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SAFETY BULLETIN



June 10, 2016

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A new Seminar has been added to the schedule!

An Idealease Safety Seminar will be held in Columbia, South Carolina on October 5th!

Six Most Common CSA Violations

THE TRUCK

Violation: Lighting

- 28% of all roadside vehicle violations last year, out of 2.4 million inspections, dealt with lights or reflective materials.
- Light violations are a severity point assessment of 6 CSA points and a conspicuity of reflective tape violations are 3 CSA points.

Prevention: Pre and Post trip inspections and reporting of lighting defects on the daily vehicle inspection report.

Violation: Brakes

- 25% of vehicle violations are for brakes, with over 1 million brake violations last year, each with four CSA points.

Prevention: Training is key. Make sure drivers know what to look for and when to get assistance with their brakes. The only way to find a brake adjustment problem is to carefully measure the stroke, and adjusting a brake that has an automatic adjuster won't fix the problem (and may make it worse).



Register Now for the 2016 Idealease / NPTC Safety Seminar

Idealease and the National Private

Violation: Tires

- 11% of vehicle violations are for tires (half for tread depth), with a CSA severity of eight points.
- Steer tires must have 4/32 inch of tread depth; other tires must have 2/32 inch.

Prevention: Pre and Post Trip inspections that identify tires that are getting close to regulation requirements being reported on the daily vehicle inspection report. Drivers need to know how and when to check inflation (with a gauge!) and when it's time for a replacement.

THE DRIVER**Violation: Logs**

- "Form & Manner" and "Log Not Current" violations make up 25% of all driver violations at the roadside, far and above any other violation. A form/manner violation carries just one CSA point, but a log that isn't current is worth five.

Prevention: Review hours of service regulations with all drivers upon orientation and throughout the year during driver meetings. Monitor hours of service documentation for violations. Implement a progressive disciplinary policy for violators with termination as the ultimate action taken. Consider implementing electronic logging devices.

Violation: Medical issues

- 12% of driver violations are related to medical issues, often a failure to have a valid medical certificate. These carry a low CSA point value of one or two, although driving while physically ill is a 10-point violation.

Prevention: Track the expiration of your drivers' medical cards and make sure they get updated, placed in drivers' files, carried in the vehicle and turned in to the state licensing agency. Make sure drivers know exactly what's required of them, and have consequences in place for those who fail to comply.

Some of these violations may go away once we have the National Registry of Medical Examiners, and once interstate CDL drivers no longer have to carry their medical cards (in Feb. 2015).

Violation: English ability

- This violation has been surging in recent years, currently at 9% of all driver violations and carrying four CSA points.
- Compliance is complicated because there is no yes/no standard. Key for a roadside inspection is being able to fill out paperwork, speak with officers and answer their questions, all in English.

Prevention: Your hiring practices should filter out drivers who simply cannot meet the standard. Use training and practice to help drivers know how to respond to typical questions about their logs, their trips and cargo, their insurance, registration, license and their vehicle.

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:

June 23	San Leandro, CA
September 20	Lafayette, IN
September 21	Santa Fe Springs, CA
September 22	Santa Barbara, CA
October 4	Green Bay, WI
October 4	Erie, PA
October 5	Butler, PA
October 5	Columbia, SC
October 6	Cleveland, OH

"RED FLAG" DRIVER VIOLATIONS

When investigating a motor carrier, a Safety Investigator (SI) looks at driver history for egregious violations of the Federal Motor Carrier Safety Regulations (FMCSRs). These violations are sometimes referred to as Red Flag Violations and are always investigated as part of a carrier investigation. The SI conducting the investigation looks to see if the violation has been corrected. At present, there are 12 such violations, though this list may be updated periodically. These violations are outlined in the table below, along with the Behavior Analysis and Safety Improvement Categories (BASICS) to which they correspond.

BASIC	FMCSR PART	VIOLATION DESCRIPTION
Driver Fitness	383.21	Operating a commercial motor vehicle (CMV) with more than one driver's license
Driver Fitness	383.23(a)(2)	Operating a CMV without a valid commercial driver's license (CDL)
Driver Fitness	383.51(a)	Driving a CMV (CDL) while disqualified
Driver Fitness	383.91(a)	Operating a CMV with improper CDL group
Driver Fitness	391.11	Unqualified Driver
Driver Fitness	391.11(b)(5)	Driver lacking valid license for type of vehicle being operated
Driver Fitness	391.11(b)(7)	Driver disqualified from operating a CMV
Driver Fitness	391.15(a)	Driving a CMV while disqualified
Controlled Substances/Alcohol	392.4(a)	Driver uses or is in possession of drugs
Controlled Substances/Alcohol	392.5(a)	Possession/use/under influence of alcohol less than 4 hours prior to duty
Fatigued Driving (HOS)	395.13(d)	Driving after being declared out-of-service (OOS)
Vehicle Maintenance	396.9(c)(2)	Operating an OOS vehicle

Any driver violations identified and addressed during carrier investigations that are not corrected may result in a driver Notice of Violation or Notice of Claim.

Are you Safe for Life?

The National Safety Council and thousands of organizations across the are raising awareness of what it takes to stay SafeForLife. Observed annually in June, National Safety Month focuses on reducing leading causes of injury and death at work, on the roads and in our homes and communities.



Each week in June, we will be providing downloadable resources highlighting a different safety topic:

- Week 1 (through June 12): Stand Ready to Respond
- Week 2 (June 13-19): Be Healthy
- Week 3 (June 20-26): Watch Out for Dangers
- Week 4 (June 27-30): Share Roads Safely

[Get Your Free Materials](#)

Visit the NSC Safety Month Website at: nsc.org/nsm

New rule requires passengers in large commercial trucks to wear seat belts

The Federal Motor Carrier Safety Administration (FMCSA) announced that passengers riding in large commercial trucks will be required to use seat belts whenever the vehicles are operated on public roads in interstate commerce.



