



NORTH RISK
PARTNERS®



DOT AUDITS: CSA SCORING, TYPES OF AUDITS & PREPARATION

PRESENTED BY

MARC NAULT

DOT COMPLIANCE DIRECTOR
ERMA



PRESENTER



Marc Nault

DOT Compliance Director

ERMA

AGENDA

- **CSA scoring and the safety management process**
 - Registrations-MCS-150
 - Safety Measurement System & the B.A.S.I.C.s
 - Roadside inspections
 - Data-Q system (violation disputing)
 - FMCSA portal and score management
- **Types of Department of Transportation (DOT) Audits**
 - Comprehensive vs. focused
 - Onsite vs. offsite
 - Record retention
- **What is needed to prepare for an audit**
 - Driver qualification files
 - Corrective action
 - Clearinghouse registrations and queries
 - Vehicle and maintenance records
 - Recordable accidents



BIENNIAL UPDATE NOTICE

Part 390.19-Filing of MCS-150

All motor carriers, except as provided in 49 CFR section 390.19(g) with reference to the Performance and Registration Information System Management (PRISM) program, **are required to file a MCS-150 once every 24 months after beginning its operations.**

**ODD NEXT-TO-LAST
DIGIT OF U.S. DOT #**



**FILE UPDATE EVERY
ODD-NUMBERED
CALENDAR YEAR**

**EVEN NEXT-TO-LAST
DIGIT OF U.S. DOT #**



**FILE UPDATE EVERY
EVEN-NUMBERED
CALENDAR YEAR**

\$500.00 FINE FOR FAILURE TO REGISTER

DOT # ENDING IN	MUST FILE BY LAST DAY OF
1	JANUARY
2	FEBRUARY
3	MARCH
4	APRIL
5	MAY
6	JUNE
7	JULY
8	AUGUST
9	SEPTEMBER
0	OCTOBER

Electronic filing is available online at:
https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option

COMPLIANCE, SAFETY, ACCOUNTABILITY



- ➔ Formerly known as Comprehensive Safety Analysis 2010
- ➔ An initiative to measure Motor Carrier Compliance and Driver safety performance
- ➔ Information compiled from roadside inspections, crashes & intervention violations
- ➔ Drivers & Carriers are now rated on a point system
- ➔ Drivers keep points for 36 months from date of violation
- ➔ Carriers keep points 24 months from date of violation
- ➔ Driver receives up to a max of 30 points per inspection
- ➔ Increased interventions (compliance reviews & inspections)

SAFETY MEASUREMENT SYSTEM (SMS) METHODOLOGY

Behavior Analysis and Safety Improvement Category (BASIC) Prioritization Status

- A Severity Weight from 1 (less severe) to 10 (most severe) is assigned to each applicable violation
- A Time Weight of 1, 2, or 3 is assigned to each applicable violation based on how long ago a violation on the inspection was recorded
 - Violations recorded in the past 12 months receive a time weight of 3
 - Violations recorded between 12 and 24 months ago receive a time weight of 2
 - All violations recorded older than 24 months but within the past 36 months receive a time weight of 1

Safety Rating & OOS Rates

(As of 06/08/2017 updated daily from SAFER)

CONDITIONAL
(Rating Date: 05/24/2017)

Out of Service Rates

Type	OOS %	National Avg %
Vehicle	32.1	20.7
Driver	8.7	5.5
Hazmat		4.5

Number of Drivers: 15
Number of Inspections: 48

Licensing and Insurance

(As of 06/08/2017 updated hourly from L&I)

Type	Active For-Hire Authority	
	Yes/No	MC#/MX#
Property	Yes	MC-198176
Passenger	No	
Household Goods	No	
Broker	No	

See how the proposed enhancements impact your results. Visit the SMS Preview Website [→](#)

BASIC Status (Motor Carrier View) ?

Behavior Analysis & Safety Improvement Categories (BASICS)

How does SMS relate to crashes?

