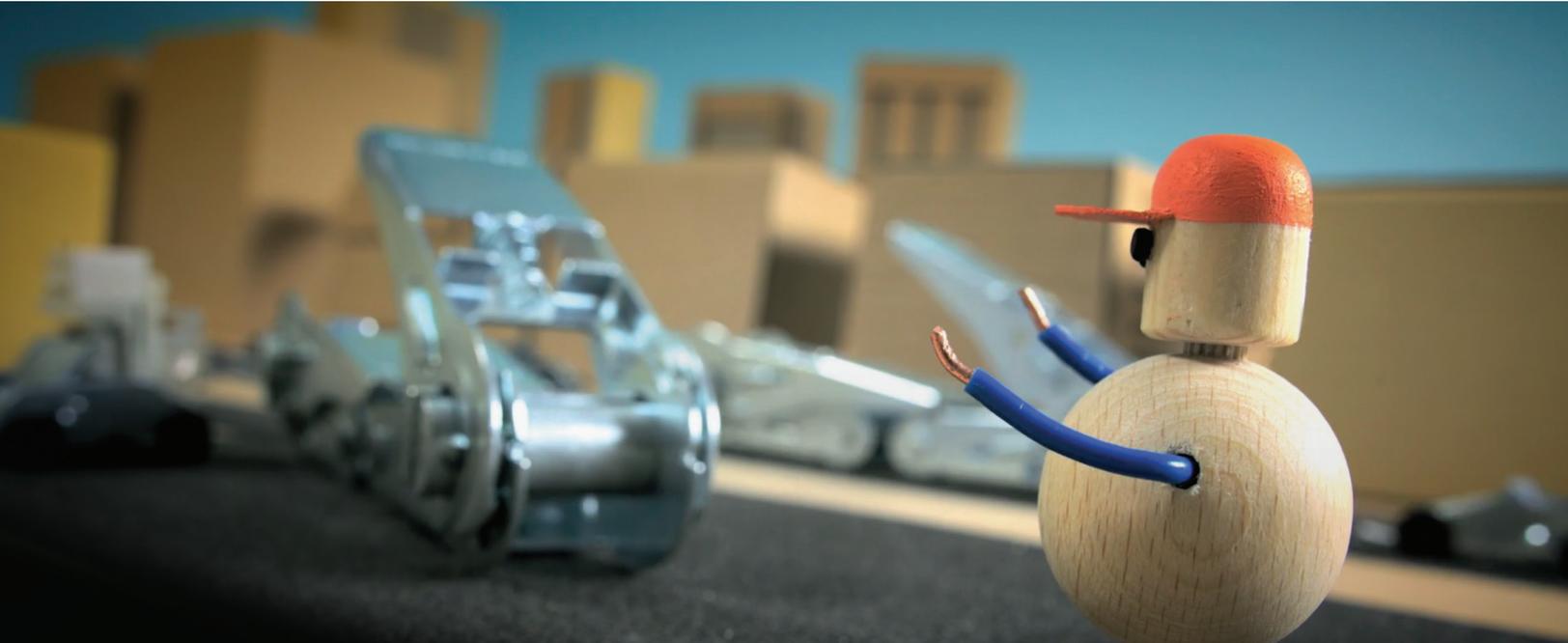


GUARDIAN

A Publication of the Commercial Vehicle Safety Alliance

Volume 27, Issue 4
4th Quarter 2020



ENVISION *the* **FUTURE**

CVSA Releases Video on the Future of Commercial Vehicle Safety and Enforcement

**New Generation of
Cargo Tank Motor
Vehicles Arrives**

**10-Year Anniversary of
FMCSA's Pre-Employment
Screening Program**

**Are We a Speed
Tolerant Culture?**

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GUARDIAN

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CVSA Communications



PRESIDENT'S MESSAGE

Looking to the Future

By Sgt. John Samis, Delaware State Police, CVSA President

As 2020 comes to a close, we must look to the future and examine how to best utilize our resources in order to become more efficient during roadside enforcement of commercial motor vehicles.

The amount of commercial motor vehicles on our roadways is staggering and that amount will continue to grow. Only a small fraction of commercial motor vehicles are able to be inspected because jurisdictions do not have the necessary personnel and resources available. I believe that requiring commercial motor vehicles to be equipped with a universal electronic vehicle identifier will improve that ratio and allow us to keep up with the increasing number of commercial motor vehicles on our roads.

A universal electronic vehicle identifier is a system that would enable law enforcement

to identify each vehicle electronically while it is in motion, providing remote and reliable information to determine if that vehicle needs further inspection. This system, used in conjunction with others, could eventually give inspectors the ability to review driver logs, braking information and other key safety components in order to inspect a larger percentage of commercial motor vehicles that may not be in compliance.

The universal electronic vehicle identifier may also be the solution for conducting safety checks on vehicles that use futuristic technologies, such as driver-assisted truck platooning and autonomous vehicles. Inspectors need to develop new methods to ensure these vehicles are operating safely, without unnecessarily impeding the flow of goods. The universal electronic vehicle identifier could be the key to keeping

these types of vehicles moving safely and efficiently.

CVSA has petitioned the National Highway Safety Administration and the Federal Motor Carrier Safety Administration to explore the feasibility of having all commercial motor vehicles equipped with some type of electronic vehicle identifier. I believe that the implementation of this universal system would have a tremendous impact on how jurisdictions conduct vehicle inspections and would greatly improve efficiency and highway safety.

In looking to the future, my hope is that we continue to make great strides with the inspections of commercial motor vehicles while continuing to improve highway safety and truly allowing for the ability to maximize the technologies and resources available to us. ■





EXECUTIVE DIRECTOR'S MESSAGE

Organizational Development – Pushing Forward During an Unprecedented Time

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

According to the National Highway Traffic Safety Administration, 2018 was the third-deadliest year in the last decade, in terms of motor vehicle crashes, with nearly 37,000 people killed on our roadways. Many preventable crashes are the result of unsafe driving and traffic violations committed by drivers, whether they are operating a commercial motor vehicle (CMV) or a private passenger vehicle.

As identified in a number of independent and government research studies, individual driving behavior (e.g., distracted driving, texting, speeding, unsafe driving, etc.) is a leading cause of fatal and injury crashes throughout North America. Highly visible traffic enforcement, coupled with outreach and education, discourages these driving behaviors. As a result, the Alliance will be doubling down to implement a series of activities geared toward reducing fatalities and serious injuries due to unsafe driver behavior, developing post-crash inspection protocols and expanding our CMV data collection efforts.

CMV Driver-Traffic Enforcement Initiatives

First, CVSA will continue to organize a national enforcement and education campaign targeting unsafe driver behaviors by CMV drivers and drivers of private passenger vehicles operating around CMVs. Our Operation Safe Driver Week event is an annual enforcement and education campaign targeting unsafe driving behaviors, such as speeding, distracted driving, and drug and alcohol impairment, by CMV drivers and drivers who operate around commercial motor vehicles. This campaign will continue to augment motor carrier safety initiatives and enhance efforts states have proposed in their commercial vehicle safety plans. The campaign is aimed at improving CMV safety and compliance, gathering data for safety trends and reducing CMV-involved crashes.

Second, even though there are organizational similarities within each state, province or territory, every agency/department is unique and can have very different approaches to addressing CMV safety. However, CMV-related

traffic enforcement has begun to change and take on greater importance.

For example, over the past several years, a handful of member jurisdictions have consolidated their CMV roadside inspection and enforcement initiatives under one agency/department, and many additional jurisdictions have expanded their CMV traffic enforcement initiatives to include a number of local/municipal agencies.

As a result, the Alliance will be launching a new initiative to offer CMV traffic enforcement training for non-CVSA-certified enforcement personnel, providing them with the training, support and confidence to conduct traffic enforcement on CMVs while also keeping a watchful eye toward combating human trafficking through our new Human Trafficking Enforcement program.

Third, the Alliance will coordinate a national outreach campaign to include television (in five targeted markets) and a national digital campaign with CBS. The strategy will drive viewers/users to www.cvsa.org to learn how to defeat distracted driving and drive safely around large trucks and buses. Both CVSA and CBS will use a variety of metrics to analyze increases in website traffic, such as video views and engagements with the online messaging. The more that users engage, the more likely truck drivers, teens and the public are to know about our collective CMV safety efforts with the goal of fewer crashes involving large trucks and buses; hence, fewer deaths.

CMV Crash Data and Investigation Standards Initiatives

The Alliance will leverage its network of dedicated CMV enforcement personnel and allocate resources toward enhancing the activities of our new Crash Data and Investigation Standards Committee.

CMV enforcement agencies/departments across North America must prioritize minimal resources for the greatest impact on large truck and bus safety. However, the member jurisdictions have identified a crash data

collection “void” that needs to be addressed to enable organizations to fine-tune their data-driven traffic enforcement programs.

The Alliance intends to work collaboratively with various regulatory agencies within the U.S. Department of Transportation to improve data quality by engaging the expertise of our members to establish a uniform post-crash inspection protocol focusing on both fundamental and advanced CMV data identification for state safety data quality (SSDQ) measures.

In addition, the Alliance will be working to establish and maintain uniform CMV crash reporting standards and best practices by:

- Focusing on adherence to the model minimum uniform crash criteria
- Establishing and maintaining a uniform CMV post-crash investigation protocol
- Developing an accredited post-crash training program to supplement the already well-established roadside North American Standard Inspection Program

This new initiative would include developing post-crash investigative standards surrounding the documentation and protection of digital and physical evidence, enhanced mechanical and electrical analysis techniques, and the retaining and archiving of evidence/information. The initiative would also consider the development of a CMV Crash Investigation Safety Summit. Since CMV crash investigative activities are a jurisdictional responsibility, these activities could form the foundation to assist the Federal Motor Carrier Safety Administration with its recently established Crash Preventability Demonstration Program. A number of member jurisdictions have long been involved in post-crash training of roadside CMV enforcement personnel. This initiative will assist in developing model standards and procedures for assessing crash fault and preventability standards for motor carriers.

Until we meet again, please take care of yourself and stay well. ■

REGION II

Florida Highway Patrol Conducts Its Fourth Safe DRIVE Enforcement Wave of 2020

By Chief Jeffrey S. Dixon, Office of Commercial Vehicle Enforcement, Florida Highway Patrol

In early October, members of the Florida Highway Patrol (FHP) Office of Commercial Vehicle Enforcement (CVE) Troop I conducted selective enforcement details – in north Florida, along Interstate 75, near Gainesville, and Interstate 95, south of Jacksonville – targeting commercial motor vehicle (CMV) drivers committing dangerous behaviors that contribute to crashes. Those behaviors included speeding, following too closely, changing lanes improperly and driving distracted, such as using handheld electronic devices.

Members operated an FHP truck-tractor during the enforcement details to observe violations, then radioed to CVE troopers in the area to stop the identified vehicles, conduct inspections and take appropriate enforcement action, if needed, to promote a safer driving environment and reduce crashes.

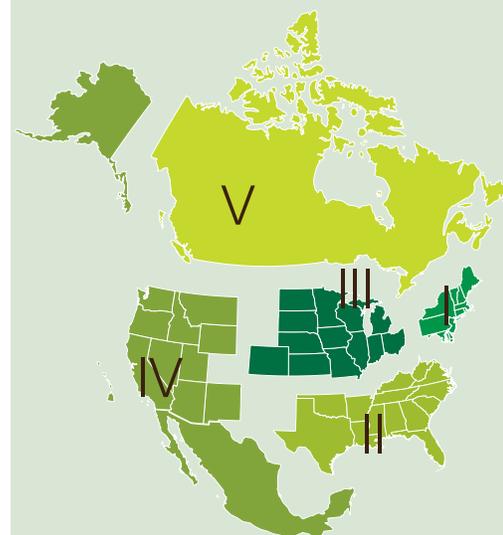
Troopers issued numerous citations to CMV drivers who were using cellular phones or were texting, were committing dangerous moving violations or failed to wear a seatbelt.



One driver was placed out of service.

The details were conducted in support of the fourth Safe DRIVE enforcement wave of 2020, as well as the National Distracted Driving Enforcement Mobilization Campaign. Safe DRIVE (Distracted Reckless Impaired Visibility Enforcement) is a multi-jurisdictional high-visibility safety campaign designed to deter driver behaviors that contribute to commercial and non-commercial motor vehicle crashes.

FHP joins its southeastern highway patrol and state police partners for four Safe DRIVE enforcement waves each year to target dangerous driver behaviors that contribute to CMV-related crashes. ■



REGIONAL MAP

Region I

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, U.S. 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, Northwest Territories, Nova Scotia, Nunavut, Ontario, Prince Edward Island, Quebec, Saskatchewan and Yukon

MARK YOUR CALENDAR

2021 ENFORCEMENT INITIATIVES



INTERNATIONAL ROADCHECK
May 4-6, 2021



OPERATION SAFE DRIVER WEEK
July 11-17, 2021



BRAKE SAFETY WEEK
August 22-28, 2021



North Carolina State Highway Patrol Commercial Vehicle Enforcement Updates

Feed the Frontline

The North Carolina State Highway Patrol Commercial Vehicle Enforcement Section participated in a Feed the Frontline event. This event was held to thank commercial motor vehicle drivers for their continuous efforts during the COVID-19 pandemic. Commercial Vehicle Enforcement headquarters members, along with Troop H District 9 members, assisted with Feed the Frontline at the northbound weigh station, located in Gaston County. Feed the Frontline Mecklenburg, Firehouse Subs, Mecklenburg EMS and Charlotte Salute to Heroes Hockey participated in handing out 250 meals to truckers traveling through the weigh station. The event was a huge success and an opportunity to personally thank commercial motor vehicle drivers.



Capt. K. D. Bell



First Sgt. B. P. Gates



(Center) Lt. J. A. Memory IV and Capt. K. D. Bell



Members of Charlotte Mecklenburg Police Department



Capt. K. D. Bell and Lt. J. A. Memory IV



Port Check inspections, which focused on the transport of hazardous materials, took place Sept. 14-17, 2020, in Wilmington, North Carolina.

2020 Port Check

The North Carolina State Highway Patrol Commercial Vehicle Enforcement Section conducted a Hazardous Materials Port Check. The Port Check took place Sept. 14-17, 2020, in Wilmington, North Carolina. Assigned members concentrated on commercial motor vehicle driver and vehicle inspections, with an emphasis on the transport of hazardous materials to and from the state ports and Sunny Point Military Depot. The Federal Motor Carrier Safety Administration, U.S. Coast Guard, U.S. Customs and Border Patrol, Brunswick County Sheriff's Department, New Hanover County Sheriff's Department, State Port Police, North Carolina Department of Revenue (Motor Fuels Tax Division), and the License and Theft Bureau all participated in the operation.



Lt. J. A. Memory IV; First Sgt. T. W. Peterson; Sgt. K. E. Jackson; First Sgt. J. P. Bobbitt III; Sgt. J. R. Edwards; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; Sgt. K. E. Jackson; First Sgt. T. W. Peterson; Lt. R. L. Deaton, First Sgt. B. P. Gates; and Maj. F. L. Johnson Jr.

Commercial Vehicle Enforcement Conference

The North Carolina State Highway Patrol Commercial Vehicle Enforcement (CVE) Section conducted its annual conference. The conference was held Sept. 16-18, 2020, in Wilmington, North Carolina. The CVE Conference allowed supervisors from across the state to gather and share information regarding various programs. In addition to troop supervisors, representatives from North Carolina State Highway Patrol Field Operations, the Federal Motor Carrier Safety Administration, and North Carolina State University Institute for Transportation Research and Education participated and provided insight on current and future projects. Projects discussed included analytics and data collection, new hours-of-service regulations, size and weight updates, human trafficking and post-crash brake inspection courses. During the conference, Maj. F. L. Johnson, Jr., Lt. J. A. Memory IV, First Sgt. T. W. Peterson and Sgt. K. E. Jackson awarded select troopers and weigh station operators from various troops for their outstanding dedication to protecting North Carolina's citizens and highway infrastructure. ■



Lt. J. A. Memory IV; First Sgt. T. W. Peterson; Sgt. K. E. Jackson; Lt. E. L. Thompson; First Sgt. K. L. Blakley; Sgt. E. C. Roten; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; Sgt. K. E. Jackson; First Sgt. T. W. Peterson; Lt. H. F. Stines Jr.; Sgt. G. B. Dills; First Sgt. J. R. Fairchild; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; First Sgt. T. W. Peterson; Sgt. K. E. Jackson; Lt. B. E. Morgan; First Sgt. K. T. Shallington; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; First Sgt. T. W. Peterson; Sgt. K. E. Jackson; Sgt. J. M. Thomas; First Sgt. T. G. Wilson; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; Sgt. K. E. Jackson; First Sgt. T. W. Peterson; Lt. T. R. Crumpler; First Sgt. T. L. Howell; and Maj. F. L. Johnson Jr.



Lt. J. A. Memory IV; Sgt. K. E. Jackson; First Sgt. T. W. Peterson; Sgt. J. S. Martin; First Sgt. C. M. Goodson; and Maj. F. L. Johnson Jr.

Georgia Conducts Hazmat Port Check Inspections and Distracted Driving Detail

By Maj. Jeremy Ray Vickery, Motor Carrier Compliance Division, Georgia Department of Public Safety

On Sept. 21, 2020, state officers with the Georgia Department of Public Safety's Nuclear Radiological Detection Team (NRAD), supervised by Sgt. Stephen Burnham, began a week-long hazardous materials inspection campaign. The concentration of enforcement was directed to the interstate systems and other local transportation routes surrounding the port of Savannah in Chatham County, Georgia.

The NRAD Hazmat Port Check inspection detail was a high-visibility operation consisting of 11 NRAD team members who conducted compliance inspections of commercial motor vehicles and drivers transporting hazardous materials (hazmat). NRAD team members deployed specialized radiological detection equipment to detect the unlawful transport or illicit possession of nuclear material on the roadways of the state of Georgia.

During the detail, officers performed 151 hazmat inspections, identified 154 violations, and placed 13 commercial motor vehicles and three drivers out of service. While patrolling, one of the units performed a traffic stop due to an activation notification from the NRAD mounted mobile system, utilized for

radiological detection. Additionally, a driver transporting hazardous material was placed out of service for a measurable amount of alcohol in their system and for the wrong class placards displayed on their trailer.

With the expansion of the port of Savannah and the increase in congestive commercial motor vehicle traffic, it is imperative for commercial motor vehicle operators to conduct pre-trip inspections. This ensures the equipment for which they are responsible is safe to be operated on Georgia roadways.

In addition, Sgt. Darren Strickland and Motor Carrier Ofr. 3 Andrew Bruce utilized the Motor Carrier Compliance Division's (MCCD) portable performance-based brake tester (PBBT) to inspect commercial motor vehicles entering and exiting the port. A total of 46 vehicles were checked using the PBBT and 10 wheel-end failures were discovered.

