA as well MTO. Besides logistics, the differences in the U.S. and Canadian motor carrier, hazardous materials/dangerous goods as well as radiation safety regulations had to be reviewed. As a result, adjustments to the training modules had to be made and a new Level VI Program Class has been created.

The class was a great success, resulting in 12 newly certified Level VI inspectors in Ontario.

This class could not have been accomplished without the hard work and dedication of Kerri Wirachowsky and her staff of the MTO, and Level VI National Instructors Rion Stann, Pennsylvania State Police; Tom Fuller, New York State Police; Kelly Horn, Illinois Department of Emergency Management; and J.R. Lewis, U.S. Federal Motor Carrier Safety Administration.

Class 154 was instructed by J.R. Lewis, Kerri Wirachowsky and CVSA Director of Hazardous Materials Programs Carlisle Smith. ■



Level VI Class Schedule

Under a cooperative agreement with the U.S. Department of Energy, CVSA schedules classes for inspecting motor carriers and their drivers transporting transuranic waste and highway route controlled quantities (HRCQ) shipments of radioactive material. Under this cooperative agreement, CVSA provides Level VI training to jurisdictional inspectors who meet the prerequisite (CVSA Level I and hazmat certified).

Current class schedule for the rest of calendar year 2016:

Albuquerque, New Mexico
April 11-14

New Braintree, Massachusetts
June 13-16

Harrisburg, Pennsylvania
August 22-25

Any jurisdiction that needs inspectors trained and/or can host a Level VI Class in 2016 is asked to contact Carlisle Smith at 301-830-6147 or carlises@cvsa.org. ■

2016 CVSA Level VI Program Public Outreach Calendar

National Transportation Stakeholders Form

June 6-9

Orlando, Florida

International HM Response Team Conference

June 16-19

Baltimore, Maryland

DOE Invites Public Comment on Design of Consent-Based Siting Process for Nuclear Waste Storage and Disposal Facilities

The U.S. Department of Energy (DOE) is implementing a consent-based siting process to establish an integrated waste management system to transport, store and dispose of commercial spent nuclear fuel and high-level defense radioactive waste. In a consent-based siting approach, DOE will work with communities, tribal governments and states across the country that express interest in hosting any of the facilities identified as part of an integrated waste management system.

As part of this process, the department wants public input on implementing this system. In order to solicit public feedback, DOE has submitted an Invitation for Public Comment (IPC), published in Federal Register 80 FR 79872. Through this IPC, DOE is requesting feedback from communities, states, tribes and other interested stakeholders on how to design a consent-based siting process.

In addition, DOE intends to host a series of public meetings to engage communities and discuss the development of a consent-based approach to managing our nation's nuclear waste. The comment period closes on June 15, 2016. ■

Roadside Inspections, Level VI (2016 - Fiscal)

LEVEL VI INSPECTIONS	Federal	State	Total	% of Total
Number of Level VI Inspections	0	33	33	100%
Point of Origin	0	23	23	69.70%
En Route	0	10	10	30.30%
Point of Destination	0	0	0	0%
Unknown Location	0	0	0	0%
Level VI Inspections with No Violations	0	33	33	100%
Level VI Inspections with Violations	0	0	0	0%
Level VI Inspections with Out-of-Service (OOS) Violations	0	0	0	0%

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North American Inspectors Championship (NAIC)

AUGUST 8-12, 2016

Hyatt Regency Indianapolis Hotel
Indianapolis, Indiana

CVSA Annual Conference & Exhibition

SEPTEMBER 18-22, 2016

Statehouse Convention Center
Little Rock, Arkansas

Learn more about CVSA's 2016
meetings and conferences at
www.cvsa.org/events.



ATTEND THE 2016 CVSA WORKSHOP IN CHICAGO, ILLINOIS

April 24-28, 2016 | Chicago, Illinois

The 2016 CVSA Workshop will be held on April 24-28 at the Sheraton Grand Chicago Hotel in Chicago, Illinois. The CVSA Workshop provides an opportunity for government officials, enforcement and industry to continue to work together toward the goal of advancing commercial vehicle safety, quality, uniformity and consistency.

Visit www.cvsa.org/events/workshop/2016 to view the Workshop schedule, book your hotel room, make travel arrangements and learn more about the event.