Based on a 24-month record ending May 26, 2017

UNSAFE DRIVING

CRASH INDICATOR

HOURS-OF-SERVICE COMPLIANCE

VEHICLE MAINTENANCE

CONTROLLED SUBSTANCES AND ALCOHOL

HAZARDOUS MATERIALS COMPLIANCE

DRIVER FITNESS

INSURANCE AND OTHER

65%
require score lower than

80%
require score lower than

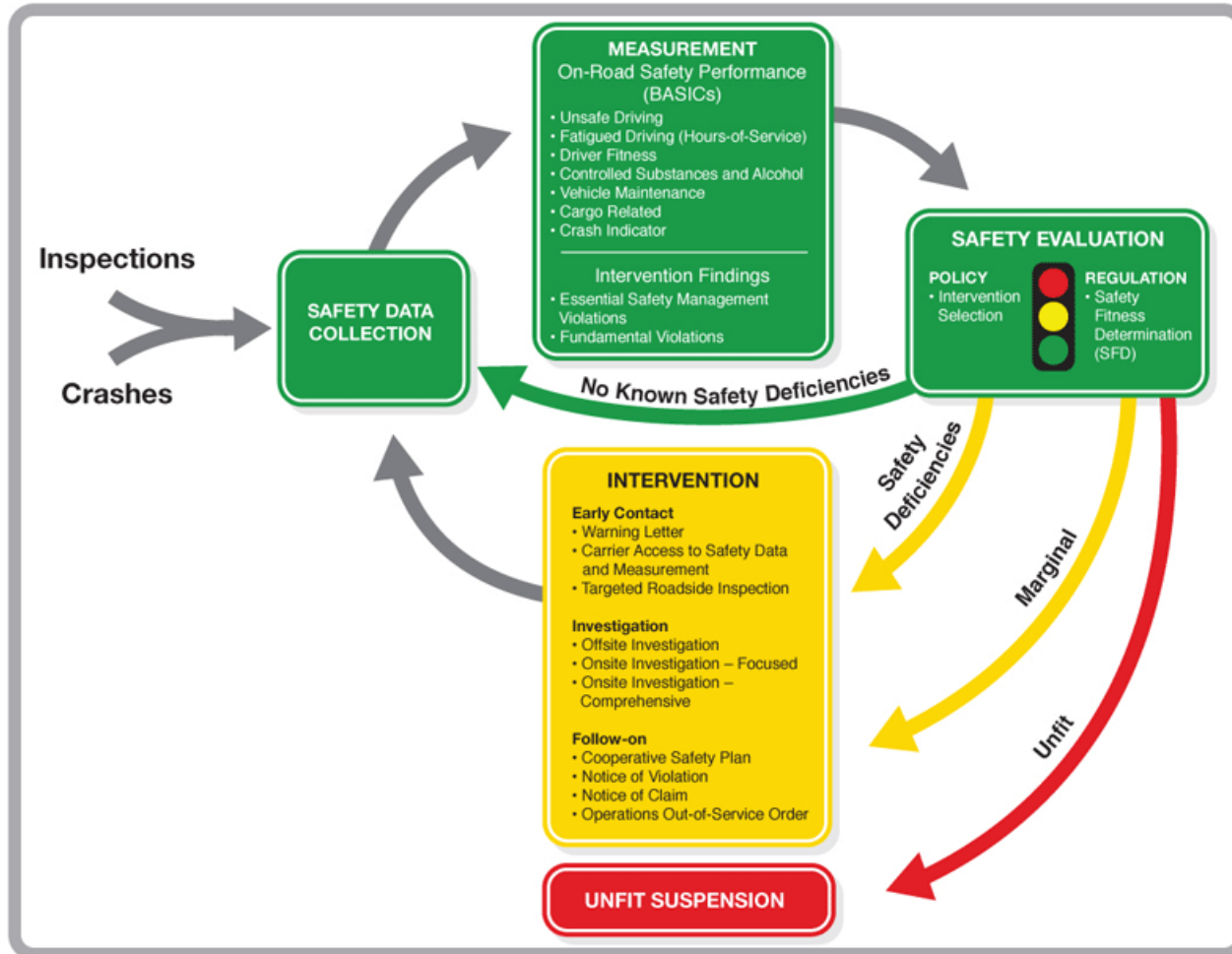
On-Road Performance

8.22 Measure	0.50 measure	0.57 measure	6.89 Measure	0 Measure	0 Measure	0.83 Measure	N/A
86% Percentile	69% Percentile	38% Percentile	80% Percentile	0% Percentile	No HM placardable vehicle inspections	Less than 5 driver inspections with violations	

VIOLATION SUMMARY
Violations: 114

Violations	Description	# Violations	# OOS Violations	Violation Severity Weight	BASIC
392.16	Failing to use seat belt while operating a CMV	1	0	7	Unsafe Driving
392.2LV	Lane Restriction violation	3	0	3	Unsafe Driving
392.2-SLLS3	State/Local Laws - Speeding 11-14 miles per hour over the speed limit.	1	0	7	Unsafe Driving
392.2-SLLS4	State/Local Laws - Speeding 15 or more miles per hour over the speed limit.	1	0	10	Unsafe Driving
392.2-SLLSWZ	State/Local Laws - Speeding work/construction zone.	2	0	10	Unsafe Driving
395.15G01	Driver failed to have instructions on-board CMV for installed automatic on-board recording device.	1	0	1	HOS Compliance
395.8	Record of Duty Status violation (general/form and manner)	3	0	1	HOS Compliance
395.8(a)	No drivers record of duty status when one is required	1	1	5	HOS Compliance
395.8(e)	False report of drivers record of duty status	2	2	7	HOS Compliance
395.8F01	Drivers record of duty status not current	1	0	5	HOS Compliance
395.8(k)(2)	Driver failing to retain previous 7 days records of duty status	2	2	5	HOS Compliance
383.71H	Failing to submit medical certification documentation as required.	1	0	1	Driver Fitness
391.15A-SIN	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of drivers license issuance.	1	1	8	Driver Fitness
391.41A-F	Operating a property-carrying vehicle without possessing a valid medical certificate.	1	0	1	Driver Fitness
392.2WC	Wheel (Mud) Flaps missing or defective	3	0	1	Vehicle Maint.
392.8	Failing to inspect/use emergency equipment	1	0	2	Vehicle Maint.
392.9	Driver may not operate a CMV without proper load securement	1	1	1	Vehicle Maint.
392.9(a)(2)	Failing to secure vehicle equipment	2	2	1	Vehicle Maint.
393.100(a)	No or improper load securement	1	1	1	Vehicle Maint.
393.100(c)	Failure to prevent cargo shifting	1	1	1	Vehicle Maint.
393.104(a)	Inadequate/damaged securement device/system	1	1	1	Vehicle Maint.
393.104(b)	Damaged securement system/tiedowns	4	4	1	Vehicle Maint.
393.104(f)(3)	Loose or unfastened tiedown.	1	1	3	Vehicle Maint.
393.110(b)	Insufficient tiedowns to prevent forward movement for load not blocked by headerboard, bulkhead, or other cargo.	6	6	3	Vehicle Maint.
393.11RT	Retroreflective material not affixed as required for trailers manufactured after December 1993	1	0	3	Vehicle Maint.
393.11TL	Truck-Tractor lower rear mud flaps retroreflective sheeting / reflex reflective material requirements for vehicles manufactured after July 1997	2	0	3	Vehicle Maint.
393.11TU	Truck-Tractor upper body corner requirements for retroreflective sheeting or reflex reflective material for vehicles manufactured after July 1997	1	0	3	Vehicle Maint.