Capt. Antonio Hall, commander of Region 9, also conducted a distracted driver detail near the port of Brunswick in conjunction with the NRAD detail. MCCD officers conducted 155 inspections with emphasis on drivers operating in an unsafe manner. There were 99 handheld cell phone violations, 73 lane violations and 24

seat belt violations, among others, discovered during the detail.

The Georgia Department of Public Safety will continue to deploy its resources at strategic times to the areas surrounding the port of Savannah to ensure the safety of its citizens and the commercial motor vehicle community.

The Georgia MCCD is one of three divisions of the Georgia Department of Public Safety, along with the Georgia State Patrol and the Capital Police Division. MCCD's primary mission is to govern commercial motor vehicle safety through enforcement, education and outreach. The division's enforcement efforts are focused solely on commercial motor vehicles and the drivers that operate them. MCCD continues to reach out to local municipalities, sheriffs' offices and basic mandate police academies to further educate law enforcement on the basics of commercial motor vehicle safety.

MCCD was awarded a high-priority grant, funded by the Federal Motor Carrier Safety Administration, to assist with its educational efforts. MCCD officers continue to provide safety outreach to motor carriers that contact the division for assistance in providing their safety directors, drivers and mechanics with

Sgt. Darren Strickland inspects a vehicle using a PBBT.



updates on the Federal Motor Carrier Safety Regulations. One of MCCD's responsibilities is to educate drivers on the importance of conducting pre- and post-trip inspections on the commercial motor vehicles they operate.

Through analytics, we have discovered that unsafe driver behaviors contribute to many of Georgia's fatal crashes. Therefore, during educational outreaches, we stress the importance of abiding by the "rules of the road" and to not operate a commercial motor vehicle while fatigued.

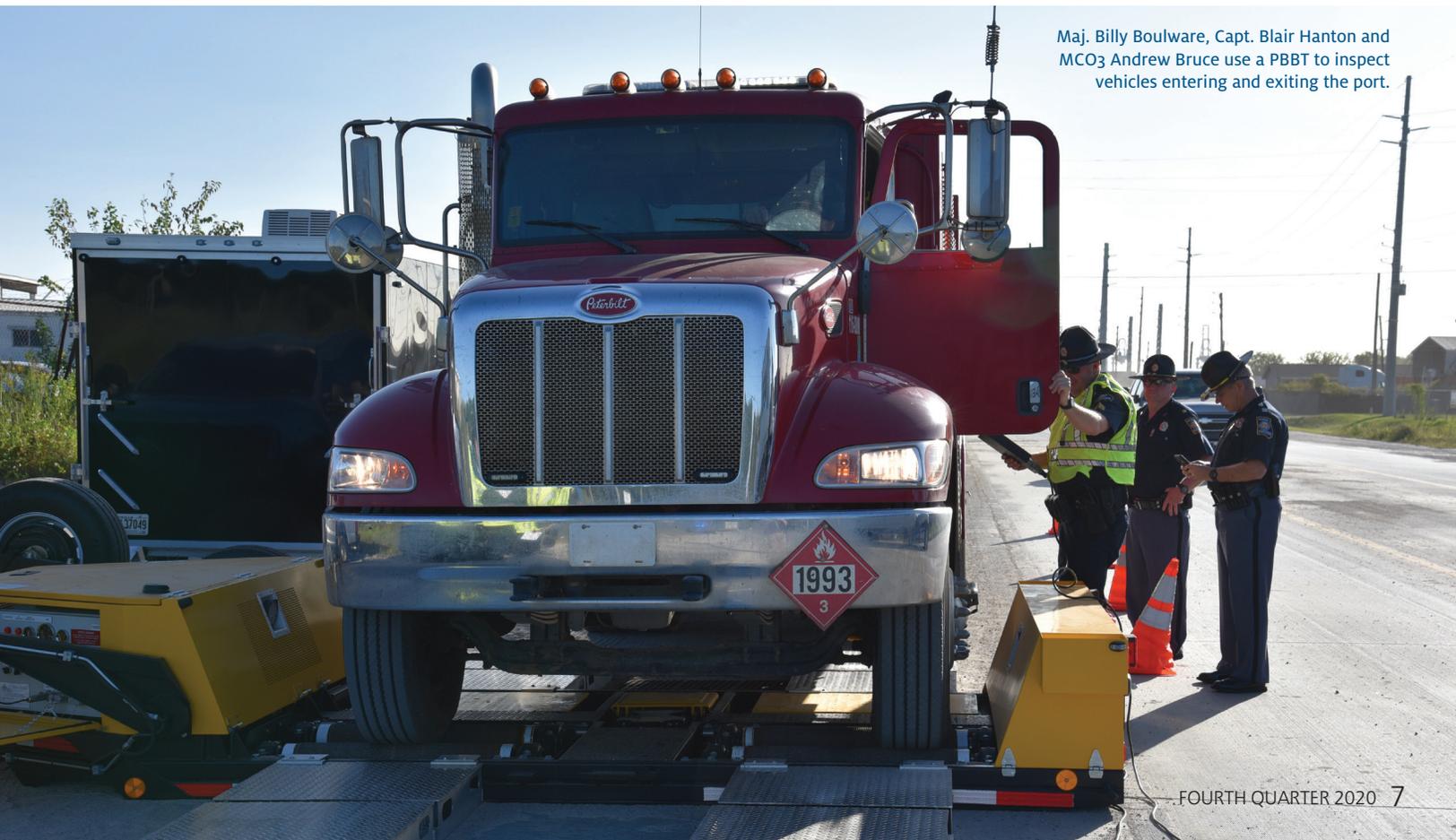
All commercial motor vehicle operators should be aware of their surroundings, remain focused and never become distracted while operating a commercial motor vehicle. Such vehicles could potentially weigh 80,000 lbs. or more, which significantly reduces driver/occupant survival if involved in a crash on our roadways.

Throughout the year, Georgia's MCCD participates in campaigns, hosted by CVSA, such as Operation Safe Driver Week and International Roadcheck, to name a couple. ■



(Left)
Ofr. Griffin
inspecting a
cargo tank.

(Right)
Georgia's NRAD
Hazmat Port
Check inspection
detail.

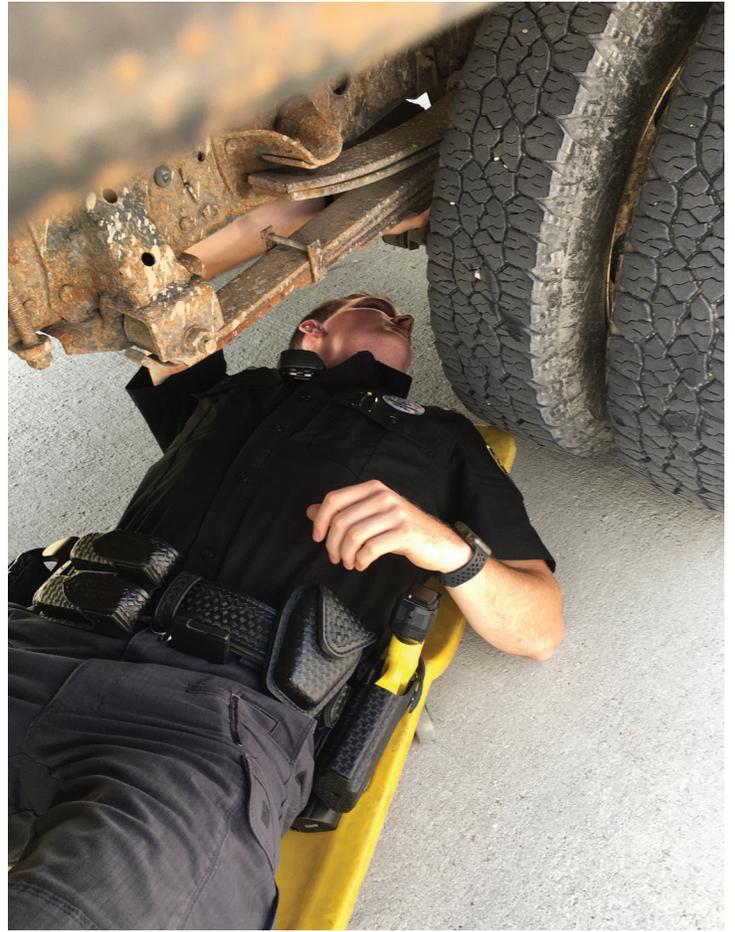


Maj. Billy Boulware, Capt. Blair Hanton and MCO3 Andrew Bruce use a PBPT to inspect vehicles entering and exiting the port.

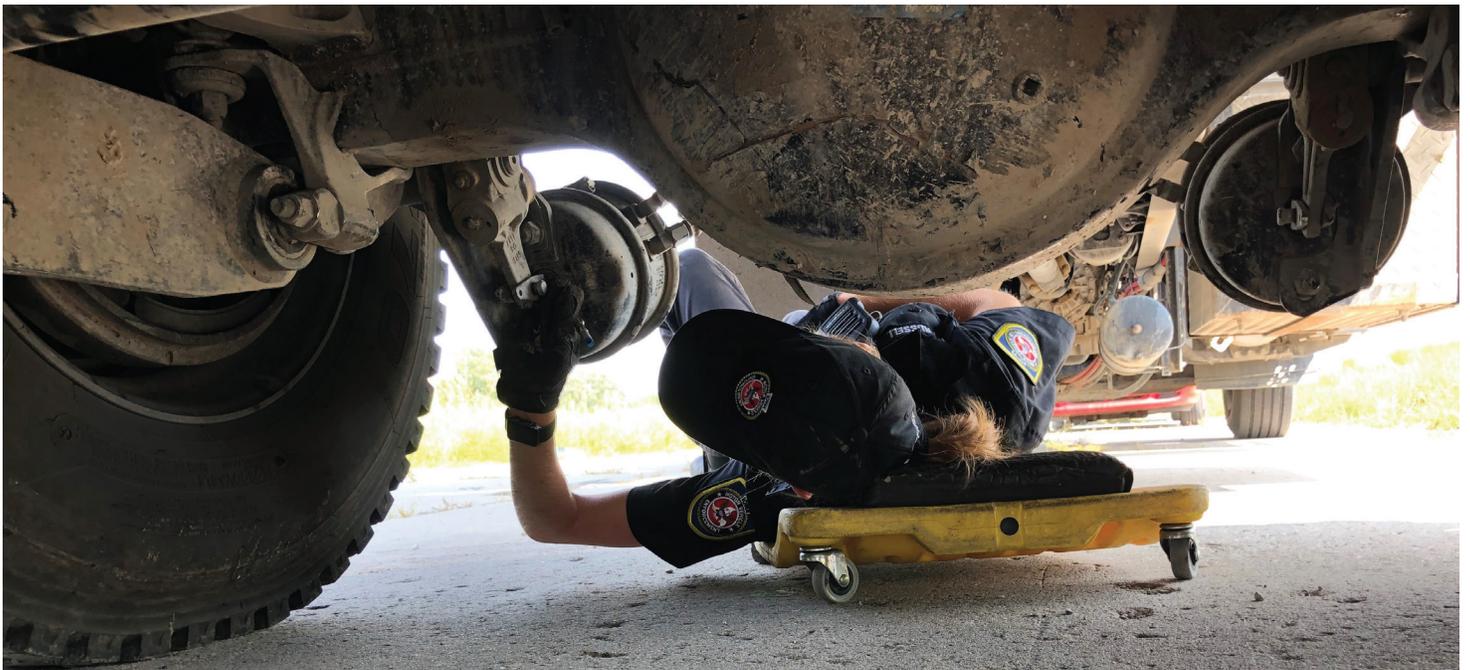
Iowa Inspection Photos



Ofr. Job Huisman shows Ofr. Elijah Gnann how to perform a Level I Inspection at the Brandon Scale on I-380 southbound in the town of Brandon, Iowa.



Ofr. Cameron Tinken performs a Level I Inspection at the Elkhart northbound rest area. Ofr. Tinken had recently completed North American Standard Part A and Part B training. He completed all 32 of the required supervised Level I Inspections and is now on his own performing inspections.



Ofr. Melanie Russell conducts a Level I Inspection in Ankeny, Iowa, during this year's Brake Safety Week, along with Ofr. Luke Feld (not pictured).

REGION IV

Impaired Driving Is No Longer Only an Alcohol Problem

By John Watkins, Motor Carrier Services Patrol, Montana Department of Transportation

As a percentage of out-of-service inspections conducted in Montana, 4.01% of driver violations are related to either drugs or alcohol or both. This can be attributed to a 316% drug violation increase and a 21% increase in alcohol-related violations during the three-year period of 2017-2019. Using the first two months of 2020 extrapolated, drug violations are on track to nearly double, and alcohol violations are anticipated to increase another 33%.

With recreational and medical marijuana becoming more prominent throughout the United States, impaired driving is no longer only an alcohol problem. Federal regulations

still prohibit use or possession while operating a commercial motor vehicle. As inspectors, we must be aware of a multitude of controlled substances and unlawfully possessed prescription narcotics.

Finding drugs and alcohol may require additional work, but it is well worth the effort. Identifying and removing impaired drivers from the roads saves lives.

Sometimes all it takes is asking, "Do you have any drugs or alcohol in the truck with you?" It is surprising how often this simple question has worked for the inspectors in Montana. ■



Alcohol. Photo by MCS James Johnson, Montana Motor Carrier Services.



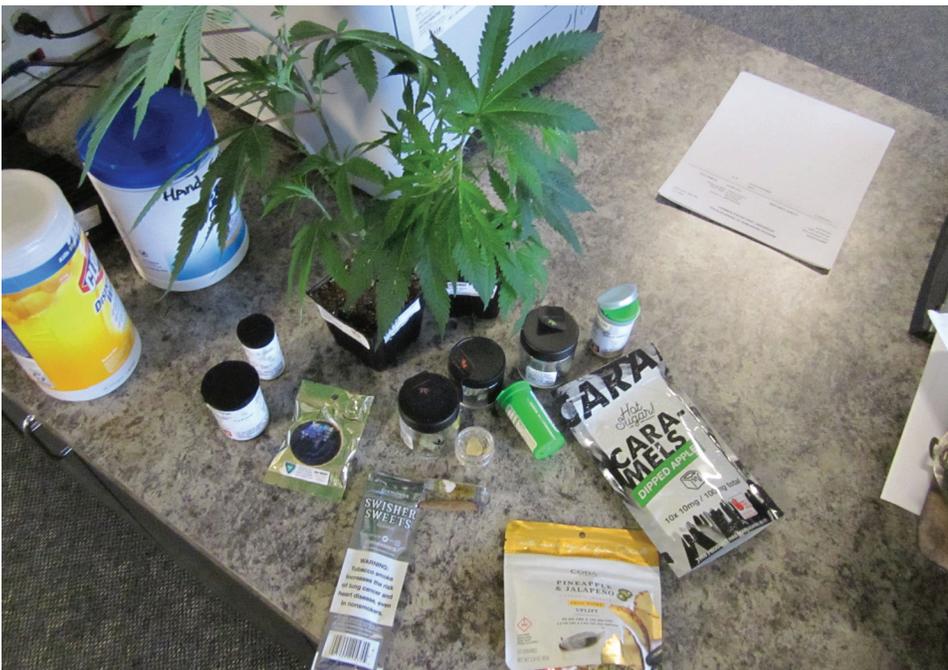
Beer. Photo by Sara Lubke, Montana Motor Carrier Services.



Pipe and marijuana. Photo by MCS John Watkins, Montana Motor Carrier Services.



Twisted Tea. Photo by MCS Jon Larson, Montana Motor Carrier Services.



Marijuana plant and products. Photo by MCS Matt Coleman, Montana Motor Carrier Services.

Submit an Article for Inclusion in 'Guardian' Magazine



CVSA is always looking for interesting, relevant content for this magazine. "Guardian" provides a useful mix of trends, perspectives and innovations from government, enforcement and industry. We welcome articles on topics specific to the commercial motor vehicle transportation safety industry.

If you are a CVSA member, consider submitting an article for consideration for inclusion in this magazine.

Send submissions to CVSA Manager of Communications Nicole Leandro at nicole@cvsa.org. ■

UPDATES FROM Mexico

Mexico Participates in 2020 Brake Safety Week

Mexico's Ministry of Communications and Transportation (SCT) and members of the Specialized Group of Transportation Attention (GAET) of the National Guard (GN) participated in CVSA's Brake Safety Week, Aug. 23-29, 2020. Brake Safety Week is a North America-wide initiative, carried out simultaneously in Canada, Mexico and the U.S.

The team of Mexican officers, specializing in the enforcement of motorized transport, was composed of 103 SCT officers and 224 officers from GN-GAET. The team conducted the inspections in 26 weight and dimension verification centers.

As part of the efforts to reduce accidents involving vehicle components, 5,958 vehicles were reviewed, 2,031 defects were detected, and 335 vehicles were placed out of service.



SCT and GN-GAET officers inspected vehicle components as part of this year's Brake Safety Week.

Mexico Participates in 2020 International Roadcheck

Mexico's SCT and members of the GN-GAET participated in this year's International Roadcheck, Sept. 9-11, 2020, together with Canada and the U.S.

In Mexico, 115 SCT inspectors and members of the GN-GAET participated in the reviews. The officers of both agencies carried out the inspections in 37 weight and dimension verification centers.

The most-found defects were the following:

- Brake systems
- Lighting devices
- Tires

The SCT and GN-GAET teams reviewed a total of 1,106 vehicles, detecting 299 with defects and 120 merited the vehicles being placed out of service.



SCT and GN-GAET officers and inspectors conduct vehicle inspections during 2020 International Roadcheck.

Mexico's National Guard Names Chief Inspector Alberto Quiroz Ramirez as New Motor Carrier Unit Commander

On May 15, 2020, General Luis Rodríguez Bucio appointed Chief Inspector Alberto Quiroz Ramirez as commanding officer of the Mexican National Guard's Grupo de Atención Especializado al Transporte (Group of Specialized Attention to Transport, GAET). GAET is the National Guard's motor carrier unit and was created in 2007 to address the challenges in regulating the motor carrier services that operate on the federal roads, bridges and highways. GAET has 323 members deployed in the 32 federal jurisdictions, operationally assigned to the state offices of the National Guard.

Chief Inspector Quiroz has 23 years of federal service. Before his appointment to GAET commanding officer, Chief Inspector Quiroz commanded the GAET unit based in the state of Nuevo Leon. He earned a law degree from the Instituto del Occidente in 2014 and he also earned a master's degree in oral trials from the Instituto Teresita Muñoz in 2018.



Alberto Quiroz Ramirez

Mexico Participates in the 2020 CVSA Virtual Fall Conference

The Ministry of Communications and Transportation (SCT) and the National Guard (GN) participated in the CVSA Fall Virtual Conference, Sept. 21-25, 2020. The main objective of the conference was to improve the general culture of transportation safety in Mexico, as well as in the U.S. and Canada.

