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## SAFETY BULLETIN



October 5th, 2018

**Drug-Free Workplace  
Week October 15th-  
20th**

## 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 a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 11,794 kilograms or more (26,001 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
- Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more); or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of hazardous materials as defined in this section.

## Questions That Are Frequently 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.*



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. 15 to 20. 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.

For additional information [Click Here.](#)

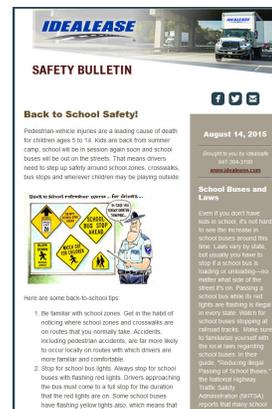
**Register Your  
Employees For the  
Safety Bulletin as Well  
as View the Archives  
of Past Bulletins**

• 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 MGWVR 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.*



[Click Here](#)

## FMCSA Extends ELD Exemption For Agricultural Transporters

The Federal Motor Carrier Safety Administration (FMCSA) extended an exemption for transporters of livestock and insects to have an electronic logging device (ELD). FMCSA said the exemption was extended through Dec. 7, 2018, and will remain in



poultry, fish used for food, and other animals that are part of a foundation herd.

place until further notice. The notice said that drivers do not need to carry any documentation regarding the exemption. The exemption was due to expire at the end of the government's fiscal year, September 30, 2018, but new legislation extended that by 10 weeks. The term "livestock" includes cattle, elk, reindeer, bison, horses, deer, sheep, goats, swine,

## FMCSA Seeks Comments on California Meal and Rest-Break Rules

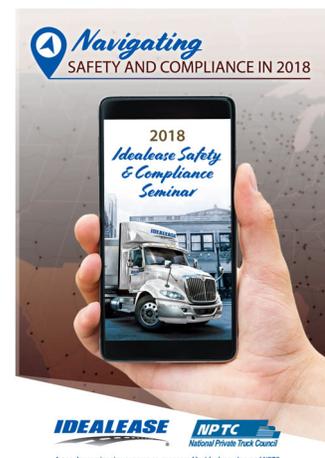
The Federal Motor Carrier Safety Administration (FMCSA) is requesting comments on a petition submitted by the American Trucking Associations requesting a determination that California's meal and rest break rules obstruct interstate commerce and therefore must be repealed. The FMCSA is seeking comments to determine what effect, if any, the California law may have on interstate commerce.

The Pipeline and Hazardous Materials Safety Administration in September approved the petition from the National Tank Truck Carriers to declare that commercial motor vehicles transporting hazardous materials were exempt from the meal-and-rest rule. The California rule states that employees take a



## Navigating Safety and Compliance in 2018

Idealease and the National Private Truck Council NPTC will again be hosting safety seminars in 2018. The one day seminar this year will focus on the new Electronic Logging Device (ELD) regulation, basic safety and compliance, regulation changes and CSA. The seminars 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. To register for an upcoming seminar in 2018, [Click Here.](#)



**Fall Seminars  
(October-November)**

30-minute meal break after five hours of work and a second 30-minute meal period after 10 hours of work. Employees are also entitled to a 10-minute rest period for every four hours worked. Comments on the topic must be received by October 29, 2018.

Comments can be submitted at [regulations.gov](https://www.regulations.gov) under federal docket number FMCSA-2018-0304.

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## 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.

[Click Here](#) to see what your state's chain laws are.

10/10/2018	Nashville, TN
10/16/2018	Kansas City, MO
10/24/2018	Modesto/Turlock, CA
10/25/2018	Oklahoma City, OK
11/7/18	San Leandro, CA

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