SAFETY MEASUREMENT SYSTEM (SMS) METHODOLOGY



Recommendation	ISS Inspection Value
<ul style="list-style-type: none"> ● Inspect (inspection warranted-top priority) 	75-100
<ul style="list-style-type: none"> ● Optional (inspection warranted-next level priority) 	50-74
<ul style="list-style-type: none"> ● Pass (inspection not warranted) 	1-49

Inspect 75-100

- OOS Carriers
- High-risk Carriers
- Carriers with multiple BASICs prioritized for intervention, with one or more BASIC(s) best addressed roadside
- Carriers with single HOS Compliance BASIC prioritized for intervention

Optional 50-74

- Carriers with Insurance/Other Serious Violations
- Carriers with single BASIC prioritized for intervention, that is best addressed roadside
- Carriers with Unsafe and Crash Indicator BASICs prioritized for intervention
- Carriers with single Unsafe or Crash Indicator BASIC prioritized for intervention

Pass 1-49

- *All other carriers with sufficient data to measure*

GOOD

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

North Dakota Highway Patrol
Motor Carrier Division
600 E Boulevard Ave Dept 504
Bismarck, ND 58505-0240
Phone: (701)328-5128 Fax: (701)328-0397

Report Number: NDFT45003290
Inspection Date: 07/02/2018
Start: 09:45 AM CT End: 10:19:03 AM CT
Inspection Level: I - Full
HM Inspection Type: None

Location: DEVILS LAKE
Highway: 2
County: RAMSEY, ND

MilePost: 267 Shipper:
Origin: CANDO, ND Bill of Lading:
Destination: ST CLOUD, MN Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TT	INTL	2016	WI	18773X	M2141	3HSDJAPRXP0645190	80,000		20152391	
2	BT	UTL	2004	WI	STL483207	T81	1UYTS250X4A408101			25152392	

BRAKE ADJUSTMENTS

Axis #	1	2	3	4	5
Right	1 1/2	1 1/2	1 1/2	1 1/2	1 7/8
Let	1 1/2	1 1/2	1 1/2	1 5/8	1 3/4
Chamber	L-24*	L-30	L-30	C-30	C-30

VIOLATIONS: No Violations Were Discovered.

HazMat: No HM Transported

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks

Report Prepared By:
FRANK LAROCQUE

Badge #
FAL1

Copy Received By:
STUART JOHNSON

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00046498 ND NDFT45003290

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BAD

DRIVER/VEHICLE EXAMINATION REPORT

Aspen 3.0.0.17

Georgia Department of Public Safety
Motor Carrier Safety Assistance Program
P.O. Box 1456
Atlanta, GA 30371-1456
Phone: (404)624-7211 Fax: (404)624-7297

Report Number: GA1329000514
Inspection Date: 10/12/2018
Start: 01:47 AM ET End: 2:17:11 PM ET
Inspection Level: II - Walk-Around
HM Inspection Type: None

Location: MULTI-LANE RURAL HIGHWAY
Highway: SR4 N
County: TOOMBS, GA

MilePost: 25 Shipper: NONE
Origin: HAZLEHURST, GA Bill of Lading: NA
Destination: OAK PARK, GA Cargo: G. EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	TT	KW	2005	GA	C1691B	57R	1XKDCB9X75J085071	52,000			
2	ST	HMDE	2017	GA	WC5724	BL3008	SSP004521JW2858	83,000			

BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

VIOLATIONS

Violation Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
395 17C	395 17(c)	1	N		N	N	Operating a CMV without proof of a periodic inspection: Truck- no proof of annual inspection at time of inspection
393 78	393 78	1	N		N	N	Windshield wipers inoperative/defective: Truck- missing passenger windshield wiper and no washer fluid at time of inspection
392 2IN	392 2	1	N		N	N	State Insurance Violation: Truck- no proof of insurance at time of inspection
392 2RG	392 2	1	N		N	N	State vehicle registration or License Plate violation: Truck- no cab card/registration at time of inspection
393 95A	393 95(a)	1	N		N	N	Not discharged/unsecured fire extinguisher: Truck- fire extinguisher not secured at time of inspection
393 95F	393 95(f)	1	N		N	N	No / insufficient warning devices: Truck- no warning devices at time of inspection

HazMat: No HM Transported

Placard: No Cargo Tank:

Special Checks: No Data for Special Checks

State information:

CONSIGNEE: BEASLEY TIMBER CO INC, COMMODITY DESCRIPTION: EMPTY, FOR HIRE? YES: CDL? (Check for Yes) YES: CDL REQUIRED? YES: DL STATUS CHECKED? Required: YES: CARGO INSPECTED? NO:

NOTE TO MOTOR CARRIERS: This certification MUST BE SIGNED by a Motor Carrier Official and RETURNED WITHIN 15 days to the address on the top of this report. Out-of-service (OOS) vehicles must be corrected in accordance with the OOS notice. ALL NON-OOS VIOLATIONS MUST BE CORRECTED PRIOR TO THE NEXT DISPATCH.

CERTIFICATION BY CARRIER OFFICIAL: The undersigned certifies knowledge of applicable State and Federal Motor Carrier Safety and Hazardous Material Rules, Regulations, Standards and Orders, and declares all operators will be certified in accordance with such requirements. The undersigned certifies that all violations noted on this report have been corrected and action taken to ensure compliance with the Motor Carrier Safety and Hazardous Material Regulations insofar as they are applicable to motor carriers and drivers.

NOTICE: False Statements or Swearings are FELONIES (OCGA 16-10-22)

Signature Of Motor Carrier K.

Title

Date

Report Prepared By:
KING, DAVID W.

Badge #
7329

Copy Received By:
DENNIS DIXON

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00881700 GA GA1329000514

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DRIVER VEHICLE EXAMINATION REPORTS

49 C.F.R. § 396.9

- Correct all “out of service” violations prior to operation
- Correct all other violations prior to re-dispatch
- Certify and return the inspection report to the issuing agency within 15 days
- Copy must be maintained at principal place of business for 12 months
- Make sure the driver lists all vehicle maintenance violations on their DVIR at the end of their duty shift



ROADSIDE INSPECTIONS & THE MCSAP

What is MCSAP?

- MCSAP (Motor Carrier Safety Assistance Program) is a federal formula grant program that provides financial assistance to States to reduce the number and severity of crashes, and resulting injuries and fatalities, involving CMVs and to promote the safe transportation of passengers and hazardous materials.
- The goal of MCSAP is to reduce CMV-involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs that include driver or vehicle inspections, traffic enforcement, carrier investigations, new entrant safety audits, border enforcement, safety data improvements, and Performance and Registration Information Systems Management (PRISM)



ROADSIDE INSPECTIONS & THE MCSAP

What are the national MCSAP elements?