Since the conference was a virtual event, that allowed more people and groups of specialists to participate. The conference brought together more than 600 attendees and also allowed greater coverage on different topics, among which, the following stand out:

- Federal regulatory updates
- Inspection, supervision and modernization of the industry
- Policies and regulatory affairs
- Human trafficking
- Weights and dimensions
- Passage

Participation in the virtual conference was considered by the attendees and participants from Mexico as fruitful, since it contributed to the exchange of best practices. Through that exchange, the commitment that the SCT has through the General Directorate of Federal Motor Carrier Transportation (DGAF) with the Alliance was reaffirmed.

The Mexican participants thought the conference was an innovative and very well achieved idea. The virtual conference offered the opportunity to share and discuss diverse topics and experiences aimed at advancing the work of the Alliance for the benefit of the motor transport community and of road users in the three North American countries.

President López Obrador Appoints Jorge Arganis Díaz-Leal as Secretary of Communications and Transportation

The president of Mexico, Andrés Manuel López Obrador, appointed Jorge Arganis Díaz-Leal as secretary of communications and transportation, replacing Javier Jiménez Espriú, as of July 23, 2020.

Arganis Díaz-Leal is a civil engineer and graduate from the Faculty of Engineering of the National Autonomous University of Mexico (UNAM), where he had also been a professor for almost three decades.

As part of his professional career, Arganis Díaz-Leal was general director of Public Works for the government of Mexico City. He held positions as treasurer and president of the Society of Students of the Faculty of Engineering, and he served as advisor to the National Chamber of the Construction Industry.

Arganis Díaz-Leal has been a member of the Mexican Committee for the International Practice of Engineering, within the Free Trade

Agreement, and vice president of the Civil Area of the Mexican Union of Engineering Associations. He was coordinator of the Ethics and Professionalism Committee of the North American Alliance for Civil Engineering. He is also a founding partner of Causa Ciudadana A.P.N. and first coordinator of the Engineers for Change Group.

The Generations Assembly of the Faculty of Engineering of the UNAM granted Arganis Díaz-Leal the Recognition of the Guild Activity in 1985, the Society of Professional Engineers of Texas named him an honorary member in 1993, and in 1998, the College of Civil Engineers of Mexico awarded him the quality of Emeritus Member.

Arganis Díaz-Leal expressed satisfaction with the work of the secretariat and emphasized that he will act with the transparency and honesty that the current administration requires. ■



Jorge Arganis (left) and Javier Jiménez (right).



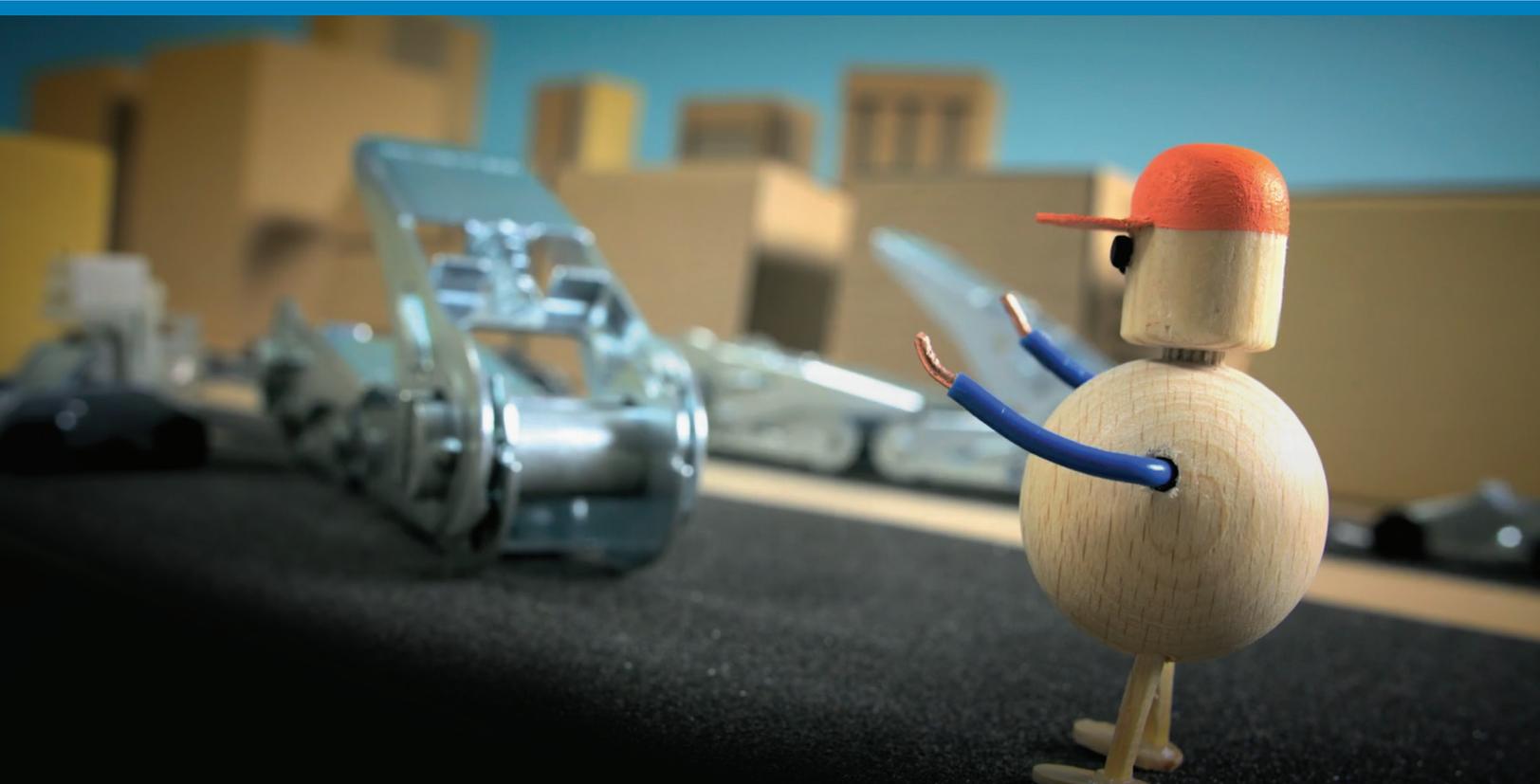
Left to right: Incoming Secretary Jorge Arganis, outgoing Secretary Javier Jiménez and President Andres Manuel López Obrador at the National Palace.



Mexico's SCT General Director Salomón Elnecavé Korish provided an update to all virtual conference attendees during the Federal Regulatory Update session.



The SCT and GN-GAET work team participated in the virtual conference.



ENVISION *the* FUTURE

CVSA Releases Video on the Future of Commercial Vehicle Safety and Enforcement

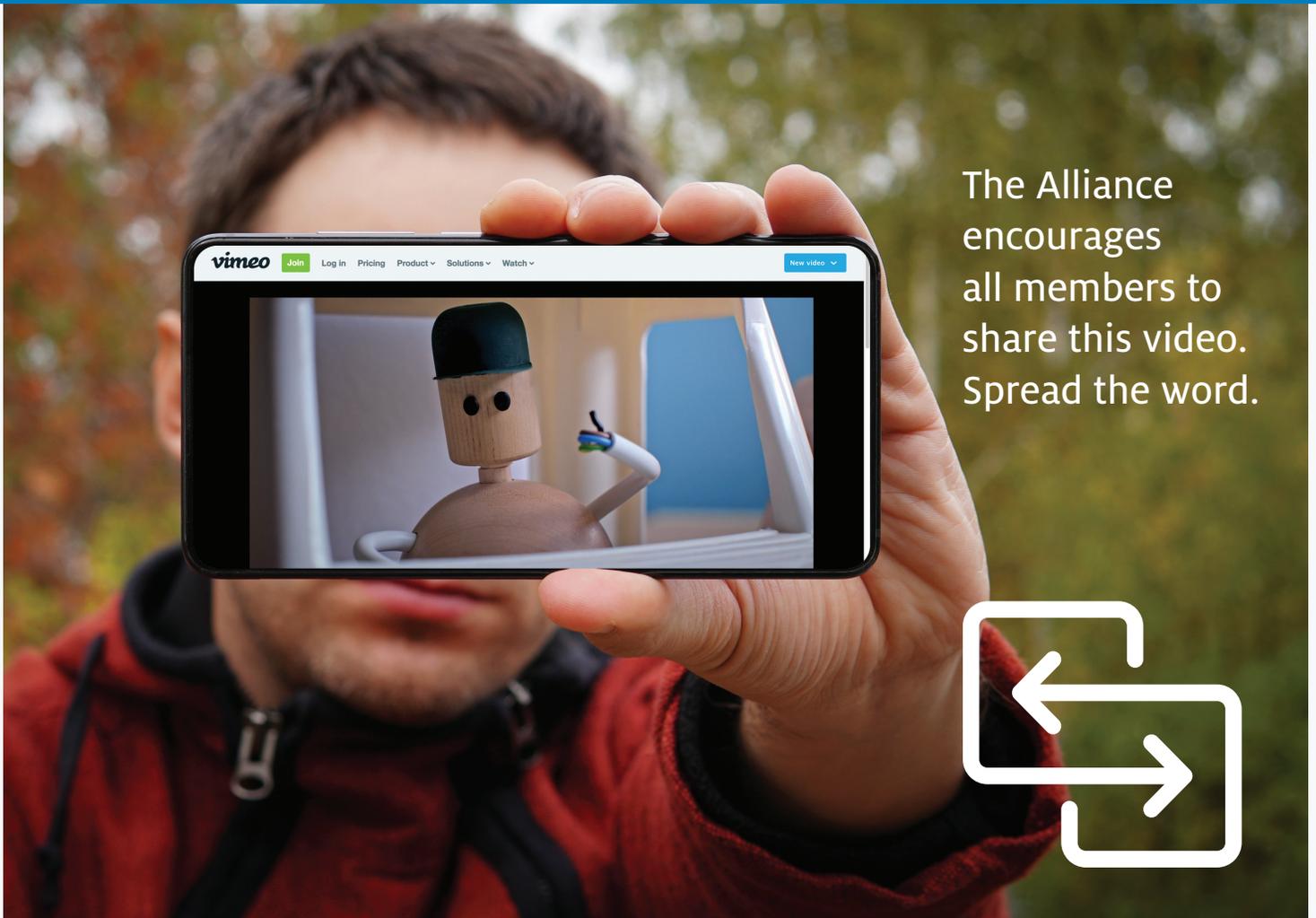


CVSA released a stop-motion video envisioning the future of commercial motor vehicle safety technology, inspections and enforcement. This four-minute video takes the viewer to a future – near and far – that’s safer for all road users. The future of commercial motor vehicle safety includes important advancements such as:

- Vehicle-to-everything applications, including vehicle-to-vehicle, vehicle-to-infrastructure, vehicle-to-pedestrian and vehicle-to-enforcement technologies
- Alerts to drivers regarding inclement weather, crashes, closed roadways, bridge height restrictions, construction, road conditions, etc.

- Lane centering, lane keeping, automatic emergency braking and controlled driver steering
- North American Standard Level VIII Electronic Inspections and universal electronic identification
- Vehicles equipped with automated driving systems
- Vehicle, driver and pedestrian monitoring technologies with cameras, sensors and radars inside and outside of the vehicle

Universal deployment of these critical safety technologies would revolutionize commercial motor vehicle roadside enforcement, monitoring and inspections, exponentially



The Alliance encourages all members to share this video. Spread the word.

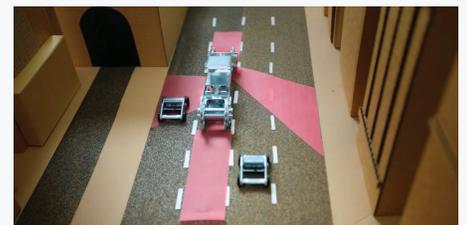
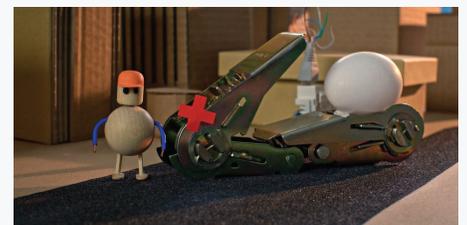
growing the North American Standard Inspection Program and drastically improving roadway safety.

The “Welcome to the Future of Commercial Vehicle Safety and Enforcement” video provides a clear and easy-to-understand visual presentation of today’s challenges and the solutions to those challenges, such as the deployment of proven safety technologies that improve transportation safety and prevent crashes. In addition, implementing the safety technologies referenced in the video will enable law enforcement officials to better identify and prioritize unsafe commercial motor vehicles and drivers for intervention, taking unfit vehicles and operators off the

roads, while making roadside inspections and enforcement more efficient and reducing impacts on the movement of goods.

The Alliance encourages all members to share this video. Spread the word via social media, include it in your department’s e-newsletter, and share it with lawmakers, regulators, safety advocates, motor carriers, drivers and anyone else interested in learning about efforts to improve roadway, driver and vehicle safety.

Visit www.vimeo.com/459394712 to access the “Welcome to the Future of Commercial Vehicle Safety and Enforcement” video. ■



CVSA Offers Level II, III and V Inspection Schematics

CVSA has created inspection procedure schematic documents detailing the steps of the following inspection levels:

- **Level II** – Walk-Around Driver/Vehicle Inspection
- **Level III** – Driver/Credential/Administrative Inspection
- **Level V** – Vehicle-Only Inspection

You will find these three new inspection schematics, along with the others, in the operations manual in your CVSA member portal at www.cvsa.org/memberportal. They're also available in French and Spanish. These new inspection schematics will also be included in the April 1, 2021, "North American Standard Out-of-Service Criteria Handbook and Pictorial."

Laminated versions of all inspection procedure schematics are available for purchase at www.cvsa.org/store.



Former COHMED and Level VI Leader Passes Away

By **Bill Reese**, Director of Hazardous Materials Programs, Commercial Vehicle Safety Alliance

On Oct. 14, 2020, the world lost a great leader, mentor and friend, when retired Idaho State Police Lt. Duane Sammons passed away following a sudden heart attack.

Duane served with the Idaho State Police from July 1975 to December 2003. From 1993 until his retirement in 2003, he served as the deputy commander of the commercial vehicle safety division. While serving in this capacity, he was very involved with CVSA.

Duane was instrumental in the development of the Department of Energy Enhanced Level I Inspection, now known as the Level VI Inspection. He was also a member of the Level VI subcommittee, which is now known as the Level VI Inspection Program.

Duane was a member of the Western Governors Association (WGA) Waste Isolation Pilot Plant (WIPP) Technical Advisory Group (TAG). He worked with WIPP TAG on radioactive material transportation issues, including the point of origin and en route inspection procedures for radioactive material shipments. Duane also helped develop the WGA WIPP Program Implementation Guide. Under Duane's leadership, Idaho piloted and helped refine the Level VI Inspection using Cesium-137 shipments from Fort Saint Vrain, Colorado, to Hanford, Washington, in the early stages of the program.

Duane was a member of the Cooperative Hazardous Materials Enforcement Development (COHMED) leadership team when COHMED was sponsored by the U.S. Department of Transportation Research and Special Programs Administration (RSPA), now the Pipeline and Hazardous Materials Safety Administration. He was part of the leadership team that transitioned the program from RSPA to CVSA where the COHMED Program is still active today.

After his retirement from the Idaho State Police, Duane worked part time for CVSA doing

public outreach on the Level VI Inspection Program at trade shows and other events from 2004 to 2012. He also taught part time for Texas A&M Engineering Extension Service from 2003 to 2020.

Duane was an avid Boise State University football fan and attended games all over the country. I'm sure his favorite game was the 2007 Tostitos Fiesta Bowl when Boise State upset the University of Oklahoma in an exciting overtime win.

Duane and his wife Mary Lee just celebrated their 45th wedding anniversary. Mary Lee has a large collection of snowmen. Duane was always ribbing her, because she had so many. But we all know he contributed to that collection too.

Duane's footprints left a legacy of service, caring and friendship. Godspeed my friend. ■



Commercial Vehicle Safety - 2003. Lt. Sammons is pictured here front and center.



April 27, 1999. First waste shipment leaves INEEL. Lt. Sammons is pictured on the right.



Lt. Sammons represents CVSA at a Level VI Inspection Program public outreach event.





INSPECTOR'S CORNER

Eventually, You Just Have to Own It

By **Sgt. Benjamin Schropfer**, *Nebraska State Patrol; 2019 North American Inspectors Championship Grand Champion*

I stopped a truck recently to conduct a Level III Inspection. While looking at the paperwork and interviewing the driver, I found what I thought was an hours-of-service violation. When I asked the driver about it, I didn't think his answer explained the situation. Therefore, I documented the violation on the inspection report and issued the driver a citation for the violation with a fine. When I was explaining the paperwork to him, he said something that I did not stop and consider at the time. I gave him the paperwork and finished the contact. However, later, the comment he made kept floating around in my head. I thought about it and looked at the regulations again. That's when I realized I had missed one of the exceptions in section 395.1 of the Code of Federal Regulations. Consequently, what I thought was a violation, really was not.

I know what you're thinking: He was 2019 North American Inspectors Championship (NAIC) Grand Champion. He doesn't make mistakes when doing inspections.

Well, unfortunately, that's not the case, because it doesn't matter how hard you try, how much you study or how much education you have. It doesn't even matter how much practice or experience you have. All these things help and may mean it doesn't happen as often. However, eventually, everyone is going to make a mistake. We are all human. No one is perfect. It's going to happen. The only thing that really matters is what you do when it does.

I wrote in one of my previous articles about failure and how you may learn more from failing than you do from succeeding. To me, failure is different from making a mistake. Mistakes may lead to or cause failure, but you could also do everything right and still just fail at your endeavor. Sometimes, there is just someone who is better than you are and beats you. Or, circumstances line up against you and all you can do is learn from it and maybe try harder the next time.

A mistake is different. A mistake means you did something wrong. You messed up. This

mistake could be something you did not intend. Or, it could be something you chose to do on purpose. It may be a small thing or it may be something big. In our field of commercial motor vehicle safety, like in most things, there are so many ways to botch things, they are too numerous to discuss in this article.

By now, you are thinking of mistakes you've made. Maybe it was while you were driving last week. Maybe it was when you were doing an inspection yesterday. Maybe you're thinking it was your decision 30 seconds ago to start reading this article. No matter what it is or how it occurred, when you realize you fouled up, you can react a few ways. How you react shows a lot about your character, and it also helps either build or erode your character moving forward.

One way you can react is to do nothing. Maybe you just never examine your actions and don't realize you ever make mistakes. Maybe you see your mistake but don't take the time to reflect on it. Either way, the result is that you don't learn anything from your mistake, and you will probably keep making that same mistake.

Another way you can handle it is to deny you made a mistake. Maybe this means you try to rationalize or somehow justify your actions. "I'm sorry, officer, I know I may have been speeding but I have a very important delivery to make and I'm running behind."

It could also mean you try to blame someone or something else. "I may have missed the broken thingamajig during my roadside inspection, but no one taught me about that, and I don't have time to read the regulations or learn on my own."

