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SAFETY BULLETIN



Do I need a CDL license to operate that truck?

Tuck Featured: International LT625 Day Cab



October 7, 2016

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Do I need a CDL license to operate that truck?

Answer: The regulations that address this question are found in FMCSA CFR 383.3.

§383.3 Applicability. (a) *The rules in this part apply to every person who operates a commercial motor vehicle (CMV) in interstate, foreign, or intrastate commerce, to all employers of such persons, and to all States. The definition for a commercial motor vehicle for this regulation is as follows:*

Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- a. Has a gross combination weight rating of 11,794 kilograms or more (26,001



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- pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or
- b. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more); or
 - c. Is designed to transport 16 or more passengers, including the driver; or
 - d. Is of any size and is used in the transportation of hazardous materials as defined in this section.

The following are questions that frequently are asked about the CDL and have been addressed by the FMCSA:

- May a person operate a CMV wholly on private property, not open to public travel, without a CDL? **Answer:** YES
- Do mechanics, salesman, shop help and occasional drivers need a CDL if they are only test-driving a CMV? **Answer:** YES, if the CMV is operated on a public street, road or highway.
- I have moved, how long do I have to get my CDL license reissued by my new state of residence? **Answer:** 30 Days.

Do the regulations require that a person driving an empty school bus for a test drive or transport have a CDL?

Answer: Yes, if the bus is designed to transport 16 or more passengers and or the bus has a GVWR that exceeds 26,000lbs a CDL would be required. However, since the unit is empty a passenger endorsement would not be required.

A driver operates a tractor of exactly 26,000 pounds GVWR, towing a trailer of exactly 10,000 pounds GVWR, for a GCWR of 36,000 pounds. HM and passengers are not involved. Is it a CMV and does the driver need a CDL?

Answer: No to both questions. Although the vehicle has a GCWR of 36,000 pounds, it is not a CMV under any part of the definition of that term in [§383.5](#), and a CDL is not federally required.



F M C S A
Federal Motor Carrier Safety Administration

Idealease and the National Private Truck Council NPTC will again be hosting safety seminars in 2016. The one day seminar this year will focus on the new Electronic Logging Device (ELD) regulation, basic safety and compliance, regulation changes and CSA. In addition, this year attendees will receive the mandatory two hour Drug and Alcohol supervisor training as part of the seminar. The seminars and will be provided to all Idealease customers, potential customers and NPTC members at no charge. The seminar provides important information applicable for both the novice and experienced transportation professionals.

[Click Here](#) to register

**2016 Idealease
Safety Seminar
Schedule**

October 12 Chicago, IL

FMCSA Issues Technical Amendments to the Regulations

The Federal Motor Carrier Safety Administration (FMCSA) published a final rule on October 4 to make technical amendments to its regulations. The updates are minor changes to correct errors and omissions, conform with the Office of the *Federal register* style guidelines, update cross references, and improve clarity and consistency of certain regulatory provisions.

The amendments are removing all remaining instances of the term “common carrier” and “contract carrier” in the regulations as required by the ICC Termination Act (ICCTA) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The rule does not make any substantive changes to the affected regulations, except to remove obsolete provisions.

Additional changes include:

- **New entrant motor carrier safety assurance applications (§385.303).**
FMCSA is modifying how new entrant motor carriers may contact the Agency for application materials. FMCSA changed the 703 area code fax number to a 202 area code fax number and is adding the option that new entrant motor carriers may locate application materials online at one of two webpages, the precise location is determined by whether the motor carrier received a USDOT number before or after December 12, 2015.
- **Medical examination and certificate of physical examination (§391.43).**
The Agency is amending this section by removing reference to the obsolete versions of the medical exam form and certificate of completion that were no longer valid as of April 20, 2016, when Forms MCSA-5875 and MCSA-5876 were the only acceptable formats.
- **Driver’s record of duty status (§395.8).** FMCSA states it has received a significant number of questions asking how a motor carrier can determine whether a commercial motor vehicle was manufactured before model year 2000, thus allowing its driver to use paper records of duty status instead of the electronic logging device (ELD) required in most other cases. The agency is amending this section to include an additional qualifying phrase. The model year 2000 will be determined during roadside inspections “as reflected in the vehicle identification number as shown on the vehicle’s registration.”

These technical amendments are effective September 30, 2016.

FMCSA Announces Proposed Enhancements to Safety Measurement System Public Website Display

The Federal Motor Carrier Safety Administration (FMCSA) on Tuesday announced that a public preview of the latest proposed enhancements to the Compliance, Safety, Accountability (CSA) Safety Measurement System (SMS) website will be published in the Federal Register this week, to be followed by a 60-day public

comment period.

As first outlined in a June 29, 2015, Federal Register notice these proposed enhancements are a continuation of the agency's longstanding efforts to provide law enforcement, the motor carrier industry, and motor carriers with more informative safety data.

Drug-Free Workplace Week October 10-15

The U.S. Department of Labor is encouraging public and private community organizations to participate in the 5th annual Drug-Free Work Week, which will occur Oct. 10 to 15. This public awareness campaign, held each October, emphasizes the importance of drug-free workplace programs to help prevent workplace alcohol and drug use, and encourage workers with alcohol and drug problems to seek help. Successful drug-free workplace programs provide a safe and healthy environment for workers, and result in a productive workplace for employers.



Got Chains?

If you are operating in state that require chains to be on board, make sure the chains are the correct size, properly secured, clean, and not broken as to be easily applied when necessary.



Not sure what your states chain laws are go to:

<http://www2.idealease.com/e/36492/laws-html/563vc1/536376542>

Operation Safe Driver Week is Oct. 16-22

On August 2, 2016, the Commercial Vehicle Safety Alliance (CVSA) announced that its 2016 Operation Safe Driver Week would be held during Oct. 16-22, 2016. During this event, law enforcement agencies throughout North America will engage in increased traffic safety enforcement and education that will be focused on at combating unsafe driving behaviors by commercial motor vehicle (CMV) drivers and passenger-vehicle drivers.



The CVSA holds Operation Safe Driver Week in partnership with the FMCSA It is

supported by industry and transportation safety organizations, and aims to reduce the number of crashes, deaths and injuries involving large trucks, buses and cars due to unsafe driving behaviors.

Some unsafe behaviors that enforcement will be tracking throughout the event include the following:

- Speeding
- Failure to use a seatbelt while operating a CMV or in a passenger vehicle
- Distracted driving
- Failure to obey traffic control devices
- Traveling too closely
- Improper lane changes

According to the CVSA, unsafe driver behavior by CMV drivers and passenger-vehicle drivers continues to be the leading cause of crashes. The Federal Motor Carrier Safety Administration's (FMCSA) "Large Truck Crash Causation Study" cites driver behavior as the critical reason for more than 88 percent of large truck crashes and 93 percent of passenger-vehicle crashes.

For additional information:

<http://www2.idealease.com/e/36492/programs-operation-safe-driver-563vc3/536376542>

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