1. Driver inspections
2. Vehicle inspections
3. Traffic enforcement
4. Investigations
5. New entrant safety audits
6. Accurate, complete, timely, and corrected data
7. Public education and awareness

ROADSIDE INSPECTIONS & THE MCSAP

Roadside Inspections

- There are 8 levels of inspections
 - Roadside Level 1, 2, and 3 are the main inspections
 - L-1: paperwork, walk around and underneath the vehicle
 - L-2: paperwork and walk around vehicle
 - L-3: just paperwork
- Conducted by CVSA certified Officers
 - The Commercial Vehicle Safety Alliance (CVSA) is a nonprofit organization comprised of local, state, provincial, territorial, and federal commercial motor vehicle safety officials, and industry representatives. The Alliance aims to prevent commercial motor vehicle crashes, injuries, and fatalities and believes that collaboration between government and industry improves road safety and saves lives. **They interpret the regulations and provide guidance.**
 - CVCSA sets the standards for roadside inspections
 - Certifies Officers participating in the Commercial Motor Vehicle Program (CMV)

**Officers do not
need probable
cause to
inspect a CMV**

DATAQS

FMCSA
Federal Motor Carrier Safety Administration

DataQs

Home | Help Center

Request a Review of FMCSA-Issued Data Here

DataQs allows you to request and track a review of Federal and State data issued by FMCSA that you feel may be incomplete or incorrect. The system automatically forwards your Request for Data Review (RDR) to the appropriate office for resolution and collects updates and responses for current Requests.

Data Quality

By using DataQs, you are helping to improve the quality of data used by FMCSA. Learn more about how FMCSA measures and improves the quality of motor carrier data that it displays to the public and that supports its safety programs.

[Data Quality](#)

What's New | **Data Quality** | Analyst Guide | SMS | PSP

For filing concerns about Federal and State data released to the public by the (FMCSA). With this system, data concerns are automatically forwarded to the appropriate office for resolution. The system also allows filers to monitor the status of each filing.

- Commercial drivers may file challenges to their commercial driver data located on the Pre-Employment Screening Program (PSP) website at www.psp.fmcsa.dot.gov
- Motor carrier users may file challenges to data found on their carrier profile, SAFER information, and SMS Online record at www.ai.fmcsa.dot.gov/SMS/

A Users Guide and Manual can be downloaded at dataqs.fmcsa.dot.gov

FMCSA PORTAL

Login to Access the FMCSA Portal

User ID:

Password:

[Forgot your Password?](#) [Forgot your User ID?](#) [Unlock your Account?](#)

To register for a portal account, please click [here](#).

To access portal training, please click [here](#).

You are accessing a U.S. Government information system. This information system, including all related equipment, networks, and network devices, is provided for U.S. Government-authorized use only. Unauthorized or improper use of this system is prohibited, and may result in civil and criminal penalties, or administrative disciplinary action. The communications and data stored or transiting this system may be, for any lawful Government purpose, monitored, recorded, and subject to audit or investigation. By using this system, you understand and consent to such terms. For details on how we use your information, please see our [Privacy Policy](#).

AVAILABLE FMCSA SYSTEMS

[A&I \(SMS\)](#) [CSA Outreach](#) [DataQs](#) [NCCDB](#)
[SMS Preview](#)

PENDING ACCOUNT REQUESTS

View Details	First Name	Last Name	Submit Date	Type
			Loading...	

ALERTS

Alert List

CORRESPONDENCE

From Date:
To Date:

This list does not include letters generated today.
 Correspondence

BROADCAST MESSAGES

COMPANY INFORMATION

- USDOT Registration
- Cargo Tank Facility
- Hazardous Materials
- Operating Authority
- BASICs Safety Measurement Summary
- Inspection Selection System (ISS) info

Inspection Selection System (ISS) info

ISS Inspection Score: 13
ISS Recommendation: Pass
Basis for Recommendation: Safety

PUBLIC LINKS

Quick Browse:

- CVISN
- LIST
- NCCDB
- NHMR
- NRCHE
- Protect Your Move

Url:

COMPANY ACTIVITY

Summary

Summary
[Crashes](#) | [Inspections](#) | [IEP Inspections](#) | [Reviews](#) | [Closed Ent](#)

LAST 24 HOURS

Type	Vehicle	Driver	Hazmat	Total Inspections: 0
Inspections	0	0	0	0
Out of Service (%)	0%	0%	0%	0%
Out of Service (%)	0%	0%	0%	0%
National Average (%) (2001-2008)	22.21%	6.60%	6.02%	

NOTE: This section displays only Inspection Summary. For a list of Inspections please select the "Inspection List" panel.

- Crash List
- Inspection List
- IEP Inspection List
- Review List
- Cases Closed with Enforcement List

<https://portal.fmcsa.dot.gov/login>

Must have FMCSA
issued pin number

FMCSA INTERVENTIONS



- The Federal Motor Carrier Safety Administration (FMCSA) has a variety of interventions to contact and work with motor carriers that have safety performance and compliance problems.
- Using the Safety Measurement System (SMS), FMCSA identifies and prioritizes for interventions motor carriers that do not comply with safety rules and regulations. You may receive a warning letter from FMCSA when you have safety performance and compliance problems. If you do not improve your safety performance and compliance after you receive the warning letter, then FMCSA will likely prioritize you for another kind of intervention-typically, an investigation.