Another option, and I hope we can all agree the best option, is to admit when you made a mistake, fix it, if you can, and reflect on what you can learn from it. Sometimes you will catch your mistakes; other times someone will point them out to you. Regardless of how you learn about your mistake, you need to try

to fix it. If it is a small mistake that you catch right away, this may be easy. "I'm sorry, sir, let me look at that regulation again because I think I may have been wrong."

Sometimes, this is not possible because it was such a big foul-up or because it happened too long ago and you just have to deal with the consequences of your mistake. Whatever the case may be, take the time to think about it and ask yourself some questions. Is it something I can simply do differently next time? Is it something that I need to take the time to study so that I know better when I see it again?

In my story above, I collected the driver's contact information, so I was able to call him and explain my mistake. I apologized for the inconvenience and confusion this caused. I amended the inspection and contacted the county attorney so they would not file the citation. There was no excuse for my mistake. It's something I knew about and should have looked at during the inspection. I simply was complacent and thought I had something. After that, I took the time to read and refresh my memory on those parts of the hours-of-service regulations that I hadn't looked at in a while.

There is a series of children's books about a family of bears that live in a treehouse beside a sunny dirt road deep in Bear Country, of which you may be familiar. In one of these books, the young bear gets sick and has to stay home from school. He is sent homework but fails to do it before going back to school. When he goes back to school, there is a quiz, which he fails and has to have signed by a parent. Instead, he hides it and skips school the next day. While wandering around, he runs into Grandpa Bear who takes the young bear to look at a wagon stuck in a bog. Grandpa Bear tells the story of how he took a wrong turn with the wagon and instead of backing up and going on the correct path, he plowed forward until he got the wagon stuck to the point that it could never be retrieved. Eventually, the young bear admits his mistake to his parents, fixes things and, of course, everything works out in the end.

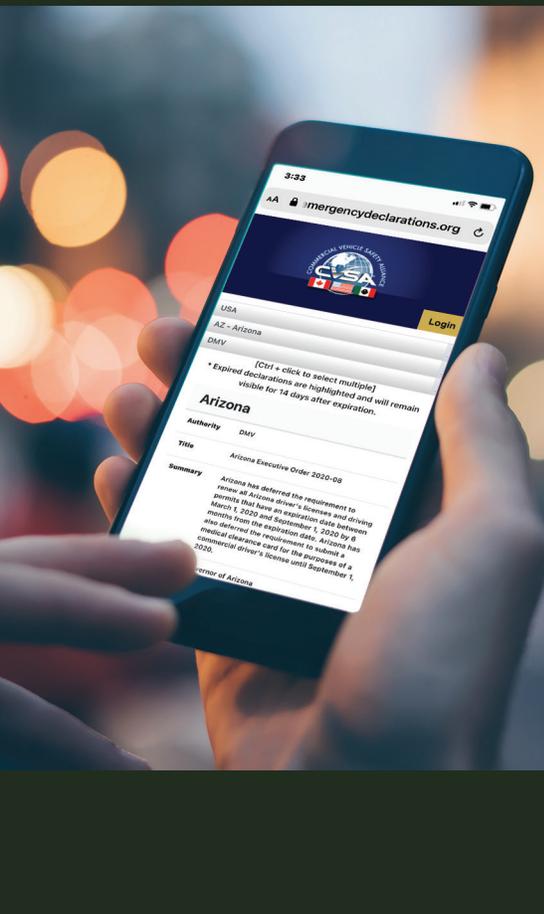
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Visit CVSA's Emergency Declarations Webpage

CVSA's website houses an online repository for current emergency declarations, waivers, amendments, extensions, exemptions, executive orders, etc., that may be referenced at any time.

This website supports commercial motor vehicle safety enforcement personnel, the greater law enforcement community, the motor carrier industry, the general public and professional drivers by providing a permanent, reliable "one-stop shop" for important information during emergencies – ranging from a seasonal weather event to something as unique as the current unprecedented pandemic.

Visit www.cvsaemergencydeclarations.org to view current official emergency declarations.



Continued from page 15

Our friends, the Bears, also illuminate another point about mistakes. They have a way of building on each other or "snowballing," if you will. If you don't stop and change your course, so to speak, what may have started as a small mistake will eventually be a big problem. Those small violations that you get wrong during inspections because you don't ever look at the regulations will eventually lead to you getting bigger violations wrong. Mistakes you make while driving always have the chance of creating devastating and lasting effects. But, if you correct those small mistakes when you can, you will be far less likely to end up in a situation from which you can't get back.

So, embrace the fact that you are going to make mistakes. Own your mistakes and admit that you make them. Think about them and learn from them. Lastly, don't be afraid to talk about them because if you can learn from my mistake and not make it yourself, we are so much the better.

I know that I've already been very wordy in this but "bear" with me a little more please.

2020 has been a very interesting year, to say the least. As I'm writing this, there are still about three months to go. With the way this year has gone so far, who knows what those months will bring. The COVID-19 pandemic has forced us to adapt a lot. Unfortunately, this includes the cancellation of the 2020 North American Inspectors Championship. I, like a lot of you, was very disappointed by this. My trips to NAIC have been some of the most memorable and enjoyable times in my career. I don't know what 2021 will bring, but I hope NAIC and the National Truck Driving Championships will go on. With the cancellation of 2020 NAIC, there was no Grand Champion and, therefore, no one new to take over the reins of writing this article. CVSA was gracious, or foolish, enough to ask me to continue writing this column next year. Seriously though, I hope you've been able to get something useful from reading these articles and, hopefully, I will be able to give you something useful in my following articles.

Thank you for the opportunity and thank you for reading. ■





THE LEGISLATIVE AND REGULATORY RUNDOWN

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

With the 2020 election behind us, the focus shifts to 2021 and what can be accomplished next year to improve safety on our roads. As expected, the shortened Congressional schedule, response to the COVID-19 pandemic and a higher-than-normal level of Congressional gridlock left lawmakers unable to finalize a highway bill this year. The current programs were all extended one year in September, to give Congress time to address the issue in 2021.

Unfortunately, not a lot has changed, in terms of transportation policy on Capitol Hill. The nation will almost certainly still be grappling with the COVID pandemic and its impacts on the economy in 2021. The House is still controlled by the Democrats and the Senate will likely remain under Republican leadership. A divided Congress would make passage of any legislation difficult and that would certainly be compounded by the growing tension between the two parties. In the past, Congress has been able to put aside their political differences to address transportation policy – a largely bipartisan issue. However, recently, Democrats are seeking to tie in more climate-related policies with the highway bill, which is a politically divisive issue.

Another challenge to moving a comprehensive highway bill next year is floor time. A number of higher profile issues (COVID relief, the Supreme Court, health care, etc.) will likely take up a large portion of the Congressional calendar. Plus, an election always means new members, staff turnover and committee seat shuffling, and it can take several months for everything to settle down on Capitol Hill. With all this in mind, it's unclear if Congress will be able to find the time and consensus necessary to complete a highway bill this year.

CVSA will continue to meet with officials (virtually for the time being) to advocate for

the Alliance's reauthorization priorities and provide input on legislation that is being offered.

One of CVSA's top priorities is having the U.S. Department of Transportation (DOT) establish a requirement that all new trucks be equipped with a new universal electronic identifier. Given the size of the motor carrier industry, jurisdictions do not have the resources necessary to inspect every vehicle, driver and motor carrier operating on our roadways on a regular basis. In order to maximize resources, jurisdictions use a combination of methods to identify vehicles, drivers and motor carriers for intervention and enforcement. As a result, inspectors interact with only a small fraction of the commercial motor vehicles currently operating on our roadways. Technology exists today to identify a commercial motor vehicle electronically, while the vehicle is in motion. This eliminates the need to stop a commercial motor vehicle to review driver information and inspect the vehicle, improving efficiencies for the enforcement community and the motor carrier industry.

CVSA is asking Congress to direct the U.S. DOT to initiate a rulemaking to start the discussion on how the technology would work and hammer out all the details. Once in place, the potential improvements to CMV safety enforcement and efficiency are staggering. Deployment of this technology would revolutionize the way commercial motor vehicle roadside safety inspection and enforcement are conducted, exponentially growing the program and improving roadway safety.

You can catch up on all our priorities by visiting the "Reauthorization" page on the CVSA website: www.cvsa.org/policy/page/policy/reauthorization/. ■

CVSA Updates Its Standing Policy Guide

The CVSA Standing Policy Guide outlines the Alliance's policy positions on issues related to commercial motor vehicle safety and enforcement. While not all policies in the guide are supported by every CVSA member jurisdiction, they represent a consensus opinion of the Alliance's membership. These policies have been approved by the CVSA Board of Directors and serve as the official positions of CVSA.

On Sept. 28, 2020, as part of the CVSA Virtual Fall Conference, the board updated/added the following topics and the Alliance's positions on those topics to the CVSA Standing Policy Guide:

- Ensuring Long-Term Adequate Funding
- Enforcement Innovation
- New Entrant Safety Audit Program
- Uniformity 5.9 GHz Spectrum

The CVSA membership is constantly reviewing and updating the Alliance's positions on various issues, as appropriate. As such, the CVSA Standing Policy Guide is a living document and can change at any time. All policies are noted with the approval date, for reference.

The CVSA Standing Policy Guide can be found at www.cvsa.org/policy/page/policy/policy-positions.

FMCSA CDL Drug and Alcohol Clearinghouse: Deadline Approaching for Annual Queries

By **Barbara Baker**, Program Manager, Compliance Division, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

CVSA worked with FMCSA to issue an inspection bulletin alerting commercial motor vehicle enforcement officials that safety gaps may exist if CDL status queries are not conducted through FMCSA's CDLIS or Query Central. FMCSA recommends that CMV enforcement officials conduct CDL status queries through <https://cdlis.dot.gov> to obtain the most thorough results.

Visit www.cvsa.org/inspections/inspections/inspection-bulletins to access the "2020-04 – Commercial Driver's License Queries Should Be Conducted Through CDLIS" inspection bulletin.

For recent data on violations reported to the Drug and Alcohol Clearinghouse, visit www.clearinghouse.fmcsa.dot.gov/learn and download the latest clearinghouse monthly summary report.

In early January 2020, the Drug and Alcohol Clearinghouse rule went into effect for all motor carriers and drivers. As of Aug. 31, 2020, more than 35,000 violations of the drug and alcohol program have been reported to the clearinghouse. These violations include positive drug and alcohol tests, test refusals, and knowledge of drug and alcohol program violations.

Employers Must Conduct Annual Queries by Jan. 5, 2021

Employers of commercial driver's license (CDL) drivers must conduct, at a minimum, a limited query of the clearinghouse annually for all current employees who hold a CDL. The upcoming deadline to conduct this first annual query is Jan. 5, 2021.

Employers of CDL drivers are also required to query the clearinghouse as a pre-employment check for all prospective employees who will perform safety-sensitive functions, such as operating a commercial motor vehicle.

Annual queries are tracked on a rolling 12-month basis, not by the calendar year. This means if an employer conducted an annual query for information on driver A on July 1, 2020, that employer has satisfied their annual query requirement for driver A and does not need to conduct another query on driver A until June 30, 2021. If driver B is a new employee and the motor carrier conducted a pre-employment query on driver B on Aug. 1, 2020, the pre-employment query satisfies the annual query requirement. The motor carrier is not required to conduct an annual query on driver B until Aug. 1, 2021.

Requesting a Clearinghouse Compliance Report

Enforcement personnel can use Query Central or Commercial Driver's License Information System (CDLIS) to determine if a driver is prohibited from performing safety-sensitive functions. While conducting investigations, enforcement personnel will also need to obtain proof that an employer has registered for the clearinghouse and conducted the required queries. For this, the clearinghouse has a feature that allows registered employers to easily produce a report they can provide to enforcement personnel summarizing their clearinghouse activity.

To download their clearinghouse compliance report, the employer will:

- Log in to the clearinghouse.
- If they have more than one user role, they will need to select the employer for which they need the report from the "Current Role" drop down list at the top of their screen.
- Go to My Dashboard > Reports > Compliance Report.
- This will take them to an activity summary page. Click the "Download" button at the top of the page to download the compliance report. The report will download as a spreadsheet that the employer can provide to enforcement personnel.

For more information on the clearinghouse, visit www.clearinghouse.fmcsa.dot.gov. ■



Vehicle Inspection Selection Policy for Commercial Motor Vehicles

By **Lester Finkle**, National Title VI Program Manager, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

My name is Lester Finkle and I am the national Title VI Program manager for the Federal Motor Carrier Safety Administration (FMCSA). It is my privilege to be able to introduce myself and review CVSA's Operational Policy 13 – Selecting Vehicles for Inspection. I am responsible for ensuring all of FMCSA's grant program applicants have an updated Title VI Program compliance plan for each federal fiscal year. I review, approve and conduct compliance reviews based on these updated Title VI Program compliance plans.

A key component of each plan is FMCSA Title VI Program assurance, signed by the chief executive officer. In the assurance, FMCSA identifies Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. These authorities prohibit discrimination on the grounds of the following protected groups: race, color, national origin, sex, age, disability, low income and limited English proficiency. If your agency/department is a recipient of FMCSA funding, all activities conducted by your agency or subrecipients, including commercial motor vehicle (CMV) safety inspections, are covered by Title VI and related nondiscrimination authorities. The significance of this is that all standard operating procedures enacted by enforcement authorities are to be conducted in a nondiscriminatory manner, including the selection of CMVs for inspection.

Both FMCSA agents and state inspectors are granted authority to conduct inspections. FMCSA's authority is derived from Title 49

Code of Federal Regulations (CFR) 396.9(a): "Personnel authorized to perform inspections. Every special agent of the FMCSA (as defined in appendix B to this subchapter) is authorized to enter upon and perform inspections of a motor carrier's vehicles in operation and intermodal equipment in operation."

State agencies often have similar statutory or regulatory language granting inspectors the authority to inspect a CMV and/or complete investigations. State agencies also conduct inspections randomly or where probable cause exists to stop a CMV. Whether the inspection is random or based upon probable cause, Title VI and related nondiscrimination authorities require the selection process be nondiscriminatory. CVSA's Operational Policy 13 recognizes the varying degree of authority designated to member jurisdictions and provides CMV enforcement agencies a framework for data-driven and objective selection policies.

From my understanding, the original purpose for the development of Operational Policy 13 – Selecting Vehicles for Inspection was to address concerns raised by motor carriers regarding how violations cited during roadside CMV safety inspections could unfairly impact a motor carrier's safety profile. Secondly, even though Operational Policy 13 does not specifically reference Title VI and related nondiscrimination authorities, it does identify 11 guidelines/industry norms promoting data-driven and objective CMV inspection selection standard operating procedures.

CVSA Operational Policy 13 encourages jurisdictions conducting CMV safety inspections to review their policies to ensure they remain current, valid and consistent with national/international program objectives. CVSA Operational Policy 13 lists 11 data-driven items agencies may consider as they review, update and adopt inspection selection policies. The practical application of Title VI and related nondiscrimination authorities is to ensure that standard operating procedures are nondiscriminatory in their application, and Operational Policy 13 promotes a nondiscriminatory approach for CMV inspection selection.

I appreciate your assistance in advance of my contact, as I reach out to each of your respective agencies regarding written CMV inspection selection standard operating procedures to determine if each CMV enforcement agency has implemented a nondiscriminatory CMV selection process. Working together, we will ensure all CMV inspection selection standard operating procedures are data-driven, objective and nondiscriminatory in their applications.

Do not hesitate to contact CVSA directly regarding Operational Policy 13, or myself regarding the nondiscriminatory application of CMV inspection selection standard operating procedures. Questions for me may be sent to lester.finkle@dot.gov. I look forward to our future communications regarding this effort. ■

The CVSA Operations Manual, containing all operational policies, is a member benefit available in the CVSA member portal. Visit www.cvsa.org/memberportal to log in. CVSA's Public Notice of Title VI Program Rights can be found at www.cvsa.org/contactpage/contacts/titlevi.

FMCSA's Pre-Employment Screening Program: A Decade of Helping Employers Make Informed Hiring Decisions

By **Jeff Secrist**, Chief, Registration, Licensing and Insurance Division, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

A 2013 study found that motor carriers using PSP, on average, experience 8% fewer crashes and 17% fewer out-of-service incidents than motor carriers not using PSP in their hiring process.

This year marks the 10-year anniversary of the Pre-Employment Screening Program (PSP). Over the past decade, PSP has strengthened commercial motor vehicle (CMV) safety and helped save lives by enabling carriers to review and consider the crash and inspection history of driver job applicants before dispatching them out on the road as new hires.

Reviewing a potential hire's crash and inspection history can help identify "red flags," such as past citations for phone use or texting while driving, speeding, or hours-of-service violations. This empowers an employer to decline a driver applicant or, alternatively, to tailor a training program specific to the areas that driver needs to improve.

A 2013 study found that motor carriers using PSP, on average, experience 8% fewer crashes and 17% fewer out-of-service incidents than motor carriers not using PSP in their hiring process.

In response to the needs of the CMV industry, PSP has been continually enhanced since its establishment. For example, many motor carriers use background screeners and consultants to help them with driver hiring. The Federal Motor Carrier Safety Administration (FMCSA) responded to feedback received and modified PSP to enable background screeners to likewise utilize the system.

Another well-received upgrade is PSP monitoring. This subscription service provides automatic email notification to drivers whenever their driving and inspection records are updated or changed. Drivers can sign up for PSP monitoring on the PSP website.

The most recent PSP enhancement is derived from FMCSA's official adoption of the Crash Preventability Determination Program, which allows drivers and carriers to submit requests for data review by the agency. There are 16 eligible crash types that are reviewable. Crashes determined to be not preventable are now notated in the driver's PSP records, giving potential employers a fuller picture of the circumstance of the incident.

More information on FMCSA's Crash Preventability Determination Program is available at www.fmcsa.dot.gov/crash-preventability-determination-program. Eligible crashes may be submitted for review through DataQs at www.dataqs.fmcsa.dot.gov.

Throughout its existence, PSP's commitment to public service, innovation and customer service has continually encouraged strong motor carrier participation. A voluntary program, FMCSA's PSP has grown into a widely adopted best practice across the CMV industry and reflects the collaborative partnership shared by all toward ensuring that every roadway traveler reaches his or her destination safely.

Learn more about PSP at www.psp.fmcsa.dot.gov. ■

FMCSA Launches New Learning Management System

By **Benjamin Werner**, Curriculum Manager, National Training Center, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

The National Training Center (NTC) has successfully completed the transition to its new learning management system (LMS). As the ongoing health emergency continues, the demand for distance learning has never been greater. The Federal Motor Carrier Safety Administration's (FMCSA) new LMS provides a user-friendly interface that allows its partners to easily search and register for courses, download materials and administer exams.

Learning management systems have become ubiquitous in training environments and for good reason. In today's world, there's never been a greater need to learn at a faster and more frequent pace to keep up with on-the-job demands. The LMS is a software application for the administration, documentation, tracking, reporting automation and delivery of educational courses, along with certification and training programs.

