



## DOES YOUR DRIVER KNOW THE DIFFERENCE BETWEEN A “DEFECT” AND A “SAFETY SENSITIVE” DEFECT?

**The Drivers Daily Vehicle Inspection (DVIR) is part of a driver’s daily responsibility to protect themselves, the motoring public, and the equipment they operate. But does your driver know the difference between a “defect” and a “safety sensitive” defect?**

Drivers and technicians need to understand the Federal Motor Carrier Safety Regulations contained in CFR 399 Appendix G that defines “safety sensitive” defects that would render the unit out of service during a pre or post-trip inspection.

Here is the Guidance for [FMCSA CFR 396.11](https://www.fmcsa.dot.gov/regulations/title49/section/396.11) (<https://www.fmcsa.dot.gov/regulations/title49/section/396.11>):

*Question 6:* Does [§396.11\(c\)](https://www.fmcsa.dot.gov/regulations/title49/section/396.11) (<https://www.fmcsa.dot.gov/regulations/title49/section/396.11>) require a motor carrier to effect repairs of all items listed on a DVIR prepared by a driver before the vehicle is subsequently driven?

*Guidance:* The motor carrier must effect repairs of defective or missing parts and accessories listed in Appendix G to the FMCSRs before allowing the vehicle to be driven.

The [Drivers Daily Inspection Processes](https://csa.fmcsa.dot.gov/safetyplanner/MyFiles/SubSections.aspx?ch=22&sec=65&sub=148) (<https://csa.fmcsa.dot.gov/safetyplanner/MyFiles/SubSections.aspx?ch=22&sec=65&sub=148>) are a requirement of the Federal Motor Carrier Safety Regulations to insure the vehicle is in safe operating condition.

A crucial part of each and every driver’s daily operation is to inspect the commercial vehicle they are operating. Over the years there has been confusion regarding pre and post trip inspections. Let’s start with the pre-trip inspection. FMCSA regulations [CFR 396.13](https://www.fmcsa.dot.gov/regulations/title49/section/396.13) (<https://www.fmcsa.dot.gov/regulations/title49/section/396.13>) state that before driving a motor vehicle, the driver shall:

- (a) Be satisfied that the vehicle is in safe operating condition;
- (b) Review the last driver vehicle inspection report; and
- (c) Sign the report, only if the driver who prepared the report, to acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been performed, noted defects or deficiencies. The signature requirement does not apply to listed defects on a towed unit, which is no longer part of the vehicle combination.

Does the pre-trip inspection need to be documented? Although the pre-trip is not required by regulation to be documented, it is a good idea to document the inspection; I recommend that the pre-trip inspection be "flagged" on the driver's record of duty status in the "Grid" section.

Now let's take a look at the post trip inspection. The [FMCSA CFR 396.11](https://www.fmcsa.dot.gov/regulations/title49/section/396.11) (<https://www.fmcsa.dot.gov/regulations/title49/section/396.11>) requires that every driver report, and prepare a report in writing at the completion of each day's work on each vehicle operated and that report (DVIR) shall cover the following parts and accessories:

- (a) Service brakes including trailer brake connections
- (b) Parking (hand) brake
- (c) Steering Mechanism
- (d) Lighting devices and reflectors
- (e) Tires
- (f) Horn
- (g) Windshield Wipers
- (h) Rear vision mirrors
- (i) Coupling devices
- (j) Wheels and rims
- (k) Emergency equipment

The report shall identify the vehicle and list any defect or deficiency in the vehicle that would affect the safe operation of the vehicle or cause a mechanical breakdown. If there are no defects or deficiencies the driver shall so indicate on the DVIR. In all instances the driver is required to sign the DVIR upon completion.

Now if there are defects or deficiencies noted by the driver the motor carrier is required to correct or cause to have corrected the defects or deficiencies of the CMV prior to allowing or permitting the operation of the vehicle. Does this mean all defects and deficiencies have to be corrected? NO, only those as outlined in appendix G of the FMCSR that would directly affect the safe operation of the CMV. Technicians, drivers and service managers should all become familiar with appendix G to determine which defect/deficiencies must be corrected immediately and which can be held off until the next PM or later date. Once the defect /deficiency(s) have been corrected the original DVIR is required to be "certified" as corrected or that the correction was unnecessary. The DVIR is then to be signed by the repairing technician. The "certification" is required to be on all copies of the DVIR. The driver is to retain the previous days DVIR on the CMV and the motor carrier is required to maintain all DVIRs for ninety days.

If you have not reviewed Appendix G of [FMCSA CFR 399](https://www.fmcsa.dot.gov/regulations/title49/part/399) (<https://www.fmcsa.dot.gov/regulations/title49/part/399>) with your drivers I would recommend that you include this information in your next driver safety meeting.