FMCSA INTERVENTIONS

Intervention	Intervention Description
Warning Letter	A letter sent to a carrier's place of business that identifies potential safety performance and compliance issues based on SMS data. A warning letter is an opportunity for a carrier to improve its safety performance and compliance without further intervention from FMCSA.
Targeted Roadside Inspection	Inspectors may use the data in SMS to identify vehicles for inspection.
Offsite Investigation	A non-ratable investigation conducted remotely, rather than at the carrier's place of business. An offsite investigation will not result in a safety rating, but penalties may be assessed for any violations found. An Offsite Investigation may be converted to an Onsite Focused or Comprehensive Investigation.
Onsite Focused Investigation	An investigation conducted at the carrier's place of business that targets specific areas of regulatory compliance. A focused investigation will not result in a Satisfactory safety rating because not all regulatory parts are examined. A focused investigation may be unrated or may result in a Conditional or Unsatisfactory safety rating. Penalties may be assessed for any violations found.
Onsite Comprehensive Investigation	An investigation conducted at the carrier's place of business that examines all areas of regulatory compliance under 49 CFR 385, Appendix B. A comprehensive investigation may result in a Satisfactory, Conditional, or Unsatisfactory safety rating. Penalties may be assessed for any violations found.
Notice of Violation (NOV)	A document alleging that a carrier has safety violations for which corrective action is recommended. If the violations are not addressed, formal enforcement action may be taken.
Notice of Claim (NOC)	The initial document issued by FMCSA to assert a civil penalty for alleged safety violations.
Unfit/Operations Out-of-Service Order (OOSO)	If a proposed Unsatisfactory safety rating becomes final, FMCSA will issue an order placing out-of-service the carrier's operations in interstate and intrastate commerce.

EXAMPLES OF INTERVENTIONS

• Warning Letters

- Alert motor carriers early on to safety performance and compliance problems and the consequences of not improving, which may include either Offsite or Onsite Investigations

• Investigations

- Safety Investigators (SIs) conduct three types of investigations on motor carriers. Investigations take place at the carrier's place of business or remotely. During the investigation, SIs use FMCSA's Safety Management Cycle to diagnose safety performance and compliance problems and identify actions a carrier can take to improve safety.
 - **Offsite:** An SI requests copies of documents from a carrier for review remotely, to identify specific safety performance and compliance problems
 - **Onsite Focused:** An SI focuses on specific safety performance and compliance problems at the carrier's place of business and may interview employees and perform vehicle inspections.
 - **Onsite Comprehensive:** An SI reviews the entire safety operation at the carrier's place of business and may interview employees and perform vehicle inspections.

SATISFACTORY

The carrier received an Onsite Comprehensive Investigation indicating that safety controls are sufficient to ensure compliance with the safety fitness standard. Only an Onsite Comprehensive Investigation may result in a Satisfactory rating.



CONDITIONAL

The carrier received an Onsite Comprehensive or Focused Investigation indicating that safety controls are inadequate but have not yet resulted in violations of the safety fitness standard.



UNSATISFACTORY

The carrier received an Onsite Comprehensive or Focused Investigation indicating that safety controls are inadequate have resulted in violations of the safety fitness standard, pursuant to 49 CFR 385.3. A motor carrier with a final rating of Unsatisfactory is prohibited from operating a commercial motor vehicle in interstate commerce, pursuant to 49 CFR 385.13(a).



REASONS FOR CARRIER INTERVENTION AND INVESTIGATIONS

- The Federal Motor Carrier Safety Administration (FMCSA) identifies and investigates carriers that – based on roadside performance data and investigation result–pose the greatest safety risk. This report tracks FMCSA’s progress in investigating these High-Risk carriers pursuant to the Fixing America’s Surface Transportation Act (FAST Act) Section 5305.

Carrier Type	High-Risk Criteria
Passenger Carriers	<ul style="list-style-type: none">• 2 or more of the following Behavior Analysis and Safety Improvement Categories (BASICs) at or above the 90th percentile for one month: Unsafe Driving, Crash Indicator, Hours-of-Service (HOS) Compliance, and Vehicle Maintenance. These are the BASICs most closely correlated with crash risk; AND• Have not received an Onsite Investigation in the previous 12 months.
Non-Passenger Carriers	<ul style="list-style-type: none">• 2 or more of the above BASICs at or above the 90th percentile for 2 consecutive months; AND• Have not received an Onsite Investigation in the previous 18 months.

Other Reasons That Could Trigger an Investigation

- Accident Involving a Fatality
 - Haz-Mat Spill
- Not responding back to DVER’s issued by a State Agency
 - A complaint reported to the FMCSA

SAFETY MANAGEMENT CYCLE FOR THE DRIVER FITNESS BASIC

The SMC is a tool used by the Federal Motor Carrier Safety Administration (FMCSA) to help identify and address motor carrier safety and compliance issues. Motor carriers are encouraged to use the SMC within their own businesses to determine which of the Safety Management Processes (SMPs) that they may need to improve by looking at the processes, management and controls associated with each SMP.

This identifies tools motor carriers can use to establish and improve appropriate safety management controls, thereby reducing or eliminating violations. Motor carriers and drivers are reminded, however, that they are ultimately responsible for ensuring compliance with all applicable regulations.

- 1. Policies and Procedures** define the “what” and “how” of a motor carrier’s operations. Policies establish guidelines for how motor carriers and their employees behave in a given situation. Procedures explain how to accomplish policies. The other five SMPs focus on how to implement the policies and procedures.
- 2. Roles and Responsibilities** clearly define what each employee should do to successfully implement the policies and procedures.
- 3. Qualification and Hiring** discusses recruiting and screening applicants to fulfill the roles and responsibilities for positions.
- 4. Training and Communication** outlines a motor carrier’s communication of its policies, procedures, roles, and responsibilities so that everyone understands the expectations and has the adequate skills and knowledge to perform their assigned function.
- 5. Monitoring and Tracking** concentrates on the need to have a system in place to monitor and track employee performance that enables companies to be aware of their employees’ safety performance and compliance with its policies and procedures and how they execute their roles and responsibilities. Monitoring represents the motor carrier looking at the performance of the operation, and Tracking is assessing the data collected leading to Meaningful Action.
- 6. Meaningful Action** gives motor carriers the tools to correct or improve employee behavior, including, for example, refresher training and positive reinforcement such as rewards or bonuses, to improve the motor carrier’s overall safety performance.



You are encouraged to review FMCSA’s Safety Management Cycle (SMC), a diagnostic process that Safety Investigators use, and that you can adopt to identify—and correct—practices that can lead to noncompliance in each BASIC.