FMCSA's new LMS was specifically designed to create, distribute and manage its educational content. In addition, the system can easily track and manage its students' and instructors' academic records. The system will allow administrators to upload new learning content quicker and more efficiently. In addition, the NTC can provide its users with notifications that will simplify sharing of information.

The LMS allows FMCSA to update material and change content at a much faster pace. Additionally, the system has the capability to ensure that the accessibility of new materials is instantaneous. The online exam functionality will allow students, administrators and senior leaders to have final exam results in real time. Students can provide anonymous feedback regarding instructor performance and the results of these surveys can be compiled, organized and analyzed easily by instructors and administrators.

Compliance training is essential in the fast-paced, modern workspace. FMCSA's new system supports content in various formats. Students and instructors will have access to materials from anywhere, at any time, if they have an internet connection, including while using tablets and mobile phones.

FMCSA's primary mission is to reduce the number and severity of crashes involving large trucks and buses. NTC supports this goal by developing and administering high-quality motor carrier safety and law enforcement training for participating federal, state and local government officials. The training that NTC provides not only enhances the capabilities of FMCSA and its partners, but ultimately contributes to making our roadways safer.

For more information, visit the new enhanced website at www.fmcsa.lms.dot.gov. You may also contact ntc-state-programs@dot.gov for questions, feedback or to request training on the new system. ■

Title	Date	Class Size
North American Standard: Part B-10 Sales, Chicago on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
North American Standard: Part B-10 Sales, Washington on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
North American Standard: Part B-10 Sales, Washington on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
Crash Prevention in Oregon, Georgia on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
Other B-10 Packaging North, Chesterfield, Virginia on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
General Inspection Review in New York, New York, Massachusetts on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
Advanced Module for FMCSA Compliance, Oklahoma on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
Advanced Course: General Vehicle Law in Arlington, Virginia on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
Advanced Course: General Vehicle Law in Arlington, Virginia on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20
North American Standard: Part A-10, Nashville, Tennessee on 10/20/20	10/20/20 to 10/20/20	10/20/20 to 10/20/20

VIEW: A New Smartphone-Based App Lets Drivers, Fleets and Safety Inspectors Measure Truck Cabs' Blind Spots and the Impacts of Aftermarket Vision Obstructions

By Alexander Epstein, PhD; Jessica Wilson, and Angie Byrne, Volpe National Transportation Systems Center, U.S. Department of Transportation

To access the VIEW app website, visit <https://blindspotcalculator-test.herokuapp.com>.

Heavy trucks and buses are disproportionately represented in fatal crashes involving pedestrians, cyclists and other vulnerable road users, accounting for about 4% of registered vehicles in the U.S. but about 7% of these fatal crashes. In low-speed urban or suburban settings, or in parking lots and terminal areas, truck and bus sightlines can present a safety challenge, causing the driver to not see other road users below or overhead traffic signals and signs above.

Direct vision refers to what a driver can see with the naked eye, without the assistance of mirrors, cameras or sensors. Research has found that truck drivers have faster reaction times to avoid hitting vulnerable road users when they see directly through the cab window instead of through a mirror. Direct vision also makes it possible to make eye contact and communicate (for example, by waving).

Depending on how the cab and hood are configured, the driver may be afforded significantly more or less direct vision of the road ahead and on the side of the truck. Indeed, a wide range of truck cab designs are available on the market and operate on public roads. Certain trucks are upfitted with equipment, such as aerial buckets or hydraulics, that can obscure parts of the driver's view. And aftermarket devices, such as bug deflectors and sun visors, can introduce blind spots that significantly reduce what the driver sees.

Until now, no blind spot testing method has been available to a law enforcement officer or commercial motor vehicle inspector in the field. When determining whether visibility was excessively reduced and, thus, potentially a contributing factor in crash investigations, there has been no assessment tool available to objectively measure visibility.

In an effort to address this need, Volpe National Transportation Systems Center technical staff partnered with the Franklin W. Olin College of Engineering and the Santos Family Foundation in 2017-2018, co-advising a team of Senior Capstone Program in Engineering (SCOPE) students to develop a smartphone-based

application that could help the commercial motor vehicle industry and customers identify and configure truck cabs with higher direct vision of vulnerable road users. In addition to safety, higher direct vision could make an operator's job easier and more efficient in tight environments, such as in refuse collection, loading docks and work zones.

The students built a prototype application that analyzes panoramic photos from the inside of any vehicle and yields repeatable direct vision ratings for that vehicle. With a YouTube training video and a crowdsourced database, any driver, fleet manager or commercial motor vehicle inspector could contribute to and access truck model ratings to help procure and use the safest available vehicles.

The application was enhanced and streamlined during the summer of 2020 by Volpe technical staff and is now functional and responsive on all devices, including iPhone, Android, iPad, and Mac computers and PCs. The application has an easy-to-use format that instructs users through the steps of calculating percent visibility and adding a vehicle to the database, offering users the option of adding their vehicle using a VIN number or using the vehicle's make, model, year and weight class. Once a vehicle is added to the database, the application displays a histogram of all vehicle data points and distinguishes where the most recent vehicle fell along the spread of data points. Users can then browse the database for comparison or educational purposes, and filter, group, sort, search or download the database.

This free smartphone-based app, now named "VIEW," allows vehicle buyers to compare and select the best-in-class direct vision makes and models, allows fleet managers and safety inspectors to measure and address blind spots created by aftermarket accessories, and lets drivers discover and increase how much they can see given their unique body, posture and vehicle. The VIEW app provides a quantification of the percent of direct vision volume that a specific driver has in a specific vehicle, thus allowing for personalized percent visibility scores.

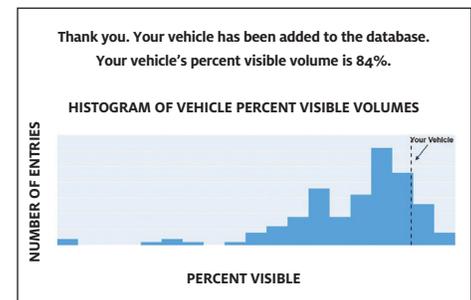
The ultimate goal of the application is to empower commercial motor vehicle designers and inspectors to address the challenging issue of obstructed vision by selecting vehicles with greater visibility to increase overall road safety.

Wisconsin State Patrol tested VIEW in the field, reporting at the CVSA Virtual Fall Conference in September that three of their officers were able to easily and repeatably measure tractor-trailer cabs and quantify how much a dashboard laptop reduced visibility. Other enforcement agencies are invited to test VIEW and add more vehicle measurements to the database.

Depending on stakeholder feedback, future directions for the app may include enhancements to calculate the percent visibility decrease of aftermarket modifications to call attention to ways in which drivers and fleets can play an active role in maximizing visibility on existing trucks. The app may also be developed as an educational tool to help drivers, fleet managers and consumers gain agency over new vehicle purchasing decisions when it comes to the prioritization of blind spot safety. After all, you can't manage what you can't measure, which has largely been the case for blind spots – until now. ■



(Step 8 of 11): Draw line along the bottom of the front field of view.



Truckload Carriers Association Recognizes ‘EpicAngel’ Professional Truck Drivers for Heroic Deeds

By Marli Hall, Senior Director of Outreach and Engagement, Truckload Carriers Association



Since 1997, the Truckload Carriers Association (TCA) has recognized, through its Highway Angel Program, nearly 1,300 professional truck drivers for the exemplary courtesy and courage they have shown while on North America’s roadways.

Aside from recognizing numerous Highway Angel recipients throughout the year, TCA and its sponsor EpicVue present an “EpicAngel” Highway Angel of the Year Award to the professional truck driver or driving team who best embodied the spirit of the program during the prior year. The recipient is announced live onstage during TCA’s annual convention each spring.

We encourage you to meet our last three EpicAngel recipients whose good deeds range from helping motorists to comforting a fellow truck driver in his final moments.

2019 RECIPIENTS

Ed and Tracy Zimmerman

Ed and Tracy Zimmerman, professional truck drivers for Hirschbach Motor Lines Inc., of Dubuque, Iowa, were deemed TCA’s 2019 recipients. The husband and wife driving team were recognized for their selfless courage in racing to pull a trapped motorist from his burning vehicle in August 2019.

“It was a surreal, incredible, life-changing moment,” said Tracy. She and Ed agree that they were supposed to be there at that time. “God puts us where he needs us the most,” she shared with TCA. “Two more minutes and that man would have been burned alive.”

2018 RECIPIENT

Brian Snell

Brian Snell, a professional truck driver for Pottle’s Transportation, of Hermon, Maine, was TCA’s 2018 recipient. He was recognized for rescuing a trapped motorist from a crushed vehicle moments before the car caught ablaze and for saving a dog that was trapped in a second vehicle after its owner succumbed to injuries in June 2018.

Snell later learned that the accident-causing motorist was heavily intoxicated and was charged with vehicular homicide. “It’s devastating to know she killed an innocent man,” said Snell. “But I also know she will, unfortunately, now have to pay for that the rest of her life.”

2017 RECIPIENT

John Weston

John Weston, a professional truck driver for Challenger Motor Freight of Cambridge, Ontario, was deemed TCA’s 2017 recipient. He was recognized for comforting a fellow truck driver in his final moments in October 2017.

“If he would have had a team, or a pet, someone would have been there for him. But, for some reason, it was supposed to be me that stopped that day,” said Weston. “I was there with him when he passed away, with my hands on his head. He did not have pain in his voice and he did not seem nervous. His name was Abdul, he told me. He heard my English accent and I heard his foreign tongue and, in that time, not race nor religion nor anything else mattered. All that mattered was that I was there for him in his last moments and I know that means a lot to families.”

To read the EpicAngels’ full story or to meet the nearly 1,300 Highway Angel recipients, visit www.highwayangel.com or search the hashtag #HighwayAngel on social media.

TCA is the only trade association whose collective sole focus is the truckload segment of the motor carrier industry. Founded in 1938, the association represents dry van, refrigerated, flatbed, tanker and intermodal container carriers.

To learn more about TCA, visit www.truckload.org. ■





FROM THE DRIVER'S SEAT

Roadblocks to Life

By **John Lex**, Professional Driver, Walmart Transportation; America's Road Team Captain

I have been a professional truck driver for 35 years and was just wrapping my head around the challenges COVID-19 presented to the trucking industry. I was not prepared for the curveball life was about to throw at me.

In early April, while sitting in the yard at work, waiting on a load, I had a sharp pain in my stomach area. This is something I had never felt before and it wasn't just a normal stomachache. I knew something was wrong and I thought I just needed to get home to feel better.

I live about an hour and a half from work and by the time I reached home, I was in a lot of pain. In my mind, I thought once I got home and laid down everything was going to be alright, but that wasn't the case. I asked my wife to take me to the hospital and as soon as I arrived, they immediately took me into the emergency room. The original thought was appendicitis. After further testing and a CT scan, they found that I had a mass in my colon.

The next day, they scheduled me for a colonoscopy and were pretty positive that it was cancer. CANCER?! What? I have cancer? There is no history of colon cancer in my family. When the doctor told me I had cancer, it felt like someone took a shotgun to my heart.

The day after the colonoscopy, I was scheduled for surgery. The surgeon removed part of my colon on the right side (mass included) and biopsied 42 lymph nodes. A few days later, I met with the oncologist who was pretty sure the surgeon had removed all of the cancer. To be on the safe side, she recommended I do 12 rounds of chemotherapy.

I went into the hospital at 232 lbs. and left the hospital six days later at 199 lbs. I have



If you haven't been to the doctor in a while, please make a call to get a checkup.

never in my life experienced so much pain. The healing process after the operation was extremely painful.

I can remember back to when I turned 50, my wife and doctor urged me to get a colonoscopy. Being stubborn, hardheaded and just plain scared of doctors, I kept putting it off and putting it off. My oncologist, surgeon and the doctor who did the colonoscopy all told me the same thing: If I had the colonoscopy at 50 years old, the odds are I would not have gotten cancer. Now I'm in this situation and I wouldn't wish it on anyone. I have two sons and my doctors already recommended they get a colonoscopy when they turn 45.

I would like to encourage anyone, from the age of 45 and up, to consult your doctor and talk about a colonoscopy, if you haven't had one. If you don't do it for yourself, do it for your family, because you are not the only one who goes through this pain.

Sitting in the hospital by myself (because all of this happened during COVID), I did not know what was going to happen and to be completely honest, I never thought I would be leaving the hospital alive.

Please take my advice and don't put yourself or your family through this. If you haven't been to the doctor in a while, please make a call to get a checkup and have a discussion. ■



Are We a Speed Tolerant Culture?

By Gary Catapano, Chief Strategy and Safety Advisor, MAGTEC Products Inc.

Speeding has been a serious problem on our highways for many years. In fact, the first National Transportation Safety Board (NTSB) report, and more than 50 NTSB reports since, cited speed as a factor in serious crashes and fatal events. With nearly 10,000 deaths occurring every year for the last decade and millions more injured, one must ask the question: Are we a speed tolerant culture?

When one examines this question more closely, it is clear our society is one in which speed is highly valued. Simple examples highlight the “faster is better” mindset. We want it delivered overnight or even within hours, and efficiency and time pressures are applied to every aspect of commerce and the labor world. Even the speed by which we communicate is measured in microseconds and megabytes, the faster the better. Heaven forbid we pick up the phone to call someone at a snail’s pace when a text takes less time. We also see the value society attributes to speed reflected in the trend towards higher speed limits. Even the practices by which speed limits are set, known as the 85th percentile theory, are likely flawed and may encourage the probability of raising speed limits to even more dangerous higher levels.

In addition to the human toll of pain, suffering and lives lost, there is a tremendous economic toll taken by these speed-related crashes that

total in excess of 40 billion dollars annually, or more than 120 million per day. Yet, these staggering economic costs and the human toll in lives lost and injuries are likely understated as the reporting of crash causation is far from perfected and many crashes have multiple causes. When will we be willing to take this toll into account? Are speed-related crashes something we are willing to accept? When we examine the balancing of the speeding equation currently, it certainly appears so. In fact, in many surveys of motorists reporting their own driving behaviors, they admitted to exceeding the speed limit more than 50% of the time and, in many cases, by as much as 15 mph over the speed limit.

When thinking about our speeding problems, it is important to remember that speeding is not only done on highways and at speeds above 55 mph. It is critical for us to keep front of mind the fact that more than half of the lives lost and speed-related crashes occur off the highways at speeds less than 50 mph. When speeding occurs in our communities, the potential for harm increases dramatically due to the interactions with commerce, schools and other traffic characteristics which hold more variables and risk than the highway traffic environment.

We also know that speeding diminishes our ability to drive defensively and avoid

becoming involved in a crash. The faster we travel, the less time we have available to recognize a hazard and react to it. Traveling above the speed limit also causes us to travel greater distances and requires more time and distance to stop or slow down.

One additional speed factor to consider is the significant impact on crash forces which increase greatly even by traveling a few miles an hour over the speed limit. This multiplication factor, while significant in collisions between motor vehicles, becomes even more important and magnified when the collision is between a motor vehicle and other vulnerable road users, such as cyclists or pedestrians.

Why do we, as motorists and a society, appear to be tolerant of this dangerous behavior? The answer to this is multilayered and understanding it is important to knowing what steps to take next to move toward a cure. While there are many factors involved in speeding, for this article, my focus will be on the key contributors to the problem.

The reasons drivers speed are rooted in behavioral psychology, which states that all behavior is governed by current and past consequences. When drivers speed, there are positive consequences (positive reinforcers),

Are speed-related crashes something we are willing to accept?

such as arriving at their destination earlier and/or saving time. Not only are these consequences positive, but they are also immediate and highly probable for the driver, which makes them very powerful consequences. Any consequence that is immediate and highly probable will encourage the behavior, in this case making it more likely the driver will speed again.

While there are negative consequences for speeding, they are much weaker. Getting a ticket for speeding is a low-probability event, so is not very effective at inhibiting speeding. People can speed for years and not get a ticket. The same is true of getting in a speeding-related incident. These low-probability events simply aren't strong enough to discourage speeding for most people.

In addition to behavioral influence, there are also contributions from a human's interpretation of risk in the driving environment and how the driver compensates for the risk. The design and comfort of modern vehicles makes risk compensation, as an adverse factor, even more pronounced. Driving down a highway at 80 mph in a modern vehicle does not feel to the human as a dangerous activity because the ride is quiet, comfortable and there is no roadway vibration or noise. The safer we make vehicles and

roadways, the more likely it is people will take on more risk, in effect compensating for the efforts we are putting in place to make their journey safer.

So, what can be done to begin to gain back the ground lost on our speeding problem and society's tolerance of it? In order to tilt the behavioral equation back toward safety as a goal, we need to continue to build into highway safety plans the need for enforcement of speeding laws and continuation of high-visibility enforcement campaigns. But this is not enough, and for the reasons mentioned, we need to do more.

This should start with the need for more champions to join the battle to combat speeding, along with expanding public education and awareness campaigns. This effort will be helpful in altering the legislative perceptions of lawmakers at all levels of government who appear reluctant to address the speeding issue.

We also need to examine through a new lens the way in which we set and adjust speed limits to ensure safety is factored along with convenience and efficiency. In addition, there are simple things we can do to improve vehicle design to alter the risk perception equation for humans. There are promising

trends in technology that can alert a driver to slowdown due to traffic, weather conditions and, of course, speed limits.

Since the speeding problem is not just on our highways and at higher speed limits, we need to take a fresh look at intelligent speed limiters, which can ensure a vehicle operates at a speed no greater than the posted speed limit, works at all speeds and does not allow a driver to exceed the posted limit. These devices belong in commercial motor vehicles as well as the non-regulated fleets of delivery vehicles operating on our highways in order to keep everyone safe in both our communities and our highways.

We all have heard the reports on the dangerous driving behaviors observed on our highways during the months of the pandemic. The latest highway fatality data from the National Safety Council comparing the fatality rate for the first six months of 2020 to the first six months of 2019 shows a 20% increase in fatalities despite fewer vehicle miles traveled. The latest data from CVSA highlighted in the results from Operation Safe Driver Week make it clear that the speeding problem is worsening, and the need and time for action to strengthen and overhaul the highway safety speeding strategy is now. ■

The Big Three

By **Del Lisk**, Vice President of Safety, Lytx Inc.

I recently presented at the American Society of Safety Professionals Annual Conference, which was virtual this year due to the COVID-19 pandemic. In the session, I shared insights on motor vehicle crashes drawn from my review of in-cab video from 500 traffic collisions. Vehicles were primarily larger vehicles providing delivery or services in urban environments. The intent of the presentation was to stir thought on what fleet operators are currently doing to address driver safety.

- Are their programs up to date or have they become stale?
- Are fleet efforts focused on the real issues?
- Are programs aligned with what has the most impact on protecting employees and the company's bottom line?

Here are a few observations from my presentation that you may find interesting:

Most incidents occurred in favorable conditions – light traffic, good weather and visibility, and straight, dry roads. This points back to what we already know: human error is at the heart of most traffic collisions. The good news is that humans can change. The bad news is that changing habits takes a lot of work.

