



✓ Safety Bulletin [FAQ'S \(/safety-bulletins/faqs-0\)](https://www.idealease.com/safety-bulletins/faqs-0) has been updated.



FAQ'S

What documentation is required to be kept in the vehicle of units I have from Idealease showing that the vehicle is a lease or rented vehicle?



https://www.idealease.com/sites/default/files/styles/extra_large/public/itok=pleFx6UF

Answer: If the vehicle is subject to the Federal Motor Carrier Safety (FMCSA) regulations (greater than 10,000 lbs MGWVR) then a document is required to be in the unit for the duration of the lease or rental.

Lease vehicles are subject to the FMCSA regulation CFR 376.11(c) stating that a copy of the lease or certified statement of lease with the required information is to be kept on the unit during the lease period.

Rental vehicles are subject to the FMCSA regulation CFR 390.21(e)(2)(iv) stating that a copy of the rental agreement is to be carried on the unit for the duration of the rental.

My driver is complying with the ELD regulations, and the commercial vehicle they are driving becomes disabled, so they need to operate a rental. What are the ELD exemptions that would allow them to complete paper logs for operating a rental unit?

Answer:

1. Drivers who have a rental vehicle for 8 days or less (FMCSA letter of exemption must be available to an officer upon request)
2. Drivers who use paper logs for not more than 8 days during any rolling 30-day period
3. Drivers who conduct driveaway-towaway operations, where the vehicle is the product being delivered
4. Drivers of vehicles manufactured before model year 2000
5. Drivers who operate using the logbook exception (i.e. short-haul 100 air mile CDL and 150 air miles Non-CDL drivers) and can comply to the exception 22 days out of a rolling 30 day period
6. INTRAstate operations (Depending on your states timeline for adopting the ELD regulation)

I use a driver leasing company; who is responsible for the compliance with the Federal Motor Carrier regulations?

Answer: Driver services and driver leasing companies are not motor carriers and are not responsible for compliance with the regulations. The driver service or leasing company may complete activities such as driver qualification files, annual reviews, road tests, etc. at the direction of the motor carrier. However, keep in mind that you the motor carrier are responsible for any non-compliance with the FMCSA regulations.

As a driver, am I responsible to see that the cargo in my truck is properly secured even if I do not load it?

Answer: YES, The FMCSA Regulations state in CFR 392.9(a)(1) a) General. A driver may not operate a commercial motor vehicle and a motor carrier may not require or permit a driver to operate a commercial motor vehicle unless-(a)(1) The commercial motor vehicle's cargo is properly distributed and adequately secured as specified in §§ 393.100 through 393.142 of this subchapter.

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 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.

What are the disqualifications that would prevent a driver from receiving clearance in the security threat assessment process for a Hazardous Materials endorsement?

Answer: Conviction of any of the following crimes will disqualify a driver from being eligible for a hazmat endorsement:

- Terrorism, Assault with intent to murder, Murder, Espionage, Sedition, Kidnapping or hostage-taking, Treason, Rape or aggravated sexual abuse, Extortion, Robbery, Arson, Bribery, Smuggling, Immigration violations, RICO (Racketeer Influenced and Corrupt Organizations Act) violations, Unlawful possession, use, sale, distribution, or manufacture of an explosive device, firearm, or other weapon, Distribution of, intent to distribute, possession, or importation of a controlled substance, Dishonesty, fraud, or misrepresentation, including identity fraud, Crimes involving a severe transportation security incident, Improper transportation of a hazardous material, Conspiracy or attempt to commit any of these crimes

All drivers who need to renew their hazardous material endorsement or apply for a new HM endorsement on their CDL need to complete the "Security Threat Assessment" process. It is recommended that drivers start this process 90 days prior to the expiration of their license. To start the assessment process, [click here \(https://www.tsa.gov/for-industry/hazmat-endorsement\)](https://www.tsa.gov/for-industry/hazmat-endorsement).

What do the FMCSA regulations say about my driver who has a current medical certificate but has developed a medical condition that would make the operation of a commercial motor vehicle (CMV) questionable and possibly unsafe?

FMCSA regulations prohibit a driver from beginning or continuing to drive if their ability and/or alertness is impaired by: fatigue, illness, or any cause that makes it unsafe to begin (continue) to drive a commercial vehicle.

Even if a driver currently has a valid medical certificate, the driver is prohibited from driving a CMV with any medical condition that would be disqualifying or may interfere with the safe operation of a CMV. Once a disqualifying medical condition is resolved, and before resuming operation of CMV, a driver is responsible for obtaining re-certification from a Medical Examiner. FMCSA CFR 391.45



https://www.idealease.com/sites/default/files/styles/extra_large/public/drunk-driving-florida-300x200.jpg?itok=DO-cz9xQ

holiday drinking and driving

Alcohol, Drivers, and the Holidays

Now is a good time to remind your drivers of the consequences of drinking during the holiday season and what effect their actions can have on their CDL or operator's license and ultimately their employment with your company. Advise your drivers to use caution when indulging in alcoholic beverages and have a designated driver to not only protect their license and job but the motoring public. The FMCSA regulations are specific that a CDL driver while operating any type of motor vehicle is convicted of being under the influence of alcohol as described by state law will be disqualified from operating a commercial motor vehicle for one year. A second conviction would disqualify the driver from operating a commercial motor vehicle for life.

When is Alcohol Use Prohibited for a commercial driver?

Answer: Alcohol is a legal substance; therefore, the rules define specific prohibited alcohol-related conduct. Performance of a safety-sensitive function such as driving is prohibited:

- While using alcohol
- While having a blood alcohol concentration of 0.04 percent or greater as indicated by a breathalyzer test
- Within four hours after using alcohol

In addition, refusing to submit to an alcohol test or consuming alcohol within eight hours after an accident or until tested (for drivers required to be tested) are prohibited.

Do you or your drivers have a CDL or medical card that expired due to the COVID pandemic this year? If so, you only have a few more weeks to renew them.

Although the commercial drivers' license and medical card waivers that FMCSA issued in the spring were extended once, the agency is not expected to issue a further extension. This means that anyone

who is currently driving with a CDL or medical card that expired on or after March 1, 2020 must have those documents renewed by the end of the year.

Any driver found driving with an expired CDL or medical card after the waiver expiration date of December 31, 2020 could be issued a fine and pulled from service.

Download PDF

[12-11-20 FAQ'S.pdf \(https://www.idealease.com/sites/default/files/12-11-20%20FAQ%E2%80%99S.pdf\)](https://www.idealease.com/sites/default/files/12-11-20%20FAQ%E2%80%99S.pdf)

24/7 ROADSIDE ASSISTANCE
CALL 1-800-435-3273

IDEALEASE, INC.

430 North Rand Road, North Barrington, IL 60010 | **847-304-6000** |