To learn more about the SMC, visit:
<http://csa.fmcsa.dot.gov/getroadsmart/>

DRIVER QUALIFICATION FILE

- **Driver's application for employment**
 - A complete DOT-compliant driver application
 - 10 years of driving history
- **Clearinghouse pre-employment query**
 - A full PE Query must be completed and returned
- **Inquiry to previous employers—three years**
 - Safety Performance History on all employers in the last three years
 - Documented good faith effort reporting
- **DL inquiry to state agencies—three years**
 - Initial three-year MVR report
- **Annual MVR inquiry to state agencies**
 - Once per year every year after, as long as employed
- **Annual review of motor vehicle record**
 - Company must certify and document that they have reviewed the MVR in the DQ file
- **Driver's road test certificate or equivalent**
 - Copy of CDL equivalent
- **Intermittent or multiple-employer drivers driver statements of on-duty**
 - Prior seven days' record of duty status
- **Medical Examiner's certificate**
 - Driver must self-certify with the DMV
 - Carrier must verify ME on National Registry and verify with ME







QUERIES

Query Requirement

- A query is a check of the Clearinghouse to ensure a CDL driver is not prohibited from performing safety-sensitive functions (such as operating a CMV) due to a drug and alcohol program violation
- All queries require driver consent

Purpose	Description
Pre-employment query	Required for all newly hired CDL drivers - Until January 5, 2023, a manual check is still required for the prior 3 years
Annual query	Follows a rolling 12-month calendar <i>Example: Query driver J. Smith on December 1, 2020 – not required to query J. Smith again until December 1, 2021</i>

If you have not yet conducted annual queries, the deadline is January 5, 2021

Reason for Query	Type of Query	Consent Required
Annual query 	Limited Query 	General consent, done outside the Clearinghouse May be electronic or wet signature, one time or unlimited Limited consent form must specify time range
Pre-employment query 	Full Query 	Specific consent, provided electronically within the Clearinghouse Required for each full query of an individual driver

Query Results – Limited Query

Query Complete

Result: Driver Not Prohibited
No violation information was found in the Clearinghouse for the driver you queried.
The driver is not prohibited from performing safety-sensitive functions based on the information available in the Clearinghouse.

[View My Queries](#)

[Conduct Another Query](#)

Query Complete

Result: Record(s) Found; Full Query Needed
Information related to drug and alcohol program violations has been found in the Clearinghouse record of the driver you queried. To determine if this driver is prohibited from performing safety-sensitive functions, you will need to conduct a full query.
You must obtain the driver's electronic consent before you can conduct the full query and access the driver's detailed information.
If the full query is not conducted within 24 hours, the driver must be removed from safety-sensitive functions.

[Send Consent Request](#)

[Conduct Another Query](#)

Employer Query Results – Full Query

Sample Driver (US-CA-987654)

Employer Conducting Query: Sample Employer

Query Result: Driver Prohibited

Query Status: Completed (11/24/2020 13:44:05)

Conducted By: Sample Employer Query Type: Pre-emp

Query Detail

Query Overview
Employer Conducting Query: Sample Employer
Query Result: Driver Prohibited
Query Status: Completed (11/24/2020 13:44:05)
Conducted By: Sample Employer Query Type: Pre-employment Query Submitted: Manually

Driver Information	Consent Information	Query History
Name: Sample Driver Date of Birth: 1/1/1970 CDL/CLP #: US-CA-987654	Requested: 11/23/2020 14:27:31 Recorded: 11/23/2020 17:56:52 Status: Provided	Created: 11/23/2020 14:27:31 Completed: 11/24/2020 13:44:05

Open Violations

Employer Information
Sample Employer (USDOT# 123456)
123 Main Street
Springfield, CA 12345

Driver Information
Sample Driver
DOB: 1/1/1970 CDL/CLP#: 987654
Country: United States State: California

Violation Information
Record ID: TEST-PN01A-5092W
Type of Violation: Drug test refusal
Reason for Test: Random
Type of Test Refusal: Failed to appear for any test

Test Results Entered By
Sample Employer (USDOT# 123456) (11/23/2020 1:31:58 PM)

[View Query Details](#)

CORRECTIVE & PREVENTATIVE ACTION POLICY

Develop good corrective action policy. There is no federal requirement for this, but it is important to have a policy to let drivers know that there are consequences for their actions, and they will be written up for violations that they receive.

Along with a good corrective action policy, **you should also have a good rewards program** for your drivers that recognizes them for their outstanding performance or achievements.

CORRECTIVE ACTIONS

Examples: no pre-trip inspection, preventable roadside inspection violations, HOS violations, uniform traffic citations, etc.

Points	Corrective Action
2	Verbal Warning
3	1 st Written Warning
4	2 nd Written Warning
5	Final Written Warning
6	Termination of Employment

REWARD PROGRAM

Examples: bonus for clean Roadside Inspections, violation free for a month, best on road performance, or an end of year performance bonus.



VEHICLE MAINTENANCE FILE CHECKLIST

Outside of the vehicle file must include:

- ✓ Year
- ✓ Make
- ✓ Model
- ✓ Tire Size
- ✓ Unit number or some type of ID source
- ✓ Complete VIN #



Inside of the vehicle maintenance file must include:

- ✓ Current valid registration or IRP cab card
- ✓ Copy of the insurance dec page or insurance card
- ✓ Current annual inspection and the prior year's inspection
- ✓ Vehicle maintenance record for 365 days
 - List of repairs, typically in chronological order
- ✓ Maintenance repair orders, parts receipts, and DVIR/DVER's associated with repairs
- ✓ Preventative maintenance schedule—specific to vehicle
- ✓ Current lease agreement if leased from owner/operator



ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
VEHICLE TAG NO. 32318	FLEET UNIT NUMBER UNIT 8
DATE 03-23-2018	

MOTOR CARRIER OPERATOR
Southeast Freight INC

ADDRESS
2828 WEST 12th STREET

CITY, STATE ZIP CODE
JACKSONVILLE FL 32254

VEHICLE TYPE TRACTOR TRAILER TRUCK BUS
 (OTHER)