When there were multiple travel lanes available to the driver, 52% of these collisions occurred in the right lane. This is not surprising as many of the vehicles were delivery and service vehicles.

They often spend more time in the right lane as they are servicing customers along the right side of the roadway. Another factor is that there is often more potential conflict coming from the right. These include cyclists, pedestrians, parked vehicles, entrance and exit ways coming from the right edge of most roadways. Drivers must be aware of the inherent risks that come with being in the right lane and remain vigilant for threats. It's also worth considering other lane choices when safe and practical to do so. If a right turn isn't imminent, sometimes positioning the vehicle one lane away from the right lane can significantly reduce exposure to risk.

I spent much of the presentation focused on higher severity incidents, such as head-on crashes, rollovers, intersection collisions and rear-enders. Although the highest severity incidents only amounted to 6% of the events, they pose greater risk to commercial drivers and the general public and usually amount to the lion's share of claims costs. As we all know, one bad incident can ruin what was sizing up to be an otherwise good claims year.

So, what were the primary causes for these high severity incidents? The vast majority came down to three issues – "The Big Three."

1. **Drowsiness/Falling Asleep**
2. **Speed Management**
3. **Distractions**

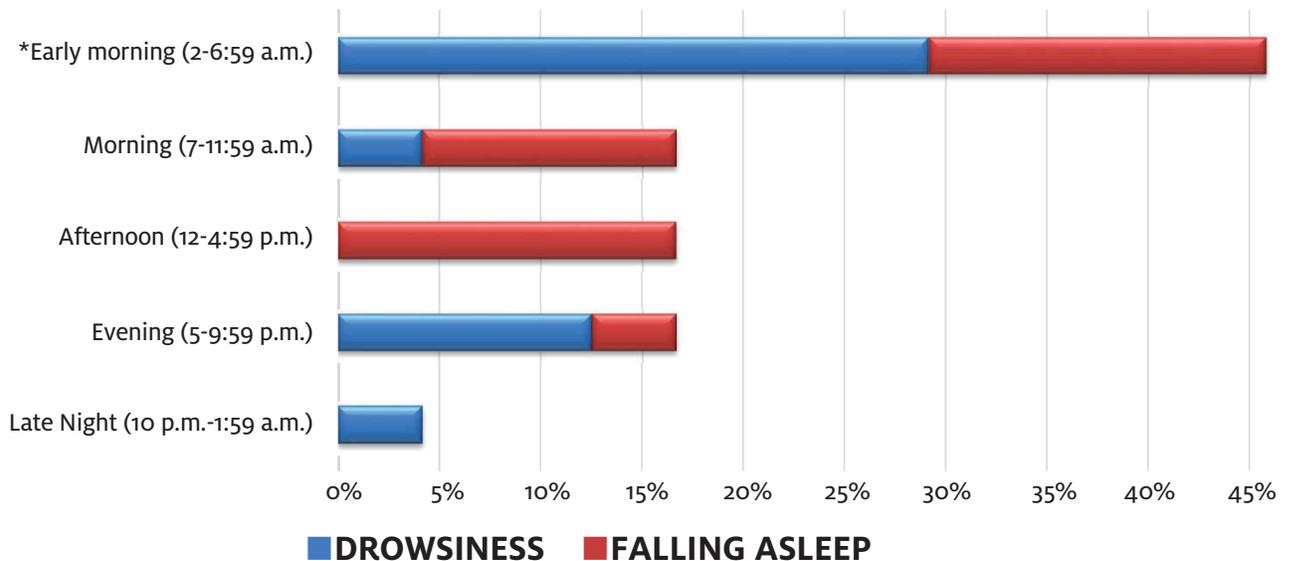
Almost half of the high severity incidents involving a driver who was drowsy or falling asleep occurred in the early morning hours, between 2 and 6:59 a.m. Fatigue is an important topic for all drivers, but pay special attention to those on the road during this time period. Speed management was also a significant contributor to high severity crashes. Surprisingly, most of these incidents didn't involve exceeding speed limits. Instead, most involved a vehicle going too fast for the given conditions. For example, a rollover that occurred when a truck driver went into a turn too fast is an issue of speed management, not traveling over the posted speed limit. An incident where a vehicle is going the speed limit but loses control on a wet road is also an issue of speed management.

When it comes to distractions, hand-held cell phone use was the main culprit. Drivers distracted while holding a cell phone represented 46% of the high severity distracted driving crashes.

Think about "The Big Three" the next time you evaluate your safety program. Do you have the right programs, policies and processes in place to address the issues of driver fatigue, speed management and distracted driving? These behaviors may be factors in only a few of your vehicle incidences, but they are more likely to play a much larger role in your highest severity collisions. ■

DROWSINESS/FALLING ASLEEP

HOW DID TIME OF DAY IMPACT THIS BEHAVIOR?



*Early morning is when 29% of reviewed events took place, but accounts for 46% of high-severity events.

Winter Is Here: Five Best Practices and Tools to Stay Safe on the Road

By **Ron Cordova**, Director of Safety and Compliance, Zonar

It's no secret that winter hazards significantly change safety and driving best practices for the trucking industry. For the 2020-2021 winter trucking season, we'd like to take a closer look at the various dangers that come with winter driving and the essential safety best practices and tools that commercial truck drivers can utilize to stay safe in adverse winter conditions.

The Dangers of Winter Weather

Winter weather is a challenge for most machinery, and its operators and trucks are no exception. Ice and snowpack can mask vehicle issues and malfunctions that would otherwise be visible during inspections in clear weather conditions. The buildup of ice and snowpack on trucks can also negatively impact not only braking but basic equipment functionality. For example, air hoses can be weighed down to almost the point of dragging on the ground. ID lamps can stop working or not be visible. Tire pressure and tread also become more difficult to gauge.

And to make matters more complicated, on a snow-packed highway or in a storm, drivers cannot simply pull over on any road. They must, instead, sometimes travel miles to find a safe location to address issues.

Drivers must be ready for the worst-case winter weather scenarios during their drives. Their safety and the safety of the other vehicles they share the road with depend on it.

Best Practices and Tools

Part of a thriving culture of safety is making sure drivers know all the elements that comprise safe driving. It's not enough to simply drive slower. Drivers must use a combination of best practices and tools during the pre- and post-trip inspections and while on the road to stay safe and reduce the risk of incidents. Here are some of Zonar's recommended best practices and tools for winter trucking safety.

1. The inspection process becomes of utmost importance during the winter months.

Avoid pencil whipping. Make sure critical winter-specific items are thoroughly checked during pre- and post-trip inspections, such as tire pressure and tread depth, brakes, chains, hoses and lights. Utilize electronically verified inspection reporting (EVIR) solutions, when possible. This technology can be leveraged in conjunction with mobile tablets to more accurately complete pre- and post-trip inspections, eliminating the need for pen and paper and unnecessary mistakes. When you make sure each inspection is performed accurately, the safer the roads are for everyone.

2. Have basic tools on-hand. Don't skimp on the necessities. I've seen truck drivers kick the tires to check to see if there is enough air pressure. Then, 15 miles down the road, they have a blowout. This can cost drivers and companies headaches and money, and can easily be avoided. Make sure you have an accurate tire pressure gauge, tread depth gauge and chains to ensure your vehicle is prepared to handle adverse weather conditions, like snow and ice. Don't get placed out of service at an inspection or roadside stop due to a lack of basic tools and checks.

3. Slow down, keep your distance. Slow down during winter travel to prevent revolutions per minute from getting too high, which makes it harder to brake in a hurry. Keep a safe distance between the vehicles around you on the road. According to the Federal Motor Carrier Safety Administration, if you are driving below 40 mph, you should leave at least one second for every 10 feet of vehicle length. For a typical tractor-trailer, this results in four seconds between you and the leading vehicle. For speeds over 40 mph, you should leave one additional second. In adverse weather conditions, double your distance.

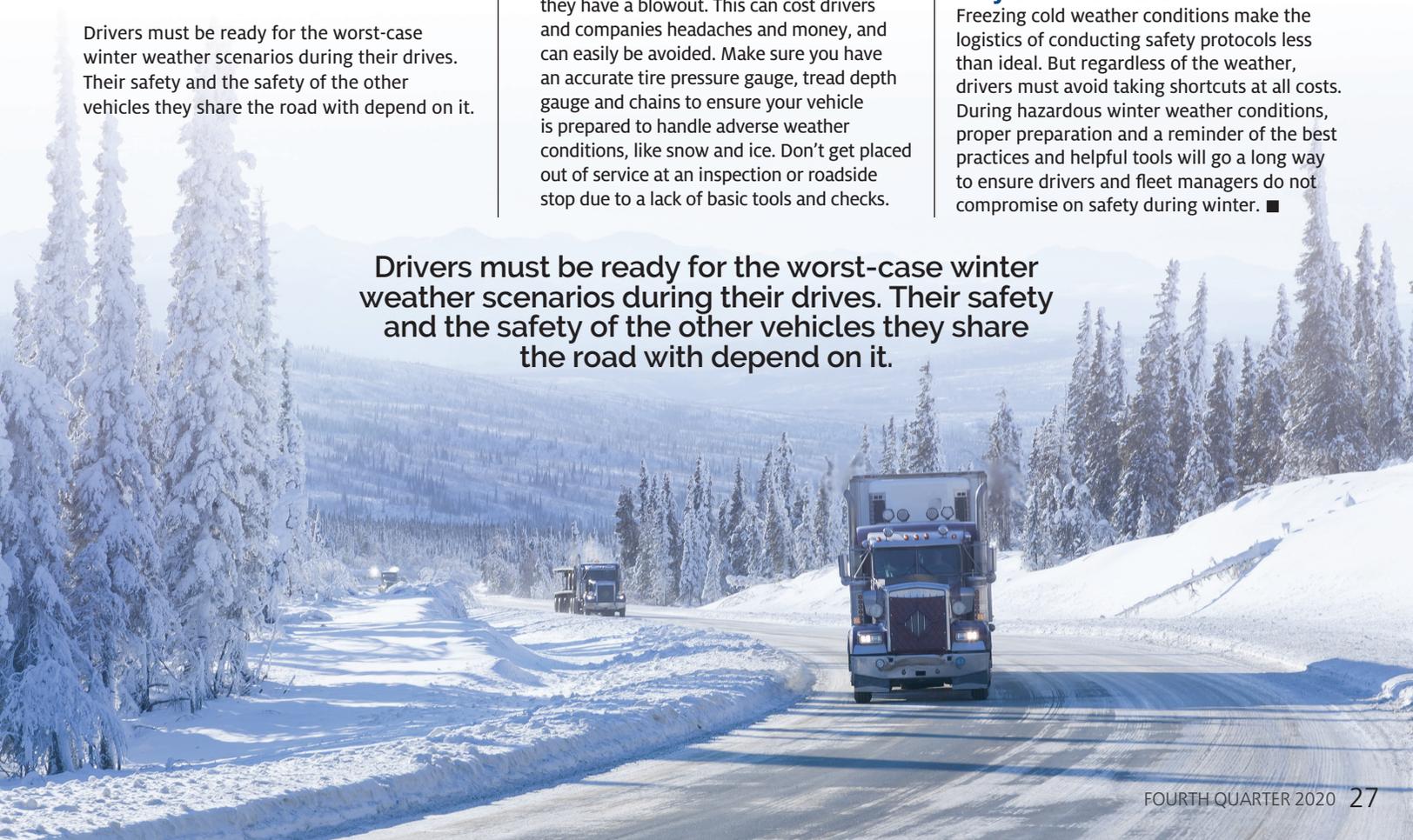
4. Winter weather likely means poor visibility. Your windshield's health becomes invaluable during long hauls. Pay close attention to make sure you have no chips or spider cracks that can turn into serious windshield issues while driving. Also, be sure you have replacement windshield wipers available, which have a tendency to wear out more quickly during winter months.

5. Plan ahead for the weather, when possible. Weather can change in a moment, but staying up to date on weather reports and making sure you are in touch with ground control can help eliminate unwanted surprises during your drive.

Stay Safe Out There

Freezing cold weather conditions make the logistics of conducting safety protocols less than ideal. But regardless of the weather, drivers must avoid taking shortcuts at all costs. During hazardous winter weather conditions, proper preparation and a reminder of the best practices and helpful tools will go a long way to ensure drivers and fleet managers do not compromise on safety during winter. ■

Drivers must be ready for the worst-case winter weather scenarios during their drives. Their safety and the safety of the other vehicles they share the road with depend on it.



Load Checks: Not Just for Cargo Securement

By **Dave Elniski**, Safety Officer, Caveman Transport Ltd.

Once the load is secured, weights are legal, and all the paperwork and equipment are in good order, it feels great to get on the road. There are times when I feel like I could drive endlessly, but stops are necessary. I want to explain a very important type of regular stop: the load check.

Load check, safety check, enroute inspection. These are some of the names drivers and carriers may have for the on-duty event where the driver stops the vehicle to physically examine the cargo securement devices. Such a stop is required by law in Canada by National Safety Code Standard 10 Part 1 and in the U.S. by Part 392.9 of Title 49 of the Code of Federal Regulations. Here are the requirements for load checks once the vehicle has left the shipper:

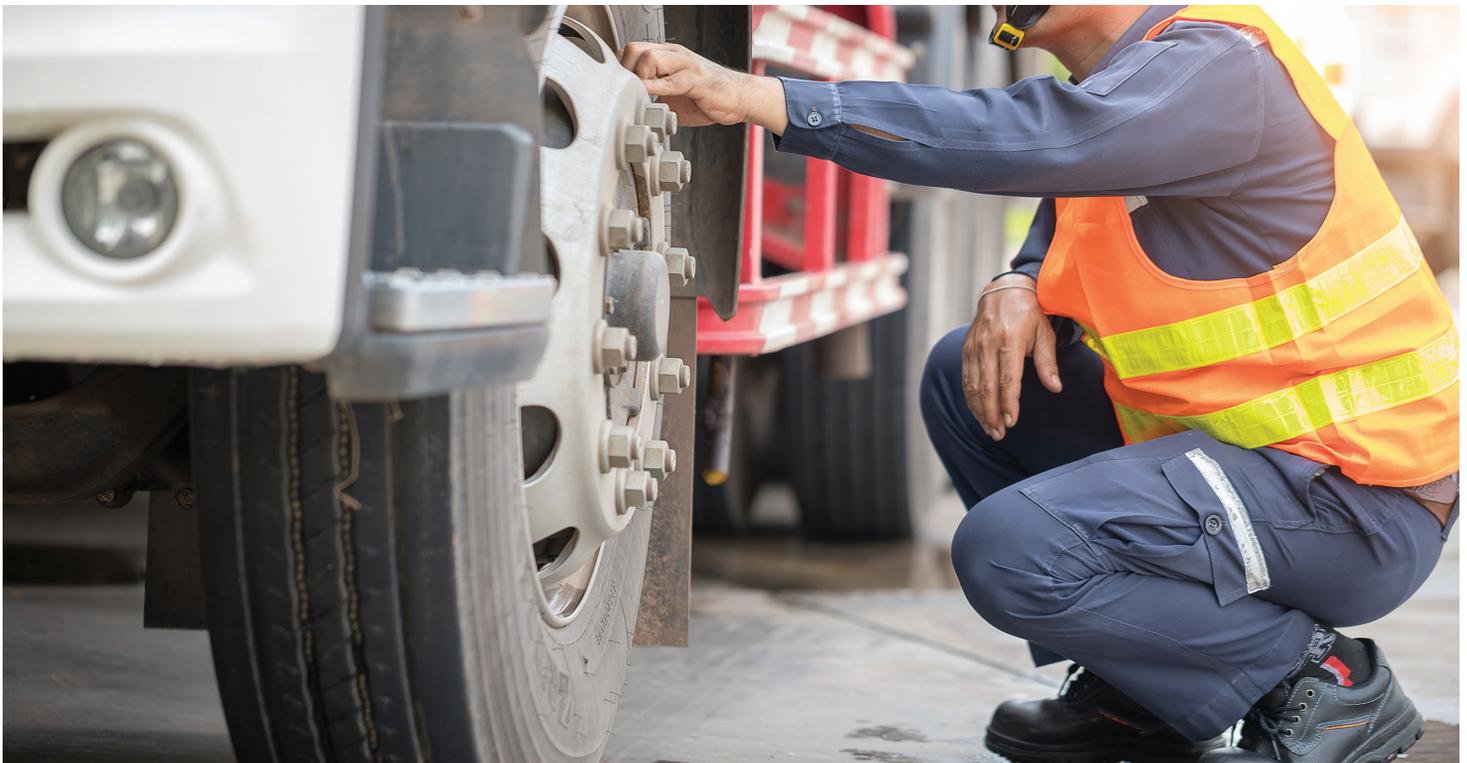
- Within the first 50 miles/80 km of the trip
- At every change-of-duty status
- When the vehicle has been driven for three hours or 150 miles/240 km, whichever occurs first

During a load check, checking all the cargo securement devices, like straps and chains, is the minimum. Secure cargo benefits carriers, drivers and the general public. However, I believe that the load check can be used for much more than just checking cargo securement. Next, I'll briefly describe six points to consider during a load check of a typical flatbed tractor-trailer.

- 1. Tires** – A quick thump of each dual tire set with the load bar can identify flats and low tires, and a visual inspection can spot defects and low single tires.
- 2. Wheel Ends** – A quick look inside each rim can spot oil leaks, loose or broken fasteners, and other signs of hub failure. Serious problems can be caught before they become an on-road catastrophe.
- 3. Lights** – I turn on all the lights, the four-way flashers, pull and set the trailer brake control to check brake lights, and turn on the high beams (as long as it won't blind others). By doing this, I can quickly check most lights as part of the walk-around inspection.
- 4. Air Leaks** – Since the trailer brake controller is set, I can identify air leaks from the trailer service circuit by listening during the walk-around inspection. Suspension and emergency brake air leaks could also potentially be caught this way too.
- 5. General Vehicle Condition** – A careful load check allows a driver to look the entire vehicle over, which can identify fluid leaks and broken parts that could have developed since the pre-trip.
- 6. Exercise** – A great benefit of doing a load check is that it breaks the monotony of driving and gets the blood flowing. Plus, the brief stop allows me to plan my route, set up my music, reply to texts and other activities that can only be safely done while stopped.

All these benefits can be reaped in a five-minute stop. This brief inspection is not as detailed as a proper pre-trip inspection and is not intended to replace one. I just think that because a lot more can be reasonably checked during a load check besides cargo securement that such habits are worth incorporating into a professional driver's routine. Most of the vehicle defects I have discovered while trucking have been discovered during stops throughout the day as things happen (e.g., picking up an embedded object in a tire), not during the pre-trip. I encourage all drivers to come up with a short enroute inspection routine for the vehicles they drive that can reasonably be incorporated into their short stops.