[Click here to view Appendix G. \(https://www.gpo.gov/fdsys/pkg/CFR-2011-title49-vol5/pdf/CFR-2011-title49-vol5-subtitleB-chapIII-subchapB-appG.pdf\)](https://www.gpo.gov/fdsys/pkg/CFR-2011-title49-vol5/pdf/CFR-2011-title49-vol5-subtitleB-chapIII-subchapB-appG.pdf)

## Do Your Drivers Need Training on Performing a Proper Pre and Post Trip Inspection?

Idealease has this training available for you!

English:

[Tractor Trailer \(https://youtu.be/9TL62H5yUQA\)](https://youtu.be/9TL62H5yUQA)

[Straight Truck \(https://youtu.be/rsUTQrN-514\)](https://youtu.be/rsUTQrN-514)

Spanish:

[Straight Truck \(https://www.youtube.com/embed/SDvbuAuKQLM\)](https://www.youtube.com/embed/SDvbuAuKQLM)

[Tractor Trailer \(https://www.youtube.com/embed/529XGijxTfU\)](https://www.youtube.com/embed/529XGijxTfU)

## ***Turn Around, Don't Drown!***

The South has been inundated in the past month with unprecedented storms that have brought tornados, high winds, and torrential rains.

Whether you are driving or walking, if you come to a flooded road, *Turn Around, Don't Drown*. You will not know the depth of the water, nor will you know the condition of the road under the water.

- If flooding occurs, get to higher ground. Get out of areas subject to flooding. This includes dips, low spots, canyons, washes etc.
- Avoid areas already flooded, especially if the water is flowing fast. Do not attempt to cross flowing streams. Turn Around Don't Drown
- Road beds may be washed out under flood waters. NEVER drive through flooded roadways. Turn Around Don't Drown If your vehicle is suddenly caught in rising water, leave it immediately and seek higher ground.
- Do park your vehicle along streams and washes, particularly during threatening conditions.
- Be especially cautious at night when it is harder to recognize flood dangers
- Avoid low water crossings.
- Use alternate routes to avoid flood prone areas.
- Leave your vehicle immediately if it stalls in flood waters.
- Move to higher ground if you can do so safely.
- Most cars and light trucks will begin to float in as little as 1 to 2 feet of water.
- 6" of fast moving water can knock and adult down and carry them away
- 12" of fast moving water can take a small car and carry it away
- 18"-24" of fast moving water can take a large SUV and carry it way

To check on weather conditions and flooding, go the [National Weather Service website \(www.srh.weather.gov\)](http://www.srh.weather.gov).

## ***FMCSA Releases More Entry-Level Driver Training Information***

The [Federal Motor Carrier Safety Administration \(FMCSA\) \(https://www.fmcsa.dot.gov/\)](https://www.fmcsa.dot.gov/) has released new information related to the new entry-level driver training (ELDT) requirements, set to go into effect in less than a year.

With the opening of the [ELDT Training Provider Registry \(TPR\)](https://tpr.fmcsa.dot.gov/) (<https://tpr.fmcsa.dot.gov/>) slated for this summer, FMCSA has released details on what information a training provider will be required to submit to be listed on the TPR. Being listed on the TPR is a requirement to provide ELDT as of February 7, 2022.

When registering on the TPR, information training providers will need to provide includes:

- Provider name and contact information;
- Facility name and contact information;
- Type of provider (for-hire/not-for-hire, in-house/not-in-house);
- Type of training provided;
- Average training hours;
- Third-party affiliations, certifications, or accreditations;
- Average training cost; and
- Self-certification that the provider meets all requirements.

If a training provider operates more than one location, each location will need to register. No fee will be required to register on the TPR.

Additional information on the TPR may be accessed via the [ELDT website](https://tpr.fmcsa.dot.gov/) (<https://tpr.fmcsa.dot.gov/>).

*Key to remember:* As of February 7, 2022, to provide instruction to an individual wanting to obtain Class A or B CDL, upgrade from a Class B to Class A CDL, or obtain a passenger, school bus, or hazmat endorsement, an entity must meet all of the ELDT requirements and must be listed on the TPR. Without this listing, an entity's training program will not be recognized when an individual attempts to register for the CDL skills test, passenger or school bus endorsement skills test, or hazmat endorsement written test. The individual will be denied the test until he or she has proof of successfully completing a course of instruction, provided by an entity listed on the TPR.

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## ***National Work Zone Awareness Week April 26th-30th***



National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through highway work zones and construction sites. The key message is for drivers to use extra caution in work zones. [For more information, click here. \(http://www.nwzaw.org\)](http://www.nwzaw.org)

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