INSPECTOR'S NAME (PRINT OR TYPE)
JESUS PEREZ

THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19
 YES

VEHICLE IDENTIFICATION NO. AND COMPLETE LIC. PLATE NO. VIN OTHER
9LAD0560

INSPECTOR AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIR	ITEM	OK	NEEDS REPAIR	REPAIR	ITEM	OK	NEEDS REPAIR	REPAIR	ITEM
			1. BRAKE SYSTEM				6. SAFE LOADING				10. TIRES
✓			a. Service Brakes	✓			a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.	✓			a. Tires on any steering axle of a power unit.
✓			b. Parking Brake System				b. Protection against shifting cargo.	✓			b. All other tires.
✓			c. Brake Drums or Rotors				c. Container securement devices on intermodal equipment.	✓			11. WHEELS AND RIMS
✓			d. Brake Hose					✓			a. Lock or Side Ring
NA			e. Brake Tubing					✓			b. Wheels and Rims
✓			f. Low Pressure Warning Device					✓			c. Fasteners
✓			g. Tractor Protection Valve					✓			d. Welds
✓			h. Air Compressor								12. WINDSHIELD GLAZING
NA			i. Electric Brakes								Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 396.60 for exceptions).
NA			j. Hydraulic Brakes								13. WINDSHIELD WIPERS
NA			k. Vacuum Systems								Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
			2. COUPLING DEVICES				7. STEERING MECHANISM				14. OTHER
✓			a. Fifth Wheels				a. Steering Wheel Free Play				List any other condition(s) which may prevent safe operation of this vehicle.
NA			b. Pintle Hooks				b. Steering Column				
NA			c. Drawbar/Towbar Eye				c. Front Axle Beam and All Steering Components Other Than Steering Column				
NA			d. Drawbar/Towbar Tongue				d. Steering Gear Box				
NA			e. Safety Devices				e. Pitman Arm				
NA			f. Saddle-Mounts				f. Power Steering				
			3. EXHAUST SYSTEM				g. Ball and Socket Joints				
✓			a. Exhaust system leaking forward of or directly below the driver/sleeper compartment.				h. Tie Rods and Drag Links				
✓			b. Bus exhaust system leaking or discharging in violation of standard.				i. Nuts				
✓			c. Exhaust system likely to burn, char, or damage the electrical wiring, fuel supply, or any combustible part of the motor vehicle.				j. Steering System				
			4. FUEL SYSTEM				8. SUSPENSION				
✓			a. Visible leak.				a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
✓			b. Fuel tank filler cap missing.				b. Spring Assembly				
✓			c. Fuel tank securely attached.				c. Torque, Radius or Tracking Components				
			5. LIGHTING DEVICES				9. FRAME				
✓			All lighting devices and reflectors required by Part 393 shall be operable.				a. Frame Members				
							b. Tire and Wheel Clearance				
							c. Adjustable Axle Assemblies (Sliding Subframes)				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION ✓ OK X NEEDS REPAIR NA IF ITEMS DO NOT APPLY REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION IN ACCORDANCE WITH 49 CFR PART 396

DRIVER'S VEHICLE INSPECTION REPORT

AS REQUIRED BY THE D.O.T. FEDERAL MOTOR CARRIER SAFETY REGULATIONS

CARRIER: _____

ADDRESS: _____

DATE: 10-26-2014 TIME: _____ A.M. 5:00 P.M.

CHECK ANY DEFECTIVE ITEM AND GIVE DETAILS UNDER "REMARKS"

TRACTOR/TRUCK NO. 1234 ODOMETER READING 100,000

- Air Compressor
- Air Lines
- Battery
- Belts and Hoses
- Body
- Brake Accessories
- Brakes, Parking
- Brakes, Service
- Clutch
- Coupling Devices
- Defroster/Heater
- Drive Line
- Engine
- Exhaust
- Fifth Wheel
- Fluid Levels
- Frame and Assembly

- Front Axle
- Fuel Tanks
- Horn
- Lights
 - Head/Stop
 - Tail/Dash
 - Turn Indicators
 - Clearance/Marker
- Mirrors
- Muffler
- Oil Pressure
- Radiator
- Rear End
- Reflectors

- Safety Equipment
 - Fire Extinguisher
 - Flags/Flares/Fusees
 - Reflective Triangles
 - Spare Bulbs and Fuses
 - Spare Seal Beam
- Starter
- Steering
- Suspension System
- Tire Chains
- Tires
- Transmission
- Trip Recorder
- Wheels and Rims
- Windows
- Windshield Wipers
- Other

TRAILER(S) NO.(S) 12

- Brake Connections
- Brakes
- Coupling Devices
- Coupling (King) Pin
- Doors

- Hitch
- Landing Gear
- Lights - All
- Reflectors/Reflective Tape
- Roof

- Suspension System
- Tarpaulin
- Tires
- Wheels and Rims
- Other

Remarks: _____

*1234 - PASSENGER SIDE HEADLAMP - OUT
- BRAKES NEED ADJUSTING / REPAIR

*12 - LIGHTS ON TRAILER FLICKER ON/OFF
- REFLECTIVE TAPE MISSING ON REAR RIGHT SIDE

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE: _____

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE: MECHANIC'S SIGNATURE DATE: 10-27-14

DRIVER'S SIGNATURE: Truck Driver (AT PRE-TRIP INS.) DATE: 10-2-14

ORIGINAL

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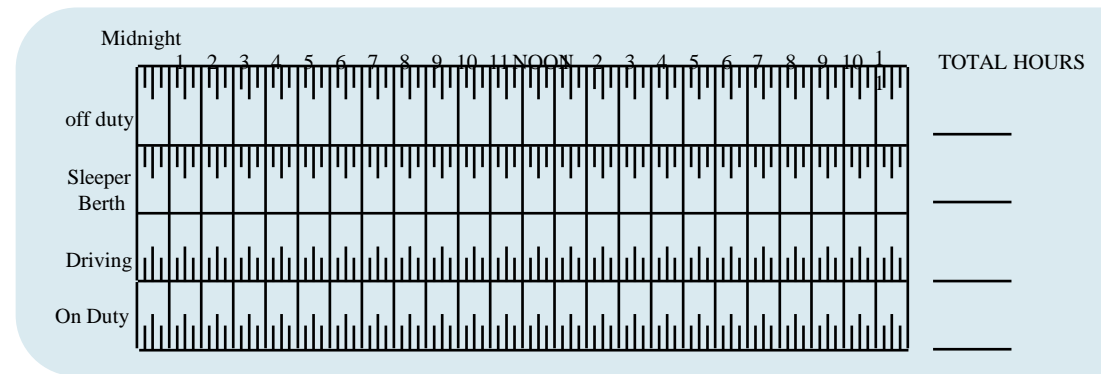
19440

DRIVERS' HOURS OF SERVICE

Who must comply with the Hours-of-Service Regulations?