I hope that this helps demonstrate why these load checks, besides being required by law in some circumstances, are extremely useful to any carrier and commercial driver. A lot can happen in a full day of driving and, even if not legally required, a quick stop to check out the vehicle is never a bad idea. ■



Schneider's Program Identifies and Treats Drivers with Sleep Apnea

By **Andrea Sequin**, Director of Regulatory Services, Schneider

Obstructive sleep apnea is a sleep disorder that affects one out of five American adults and prevents restorative sleep, leading to excessive daytime sleepiness and long-term health issues. It is most commonly treated by using a continuous positive airway pressure device (commonly known as CPAP) to keep the air passage in the throat open while sleeping.

At Schneider, our number-one core value is safety first and always. It's this enterprise value that led us to become the first large-scale employer to effectively and efficiently identify professional truck drivers at risk for obstructive sleep apnea (OSA) and get them the critical treatment needed to improve their health and safety.

We long understood the importance of fatigue management and its impact on highway safety, yet there was little industry awareness and no regulations for the diagnosis and treatment of sleep apnea. When we fully recognized the prevalence of sleep apnea in the trucking industry and its significance in contributing to operator fatigue, we set out to create a program that would effectively and efficiently identify individuals at risk and provide them the critical treatment they need.

In 2006, Schneider created a first-of-its-kind sleep disorder screening program for all company drivers, providing treatment to those who test positive for OSA. Our program eliminated the barriers – specifically driver down time and cost – by creating a nationwide network of sleep clinics. This allows our driver associates to be tested, while still under dispatch – either in the sleep lab or with a home sleep test in their truck sleeper berth. In fact, more than 70% of our tests are now done using a home sleep study, which reduces stress for the driver because they can sleep in their own cab or home or hotel. It also allows for flexibility in testing location. We can ship a test to their home or have the testing done at one of our terminals.

The results are reviewed the next morning by a board-certified sleep specialist. If a driver tests positive for sleep apnea and treatment is prescribed, a CPAP is dispensed the same day. That way, the driver can be treated immediately and continue with his or her load delivery without losing any workdays. The best part is that all of this is zero cost to the associate through Schneider's health care benefits.



As long as humans are operating heavy equipment in the world of transportation, fatigue should be a top priority for drivers, fleet managers and safety professionals.

Schneider achieved several significant outcomes as a result of this program:

- Fatigue-related incidents improved by 44%.
- Retention improved by 2.2 years of increased tenure for treated associates (30% above fleet average).
- Health care costs overall were reduced by more than \$300 per treated associate per month.

Our process has been a huge win – literally and figuratively. In 2019, Schneider received the National Safety Council's Green Cross for Safety Innovation Award for our work in sleep apnea screening, testing and treatment. While we are immensely proud of this honor, we did not chart this path to win awards. We did it to save lives. Through treatment, many of our driver associates are more vigilant on the roadway and significantly healthier.

While our OSA program is important, it is not the only way we work to combat fatigue at Schneider. Our fatigue management program begins in orientation with education on circadian rhythms, causes of sleep debt, principles of restorative sleep and sleep hygiene. A great resource for carriers or

enforcement agencies looking to offer more education on fatigue is the North American Fatigue Management Program – a free online resource that has a large number of modules on fatigue-related topics, including sleep apnea.

We also talk to new drivers about the early warning signs of driver fatigue and reinforce our belief that the driver is the "captain of the ship." This means that if they feel unsafe for any reason, they can make the call to stop driving. Our commitment to trusting drivers' decisions, along with our entire fatigue management program, is supported from the top down – a key to success of any safety program.

Schneider has brought sleep apnea out of the shadows and raised industry awareness. We will continue to share our experiences and learnings with companies large and small, government agencies and individuals. It's all part of our continuing efforts to improve highway safety and to assist in improving the health and safety of others. As we say at Schneider, "Nothing we do is worth hurting ourselves or hurting others." As long as humans are operating heavy equipment in the world of transportation, fatigue should be a top priority for drivers, fleet managers and safety professionals. ■

New Generation of Cargo Tank Motor Vehicles Arrives

By JP Gibbons, President, NATC Inc.



On Sept. 30, 2020, in Lakewood, New Jersey, during an international event celebrating a joint Australian-American venture, a new generation of cargo tank motor vehicles (CTMV) was revealed to the public. These CTMVs are made in Australia by Omni Tanker using a patented process for composite materials. The cargo tanks are then certified under Title 49 Code of Federal Regulations (CFR) and shipped to the United States for completion of the cargo tank motor vehicle certification in Ohio by MAC LTT. The first three units are now here and operating on the roadways of the United States.

A number of questions arise concerning any new technology applied to transportation. In this case, these questions may include:

- What makes these cargo tanks different?
- Do the CTMVs operate under a DOT special permit?
- What will these tanks carry?
- Are there any restrictions?
- What do I do differently when I see one during a roadside inspection?

The basic answers to those questions are provided below and more detailed information will be provided during a breakout session at the Virtual COHMED Conference in January 2021.

What makes these cargo tanks different?

What makes these cargo tanks different is the process used in manufacturing the corrosion barrier and shell that, combined, make up the tank portion of the cargo tank. Carbon fiber is used to provide additional strength while reducing the overall weight. Unlike most composite cargo tanks, the corrosion barrier is a seamless design and construction, eliminating the need for joints or welds which are the locations most susceptible to attack from the oxidizing and corrosive cargos being transported.

Do the CTMVs operate under a DOT special permit?

Yes, the CTMVs do operate under a DOT special permit, which is DOT-SP 20567. Each is designed and built to the DOT-407/412 specification. This permit was required because the tank is made of a composite material and 49 CFR Part 178 requires cargo tanks to be constructed from metal. The CTMVs also have been certified by Transport Canada under SU 13262. Together, this makes these CTMVs interchangeable for use into and through both the United States and Canada.

What will these tanks carry?

At the present time, the CTMVs are authorized for the transportation of aggressive Class 8 corrosive materials. The capacity of the CTMVs currently on roadways is 5,500 gallons. The maximum capacity is approved to 6,208 gallons. Several diameters are approved, from 62 inches up to 92 inches. The specific hazardous materials authorized for transportation are shown in the compatibility list on file with the Office of Hazardous Materials Safety Approvals and Permits with the Pipeline and Hazardous Materials Safety Administration. This list is currently being expanded under a modification application.

Are there any restrictions?

Just the materials allowed in the approved compatibility list. Some of the materials authorized exceed the concentration levels you see for other composite cargo tanks. It will take some time to get used to seeing that during a roadside inspection, since they are approved for Packing Group I Class 8 materials.

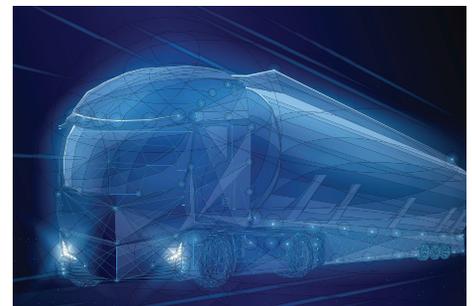
What do I do differently when I see one during a roadside inspection?

To get the most thorough answer to this question, I recommend you attend the session during the Virtual COHMED Conference in January 2021, which will get into the details for roadside inspection. The photograph accompanying this article shows what the CTMVs look like. All are single compartment. However, until January 2021, you can follow the usual procedure for inspecting any CTMV operating under a DOT-SP and that is:

- Verify that the driver has a copy of the current permit.
- Verify there are no leaks or materials on the outside of the cargo tank.
- Verify that the securement devices for the cargo tank to the vehicle are tight.
- Inspect the metal plates on the side of the frame.

- Under 180.407 there may or may not be test or inspection markings since they will have been certified in late 2020.
- Pay attention to the product discharge system and piping. They have both gravity drop and pressure offload capability.

As mentioned above, a more detailed description of what to look for and how to inspect these CTMVs during a roadside inspection will be provided at the 2021 Virtual COHMED Conference. Until then and afterward, if you have questions from a compliance side feel free to call 609-426-0555 or visit www.49CFR.com. ■



Virtual COHMED Conference

January 25-28, 2021

If you are involved in hazmat transportation, regulation, enforcement or safety, or are simply interested in learning more about it, you will not want to miss the first-ever Virtual COHMED Conference. So, plan to attend and spread the word to your colleagues.

There will be a two-hour session during the virtual conference that will detail what to look for and how to inspect CTMVs.

Visit www.cvsa.org/eventpage/events/cohmed-conference to view the virtual conference schedule and to register to attend. Although there is no fee, registration is still required.



Commercial Vehicle Products and Features Helping to Make Roads Safer

By **Jon Morrison**, *President Americas, Commercial Vehicle Control Systems, ZF*

Reducing crashes involving commercial motor vehicles is a shared goal among industry groups, including commercial vehicle manufacturers and suppliers, fleets and drivers, and governing bodies. ZF and CVSA share a commitment to accomplishing the shared vision of zero large truck and bus fatalities.

Initiatives, such as CVSA's Operation Safe Driver Program and ZF's Vision Zero, help educate the public and the commercial motor vehicle industry about commercial motor vehicle safety technologies that are designed and engineered to help enhance safety on the road. Operation Safe Driver, a traffic safety initiative, is focused on identifying and deterring unsafe driving behaviors, such as speeding. Vision Zero, with the goal of pursuing mobility with zero accidents and zero emissions, focuses on technologies that help make driving commercial motor vehicles safer and cleaner.

Advanced driver assistance systems (ADAS) are technological features designed to enhance the safety of a driving vehicle and help improve the driver's ability to react to dangers on the road. Adding ADAS to commercial trucks and trailers is one of the most effective ways for fleets and drivers to reduce accidents. Recent data from the Insurance Institute for Highway Safety (IIHS) underscores this notion. IIHS's research

shows that adding forward collision mitigation technology can reduce front-end commercial motor vehicle accidents by up to 44%.

Braking system technology continues to advance, helping further the safety capabilities of commercial motor vehicle trucks and trailers. Anti-lock braking systems (ABS) help the driver maintain steering control and avoid skidding, jackknifing and trailer swing-outs during an emergency braking situation. The next generation of commercial motor vehicle ABS can work together with ADAS technologies to help provide new safety capabilities. For example, adaptive cruise control (ACC) with stop-and-go capability is a feature that enables the commercial motor vehicle to safely reduce speed down to zero miles per hour when following another vehicle. ACC stop-and-go can maintain zero miles per hour until the vehicle detects that it is safe to increase speed once again (e.g., once the other vehicle increases speed), thus enhancing road safety, elevating driver assistance and increasing driver comfort.

Commercial motor vehicle steering system technologies continue to reach new frontiers working with ADAS to unlock new safety features. Steering systems add motors to the steering system which enable steering to occur independent of driver input. When

steering systems are combined with ADAS technologies, features including active lane keep assist and active blind spot assist are enabled. According to the Federal Motor Carrier Safety Administration, running out of a travel lane, either into another lane or off the road, is the number-one critical event for large truck accidents. This potentially dangerous scenario can be addressed with the steering system and ADAS working in concert.

Finally, addressing the brakes at the wheel ends is a critical aspect when considering overall commercial motor vehicle safety. The continued adoption of air disc brakes on commercial trucks and trailers helps to better ensure consistent stopping and braking performance when the driver needs it most. Air disc brakes can significantly reduce brake fade, and when compared to drum brakes, improve the stopping distance of the vehicle. Additionally, air disc brakes address out-of-alignment brakes, which CVSA notes as one of its most frequent violations.

By addressing the entire commercial motor vehicle system, from ADAS to braking systems to steering to wheel ends, drivers and fleets can help the industry achieve its shared goal of zero commercial motor vehicle accidents and fatalities. ■



Tenstreet Announces Partnership with Truckers Against Trafficking

Tenstreet offers free TAT training videos to the entire driver base through a proprietary content training library and the Driver Pulse app.

A new partnership between Truckers Against Trafficking (TAT) and software company Tenstreet is key in expanding the reach of TAT driver training and the ability for professional drivers to achieve the certification needed to obtain and/or renew their commercial driver's license (CDL). Currently, there are 11 states with some form of trafficking training legislation for CDLs in place.

"We are excited to partner with Truckers Against Trafficking to help bring awareness to hundreds of thousands of professional drivers who will now be able to take this training for free via our Driver Pulse app," said Tenstreet's CEO Tim Crawford.

One goal of TAT is to saturate the trucking industry with educational materials, equipping drivers with tools to help them identify a potential trafficking situation so they can help recover victims and get perpetrators arrested. Tenstreet is excited to help facilitate that goal.

"We are grateful to Tenstreet for their commitment to helping us further our work," said TAT Director of Corporate Engagement Laura Cyrus.

"By including the TAT training program in their video library, Tenstreet is helping to build a mobile army of transportation professionals who are educated about what human trafficking looks like and are equipped to take action to help save a life," said Cyrus. "By including the TAT training as part of new driver orientation and regular safety training, Tenstreet's clients are empowering their drivers and other employees to engage in combating one of the greatest human rights violations of our time."

"As the eyes and ears of the nation's highways, truck drivers are truly on the frontlines of this issue," Cyrus added. "Just as truck drivers are essential in keeping America moving, they are also essential in this effort."

About Truckers Against Trafficking

Truckers Against Trafficking is a nonprofit organization that exists to educate, equip, empower and mobilize members of the trucking, bus and energy industries to combat human trafficking.

Modern-day slavery, or human trafficking, exists whenever people are bought and sold for forced labor or commercial sex. Around the world, it is estimated that there are more than 40 million slaves today. Human trafficking has been reported in all 50 states and the number of victims in the U.S. is estimated in the hundreds of thousands. For more information, contact Kylla Lanier at klanier@truckersagainstafficking.org.

About Tenstreet

Tenstreet's platform connects carriers and drivers, making it easier to fill trucks while staying compliant. Tenstreet helps thousands of motor carriers and private fleets to market, recruit, onboard and manage drivers. Since 2006, millions of drivers have used Tenstreet's platform to quickly and securely apply for their next job. For more information, contact Marilyn Surber at marilyn.surber@tenstreet.com. ■

Western Express Partners with Tennessee Highway Patrol for Level I Inspection Class

By Daniel Patterson, Director of Safety, Western Express Inc.

Western Express Inc., based in Nashville, Tennessee, recently supported efforts by the Tennessee Highway Patrol (THP) for a North American Standard Level I Inspection class. The class, held at the THP training center in Nashville, required hands-on training for the inspection of the tractor and trailer in order for troopers to learn the proper inspection procedures for items such as brake components, brake adjustment, suspension and steering. Western Express donated resources to assist with this part of the inspection training class.

This was not the first time Western Express donated such resources to assist with inspection training. "Western Express always welcomes the opportunity to partner with and support the Tennessee Highway Patrol's commercial motor vehicle training classes," said Daniel Patterson, director of safety at Western Express. "We, in turn, are able to provide this training to our drivers and safety, maintenance and operations employees so we all have a better understanding of what drivers go through and what equipment is checked during roadside inspections."

Western Express has hosted numerous training visits by the THP's commercial motor vehicle enforcement troopers, who share their knowledge and observe Western Express training programs.

Lt. Allen England, who heads the THP's Commercial Vehicle Administration Division, said, "Western Express and the Tennessee Highway Patrol understand the importance of partnerships and realize we can accomplish more to ensure safe roads when we work as a team." ■



Members of the Tennessee Highway Patrol were taught inspection procedures on a commercial motor vehicle provided by Western Express.

CVSA Operational Policy 4: Inspector Training and Certification North American Standard Level VI Inspection for Transuranic Waste and Highway Route Controlled Quantities of Radioactive Materials

Under Operational Policy 4: Inspector Training and Certification, there is information specific to North American Standard Level VI Inspections for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material. This operational policy is not intended to override any member jurisdiction statutory requirement, governor order, state rule or other mandate currently in place, or future enactment of statutes, orders, rules and other mandates to conduct Level VI Inspections of vehicles and drivers transporting transuranic waste or HRCQ of radioactive materials.

Certified Level VI inspectors must abide by the requirements placed upon them by their jurisdiction and agency using CVSA Policy as a guideline for the completion of Level VI Inspections.

To maintain certification to conduct North American Standard Level VI Inspections for Transuranic Waste and HRCQ of Radioactive Material, an inspector must:

- Successfully complete the Level VI re-certification course (eight hours minimum) within a 24-month period of passing the inspector's initial North American Standard Level VI Inspection Course or the inspector's last Level VI re-certification training as applicable. (For example, if a Level VI-

certified inspector completes an eight-hour re-certification course in March 2009, that inspector must complete another eight-hour re-certification course by no later than the end of March 2011 and so on.)

- Maintain certification to conduct North American Standard Level I Inspections and North American Standard Hazardous Materials/Dangerous Goods Inspections.

A federal, state, provincial, territorial or local government may declare a state of emergency in response to fire, flood, drought, pestilence, famine, disease, hurricanes, tornadoes or other disaster. These declarations allow the government to shift or suspend resources and operations in order to respond to the crisis at hand.

In cases of declared emergencies, where an inspector is not able to complete the re-certification training within the 24-month timeframe, the inspector may be provided an extension at the discretion of the agency. This extension shall be no more than three months beyond the end of the declared emergency applicable to that jurisdiction.

To access the CVSA Operations Manual, log in to your member portal at www.cvsa.org/memberportal. ■

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 about the Level VI Inspection Program at www.cvsa.org.

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

Update on Level VI Inspection Training During COVID-19

Like so many of CVSA's other programs, the Level VI Inspection Program had to make adjustments to its training schedule due to COVID-19. All certification classes for calendar year 2020 were canceled. Train the Trainer, scheduled for February 2021, has also been postponed until summer 2021. A date will be announced when chosen.

With a high demand for continued Level VI Inspection certification classes, CVSA created a virtual certification class. Once the COVID-19 crisis is over, CVSA will begin scheduling in-person Level VI Inspection classes again.

Access to the Level VI Inspection online certification class will be granted by CVSA Director of Level VI Inspection Program Carlisle Smith. He may be reached at carlisle@cvsa.org or 301-830-6147. Those participating in an online certification class will be provided instructions on how to access the course material. ■



U.S. DOE Updates Its Interpretation of High-Level Waste

HLW Interpretation Background

On Oct. 10, 2018, the Department of Energy (DOE) issued a Federal Register notice, Request for Public Comment on the U.S. Department of Energy Interpretation of High-Level Radioactive Waste (Document Citation: 83 FR 50909), on its interpretation of the definition of the statutory term “high-level radioactive waste” (HLW) as set forth in the Atomic Energy Act of 1954, as amended (AEA), and the Nuclear Waste Policy Act of 1982, as amended (NWPA).

A 90-day comment period, including a 30-day extension, invited public input to better understand stakeholder perspectives, increase transparency and enhance public understanding of this issue. The DOE received 5,555 comments, roughly 360 of which were distinct, un-repeated comments from a variety of stakeholders: members of the public, Native American tribes, members of Congress, state and local governments, and the Nuclear Regulatory Commission.

On June 5, 2019, the DOE issued the Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste (Document Citation: 84 FR 26835). As the DOE stated in the Oct. 10,

2018, notice and reiterated in the supplemental notice, the DOE interprets the statutory term such that some reprocessing wastes may be classified as not HLW (non-HLW) and may be disposed of in accordance with its radiological characteristics. The supplemental notice provided additional explanation of the DOE’s interpretation as informed by public review and comment.