Effective August 8, 2016, the final rule revises Federal Motor Carrier Safety Regulations and holds motor carriers and drivers responsible for ensuring that passengers riding in large commercial trucks are using seat belts.

In 2014, 37 passengers traveling unrestrained in the cab of a large truck were killed in roadway crashes, according to the most recent data from the National Highway Traffic Safety Administration (NHTSA). Of this number, approximately one-third were ejected from the truck cab.

FMCSA's most recent Seat Belt Usage by Commercial Motor Vehicle (CMV) Drivers Survey, published in March 2014, found that commercial motor vehicle passengers use seat belts at a lower rate (73 percent) than CMV drivers (84 percent). Federal rules have long required all commercial drivers to use seat belts.

Drug & Alcohol clearinghouse final rule sent to OMB

A draft final rule by the Federal Motor Carrier Safety Administration on to create an online clearinghouse for CDL driver drug and alcohol testing results was received by the White House Office of Management and Budget for review on May 20, 2016. If there are no complications, OMB approval normally takes about 60 days, so the final rule could be published in the Federal Register by the end of July 2016.

This rulemaking would create a central database for verified positive controlled substances and alcohol test results for CDL holders and refusals by such drivers to submit to testing. The final rule would require employers of CDL holders and service agents to report positive test results and refusals to test into the clearinghouse. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the clearinghouse, would query the clearinghouse database to determine if any specific information about the driver applicant is in the clearinghouse before allowing the applicant to be hired and to drive CMVs.

Also, once this final rule is implemented for three years, FMCSA is expected to eliminate the current requirement that motor carrier employers seek information from prior employers on positive drug and alcohol tests or refusals to test for CDL driver applicants.

ATRI releases results of truck driver sleep apnea study

The American Transportation Research Institute (ATRI) released the results of its sleep apnea survey, which highlights a number of issues related to truck driver screening and treatment of Obstructive Sleep Apnea (OSA).

With data from over 800 commercial drivers, ATRI's report is the first to quantify the costs and other impacts that truck drivers are experiencing as they address diagnosis and potential treatment regimen for OSA.

Findings from the study include:

- Among drivers who had been referred to a sleep study, 53 percent paid some or all of the test costs, with an average of \$1,220 in out-of-pocket expenses, representing just over 1.5 weeks of median driver pay at \$805 per week.
- Health insurance assistance with sleep study costs impacted driver out-of-pocket costs significantly — 61 percent of drivers with no health care coverage of their sleep study incurred out-of-pocket costs exceeding \$1,000 compared to 32 percent of drivers whose health insurance did cover some portion of the sleep study with costs exceeding \$1,000.
- Among drivers reporting time away from work associated with sleep apnea screening, 41 percent indicated days off ranging from 1 - 30 days.
- Use of a Continuous Positive Airway Pressure (CPAP) machine was the most commonly prescribed treatment regimen for drivers diagnosed with sleep apnea. This includes drivers in the ATRI sample diagnosed with mild sleep apnea, a condition that does not require treatment for medical certification.
- The number of drivers who report not adhering to a prescribed OSA treatment was only 1.95 percent of the moderate/severe OSA diagnosed respondents.
- Driver-perceived treatment efficacy varied by OSA severity. As OSA diagnosis severity increased, drivers experienced more positive CPAP treatment effects. For example, drivers diagnosed with severe OSA and being treated with CPAP reported increased amounts of sleep (84 percent), feeling better when they wake up (71 percent), and lower blood pressure (75 percent).
- Conversely, among the 91 percent of drivers being treated with CPAP — despite a diagnosis of mild sleep apnea — less than a third (32 percent) experienced improved sleep as a result of CPAP treatment.
- Among drivers who have had sleep studies and those who have not, there is

concern about the use of neck circumference and Body Mass Index (BMI) as measures to refer drivers to sleep studies. Additionally, among drivers who have been tested, 64 percent believe that the DOT guidelines for referring drivers are too broad and that medical examiners do not follow the guidelines for referrals to sleep studies.

Comment period for sleep apnea rule extended

The Federal Motor Carrier Safety Administration (FMCSA) and Federal Railroad Administration published an Advance Notice of Proposed Rulemaking (ANPRM) on March 10, 2016, requesting certain information regarding the evaluation of safety sensitive personnel for moderate-to-severe obstructive sleep apnea (OSA). The agencies are extending the comment period for the ANPRM from June 8, 2016, to July 8, 2016.

According to the agencies, the joint ANPRM is the first step in considering whether to propose requirements specifically on OSA.

You may submit comments identified by either of the docket numbers, FMCSA-2015-0419 and FRA-2015-0111, using the Federal Rulemaking Portal at www.regulations.gov.

New York chiropractors no longer authorized to perform driver physical exams

The Federal Motor Carrier Safety Administration (FMCA) was recently notified by the New York State Education Department, State Board for Chiropractic that under their present scope of practice, Doctors of Chiropractic in New York are not authorized to perform Department of Transportation (DOT) physical exams required to determine and certify the physical qualifications of commercial motor vehicle (CMV) drivers.

The State Board of Chiropractic has notified all chiropractors listed on the National Registry of Certified Medical Examiners that the DOT examination for CMV operators is beyond the scope of chiropractic practice as defined under New York State Law.

On June 1, 2016, FMCSA notified all chiropractors licensed in New York that they are removed from the National Registry, effective immediately. Medical Examiner certificates issued by New York State licensed chiropractors through June 1, 2016, while they were listed on the National Registry will remain valid until their expiration date.

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