The DOE has not made, and does not presently propose, any changes or revisions to current policies, legal requirements or agreements with respect to HLW. Decisions about whether and how this interpretation of HLW will apply to existing wastes and whether such wastes may be managed as non-HLW will be the subject of subsequent actions.

On June 5, 2019, DOE issued the Federal Register Notice, Environmental Assessment for the Commercial Disposal of Defense Waste Processing Facility Recycle Wastewater from the Savannah River Site (Document Citation: 84 FR 26847), that informs the public that the DOE will be drafting an environmental assessment, a form of National Environmental Policy Act of 1969 analysis, on a waste stream at the Savannah River Site.

HLW Definition and DOE’s Interpretation

The AEA and NWPA define the term “high-level radioactive waste” as:

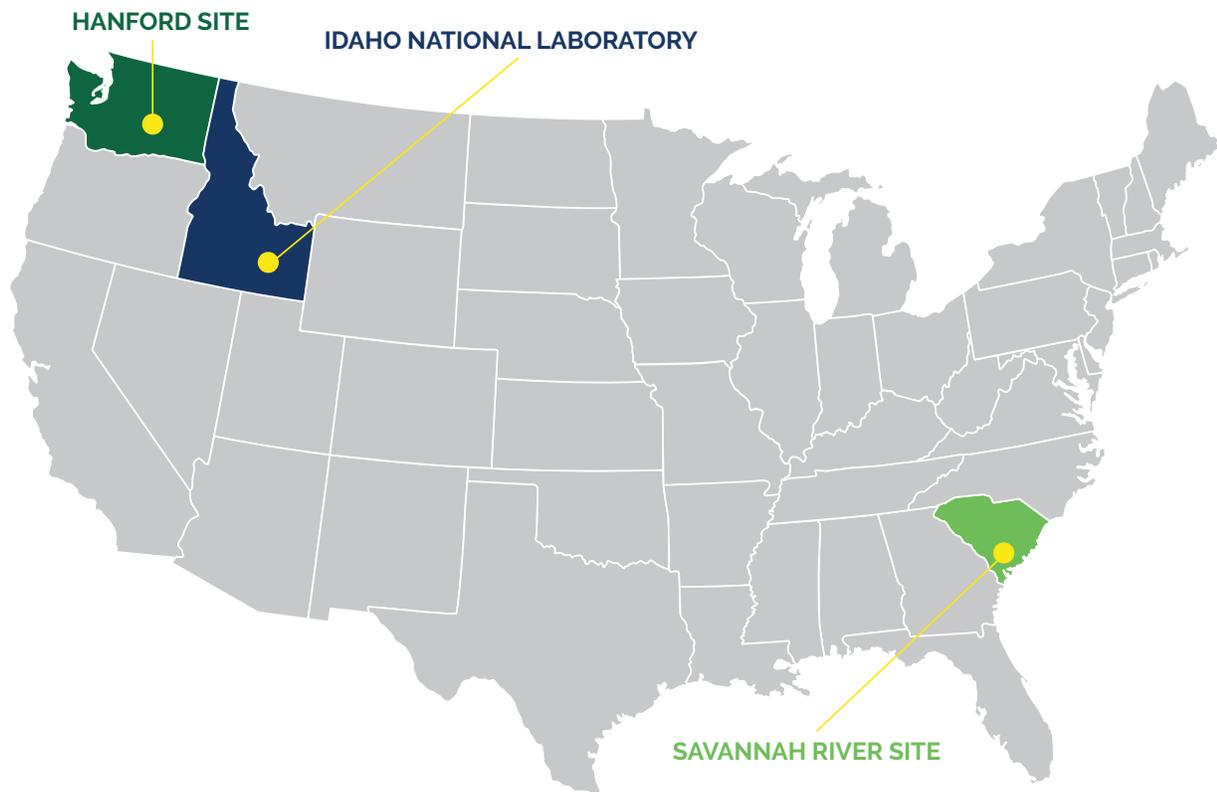
- Highly radioactive material resulting from the reprocessing of spent nuclear fuel, including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations
- Other highly radioactive material that the Nuclear Regulatory Commission, consistent with existing law, determines by rule requires permanent isolation

The DOE has revised its interpretation, as stated in its Oct. 10, 2018, Federal Register notice, after consideration of public comments. Based on those comments, the DOE interprets the statutes to provide that a reprocessing waste may be determined to be non-HLW if the waste meets either of the following two criteria:

- Does not exceed concentration limits for Class C low-level radioactive waste as set out in section 61.55 of Title 10 in the Code of Federal Regulations and meets the performance objectives of a disposal facility

Current Locations for DOE Defense Reprocessing Waste Inventories

Source: U.S. DOE Office of Environmental Management website: www.energy.gov/em/program.



- Does not require disposal in a deep geologic repository and meets the performance objectives of a disposal facility as demonstrated through a performance assessment conducted in accordance with applicable requirements

DOE Reprocessing Waste Inventory

Reprocessing of spent nuclear fuel began in the 1940s and continued through much of the Cold War as part of the development of nuclear weapons. Weapons development activities occurred primarily at the Hanford Site in Washington and the Savannah River Site in South Carolina. Reprocessing activities supporting nuclear research and development and naval propulsion programs occurred at the Idaho National Laboratory. Reprocessing waste from West Valley, New York, is not included in this inventory of defense waste. The West Valley Demonstration Project operates under a distinct statutory and regulatory basis pursuant to the West Valley Demonstration Project Act (Public Law 96-368), which provides a definition of HLW separate from the AEA and the NWPA.

Each reprocessing waste stream has unique radiological characteristics; therefore, the HLW interpretation will be implemented on a site-specific and waste-stream-specific basis. The map on page 34 identifies sites with reprocessing waste potentially impacted by the HLW interpretation.

Benefits

The HLW interpretation, if implemented through subsequent actions, could provide a range of benefits to both the DOE and the public, including:

- Reducing the length of time radioactive waste is stored on-site at DOE facilities, increasing safety for workers, the public and the environment
- Removing reprocessing waste from the states where it has been stored for decades and providing for the disposal of these wastes in facilities constructed and regulated for such purposes
- Enhancing safety at DOE sites by using lower-complexity waste treatment and immobilization approaches
- Aligning the U.S. with international guidelines for management and disposal of radioactive waste based on radiological risk
- Utilizing mature and available commercial facilities and capabilities to shorten mission completion schedules and reduce taxpayer financial liability ■

Level VI Inspection Program Publishes Fifth Inspection Data Report

The “CVSA Level VI Program 2020 Inspection Report for Inspections in Calendar Year 2018-2019” is complete and now available for review on the CVSA website. The report provides details on Level VI Inspections conducted in the United States for shipments of transuranic waste to the Waste Isolation Pilot Plant (WIPP) in Carlsbad, New Mexico, as well as other U.S. Department of Energy (DOE) shipments of Class 7 materials subject to Level VI Inspection procedures. Statistics for Level VI Inspections on non-DOE shipments of highway route controlled quantities of Class 7 materials are also provided in this report.

To review the new 2020 Inspection report, visit www.cvsa.org/inspections/inspections, select “Level VI Inspections” from the left-hand navigation column, then click on “News, Updates and Reports.” ■

WIPP Shipment and Disposal Information

Shipments Received as of Sept. 26, 2020; Source: Waste Isolation Pilot Plant website

Site	Shipments	Loaded Miles
Argonne National Laboratory	197	338,213
Bettis Atomic Power Laboratory	5	10,955
GE Vallecitos Nuclear Center	32	44,800
Idaho National Laboratory	6,485	9,024,336
Los Alamos National Laboratory	1,421	485,982
Lawrence Livermore National Laboratory	22	32,688
Nevada Test Site	48	57,312
Oak Ridge National Laboratory	224	300,832
Rocky Flats Environmental Technology Site	2,045	1,446,444
Hanford Site	572	1,034,176
Sandia National Laboratories	10	2,856
Savannah River Site	1,677	2,516,756
Waste Control Specialists	33	3,300
Total to WIPP	12,771	15,298,650

Ontario Completes Level VI Inspection Repatriation Program

In April 2010, the governments of Canada and the United States committed to work cooperatively to repatriate spent highly enriched uranium (HEU) fuel stored in Chalk River, Ontario, to the United States. This was part of the Global Threat Reduction Initiative. It promoted non-proliferation by removing existing weapons grade material from Canada and transferring it to the United States for peaceful processes. Ultimately, the U.S. Department of Energy (DOE) would take title of the HEU fuel being shipped.

In March 2012, the Canadian Federal Government announced that Canada and the United States were expanding their efforts to return additional inventories of HEU materials to the United States. Alternative approaches were considered but, ultimately, it was



MTO Level VI inspector takes a radiation survey of the HEU shipping cask.

determined that repatriation provided the safest, most secure and fastest solution for the permanent disposition of these materials, thereby eliminating a liability for future generations of Canadians.

The Canadian Nuclear Laboratories (CNL) notified the Ministry of Transportation in Ontario (MTO) of a large shipping campaign of radioactive materials originating from Chalk River. At that time, CNL requested that the Ministry of Transportation perform North American Standard Level VI Inspections at point of origin in Chalk River. It was determined that a majority of the shipments leaving CNL during this campaign would be subject to CVSA's Level VI Inspection Program in the United States because the HEU being transported met the definition of highway route controlled quantities (HRCQ) of radioactive materials. Under the U.S. Federal Motor Carrier Safety Administration's Title 49 Code of Federal Regulations 385.415(b) (1), all shipments meeting the definition of a HRCQ Class 7 must pass the Level VI Inspection at the point of origin. The U.S. DOE made the decision to require all shipments of the HEU from CNL be subject to the Level VI Inspection Program.

This decision would prove to be problematic as there were, and continue to be, no regulatory requirements for Level VI Inspections to be conducted in Canada. Prior to this program, all HRCQ shipments bound for the United States were stopped at the border where the point of origin Level VI Inspection was conducted by Level VI certified state police inspectors and, if passed, the Level VI decal was applied.

In December 2015, a select number of Ontario inspectors attended a week-long course taught by CVSA Director of Level VI Inspection Program

Carlisle Smith and instructor Juel Lewis with the assistance of, at that time, MTO employee Kerri Wirachowsky. Once certified, officers were able to conduct point of origin Level VI Inspections at Chalk River. On July 8, 2016, Ontario became the first province in Canada to conduct a Level VI Inspection. Four years later, on Aug. 8, 2020, with a few delays, Ontario completed the repatriation campaign and conducted a total of 153 inspections.

CVSA and its members are proud to have assisted the U.S. DOE's National Nuclear Security Administration in this shipping campaign to safely move the HEU casks.

The success of this program was, in part, the result of the hard work and dedication by the officers involved in the campaign. Success would not have been possible without the knowledge and support of the following people:

- **Commercial Vehicle Safety Alliance**
Carlisle Smith and Kerri Wirachowsky
- **Canadian Nuclear Laboratories**
Mark Chapman, Bill Visneski, Mike Molson and Marc Clouthier
- **Federal Motor Carrier Safety Administration**
Juel Lewis
- **Ministry of Transportation of Ontario**
Virginia McKimm, Peter Hurst and Mike Carr
- **Michigan State Police**
Kevin Hogan
- **New York State Police**
Tom Fuller and Rob Kidder
- **Pennsylvania State Police**
Rion Stann
- **Secured Transportation Services**
Blake Williams ■

Year	Level I Violation	Level I Out of Service	Level VI Violation	Level VI Out of Service
2016/2017	29	7	6	6
2018	3	0	3	3
2019	1	0	0	0
2020	1	0	2	2

Level VI Roadside Inspections (2020 - Fiscal)

LEVEL VI INSPECTIONS	Federal	State	Total	% of Total
Number of Level VI Inspections	0	382	382	100%
Point of Origin	0	227	227	59.42%
En Route	0	154	154	40.31%
Point of Destination	0	1	1	0.26%
Unknown Location	0	0	0	0%
Level VI Inspections with No Violations	0	369	369	96.60%
Level VI Inspections with Violations	0	13	13	3.4%
Level VI Inspections with Out-of-Service Conditions	0	3	3	0.79%

Level VI Roadside Inspection Violations (2020 - Fiscal)

Violation Code	Violation Description	# of Inspections	# of Violations	% of Total Violations	# of OOS Violations	OOS %
393.9A	Inoperative required lamps	4	4	16%	2	50.00%
393.45B2	Brake hose or tubing chafing and/or kinking	3	3	12%	1	33.33%
393.45D	Brake connections with leaks or constrictions	2	2	8%	1	50.00%
393.45	Brake tubing and hose adequacy	2	2	8%	1	50.00%
393.207B	Adjustable axle locking pins missing or not engaged	1	1	4%	0	0%
395.22H3	Driver failed to maintain instruction sheet for ELD malfunction reporting requirements	1	1	4%	0	0%
395.22H2	Driver failed to maintain ELD instruction sheet	1	1	4%	0	0%
395.22H1	Driver failed to maintain ELD user's manual	1	1	4%	0	0%
397.101E2	Driver not in possession of Certificate of Training for RAM shipments	1	1	4%	0	0%
390.21B	Failure to mark CMV with name and/or USDOT #	1	1	4%	0	0%
393.83E	Improper exhaust discharge (not rear of cab)	1	1	4%	0	0%
396.3A1	Inspection, repair and maintenance of parts and accessories	1	1	4%	0	0%
393.11	No or defective lighting devices or reflective material as required	1	1	4%	0	0%
393.95A	No/discharged/unsecured fire extinguisher	1	1	4%	0	0%
393.75A3	Tire-flat and/or audible air leak	1	1	4%	1	100%
172.507A	172.507A	1	1	4%	0	0%
172.504A	Vehicle not placarded as required	1	1	4%	0	0%
393.78	Windshield wipers inoperative/defective	1	1	4%	1	0%



CAN'T ATTEND IN-PERSON TRAINING? CVSA OFFERS TRAINING THROUGH ITS ONLINE LEARNING PORTAL

Stuck behind a desk or at home? CVSA's online training offers the flexibility to take a course anytime, anywhere, at a speed that's comfortable for you.

Want to learn how to properly document a vehicle violation? We've got you. Do you know the properties of a Class 3 hazardous material? We'll teach you. Want to know the telltale signs of a fatigued driver roadside? There's a video for that. View our library of online training videos to learn about these topics and much more.

Whether you're a law enforcement official, a motor carrier safety manager, a transportation safety advocate or an executive at a trucking organization, there is training in the CVSA Learning portal for you.



To access CVSA Learning, log into your CVSA member portal at www.cvsa.org/memberportal, then click on the "CVSA Learning" tab.

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Information Systems Committee

Holly Skaar
Idaho State Police

Passenger Carrier Committee

Tpr. William Alarcon
New Jersey State Police

Policy and Regulatory Affairs Committee

Capt. John Hahn
Colorado State Patrol

Size and Weight Committee

Brad Marten
Montana Department of Transportation

Training Committee

Lt. Ron Jenkins
Oklahoma Highway Patrol

Vehicle Committee

Tpr. John Sova
North Dakota Highway Patrol

PROGRAM CHAIRS

Cooperative Hazardous Materials Enforcement Development

Tpr. Scott Maguire
Massachusetts State Police

Human Trafficking Enforcement

Chief David Lorenzen
Iowa Department of Transportation

International Driver Excellence Award

Brett Graves
Maverick Transportation, LLC

International Roadcheck

Maj. Michael Forman
Mississippi Department of Transportation

Level VI Inspection

M/Sgt. Todd Armstrong
Illinois State Police

North American Cargo Securement Harmonization Public Forum

Tpr. Jeremy Disbrow
Arizona Department of Public Safety

North American Inspectors Championship

Richard Roberts
British Columbia Ministry of Transportation and Infrastructure

Operation Airbrake

Lt. Aaron Hayden
Maine State Police

Operation Safe Driver

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PBBT Users

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Thank You

TO OUR NEW ASSOCIATE MEMBERS

As of Nov. 18, 2020

Flick Law Firm / ENR Consulting LLC / Heritage Transportation Risk Management / Hutch Systems Inc. / Kemmy Law Firm
Lone Star Dot Consultants and Compliance / Meraz Consultores Inc. / Parsons / Ryder System Inc. / Transwest Express Ltd / Trimac
Tri-Shield Consulting Inc.

TO OUR NEW LOCAL MEMBERS

As of Nov. 18, 2020

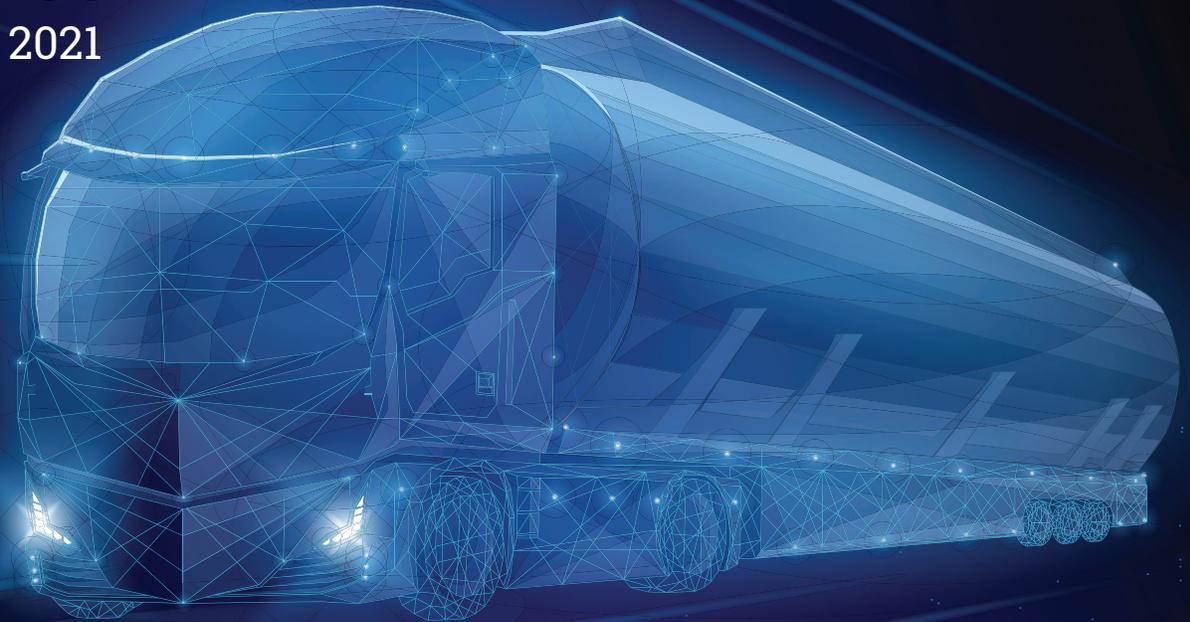
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Virtual COHMED Conference

January 25-28, 2021



Register Today

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Visit www.cvsa.org/eventpage/events/cohmed-conference to learn more and to register.