In general, it is a truck or a truck-tractor with a trailer that is involved in commerce and:

- Weights (including any load) 10,001 lbs. (4,536 kg) or more, or
- Has a gross vehicle weight rating or gross combination weight rating of 10,001 lbs. (4,536 kg) or more, or
- Is transporting hazardous materials in a quantity requiring placards



THE TRUTH ABOUT ELDs

1. What are the key requirements of the Electronic Logging Device (ELD) rule?

• The ELD rule:

- Requires ELD use by commercial drivers who are required to prepare hours-of-service (HOS) records of duty status (RODS).
- Sets ELD performance and design standards and requires ELDs to be certified and registered with FMCSA.
- Establishes what supporting documents drivers and carriers are required to keep.
- Prohibits harassment of drivers based on ELD data or connected technology (such as fleet management system). The rule also provides recourse for drivers who believe they have been harassed.

2. What is the mandate in the Moving Ahead for Progress in the 21st Century Act (MAP-21) for the Electronic Logging Device (ELD) rule?

- Section 32301(b) of the Commercial Motor Vehicle Safety Enhancement Act, enacted as part of MAP-21, mandates the ELD rule. It calls for the Secretary of Transportation to adopt regulations requiring ELD use in commercial motor vehicles (CMVs) involved in interstate commerce, when operated by drivers who are required to keep RODS.

THE TRUTH ABOUT ELDs

3. Who must comply with the electronic logging device (ELD) rule?

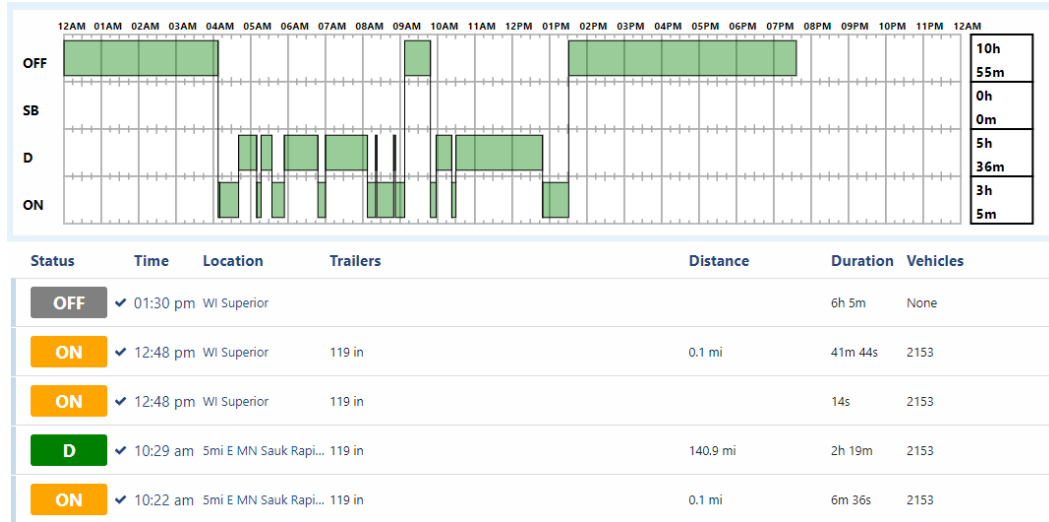
- The ELD applies to most motor carriers and drivers who are currently required to maintain RODS per Part 395, 49 CFR 395.8(a). The rule applies to commercial buses as well as trucks, and to Canada and Mexico-domiciled drivers.
- The ELD rule allows limited exceptions to the ELD mandate, including:
 - Drivers who operate under the short-haul exceptions may continue using timecards; they are not required to keep RODS and will not be required to use ELDs.
 - Drivers who use paper RODS for not more than eight days out of every 30-day period.
 - Drivers who conduct drive-away-tow-away operations, in which the vehicle being driven is the commodity being delivered.
 - Drivers of vehicles manufactured before 2000.

4. What ELD user documentation must be onboard a driver's commercial motor vehicle?

- Beginning on December 18, 2017, a driver using an ELD must have an ELD information packet onboard the CMV containing the following items:
 1. A user's manual for the driver describing how to operate the ELD;
 2. An instruction sheet describing the data transfer mechanisms supported by the ELD and step-by-step instructions to produce and transfer the driver's hour-of-service records to an authorized safety official;
 3. An instruction sheet for the driver describing ELD malfunction reporting requirements and recordkeeping procedures during ELD malfunctions; and
 4. A supply of blank driver's RODS graph-grids sufficient to record the driver's duty status and other related information for a minimum of eight days.

DOT APPROVED RECORD OF DUTY STATUS

ELD



DRIVER'S TIME RECORD - OPERATIONS WITHIN 150 MILE RADIUS

Drivers' Name (print) _____ Employee No. _____ Month _____ Year _____

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:
 Driver operates within 150 air-mile radius of their normal work reporting location.
 Driver returns to their normal work reporting location and is released from work within 12 consecutive hours.
 A property-carrying commercial motor vehicle driver has at least 10 consecutive hours off duty separating each 12 hours on duty.
 A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off duty separating each 12 hours on duty.
 A property-carrying commercial motor vehicle driver does not exceed 12 hours maximum driving time following 10 consecutive hours off duty.
 A passenger-carrying commercial motor vehicle driver does not exceed 10 hours maximum driving time following 8 consecutive hours off duty.

TIME SHEET

Date	Start Time "All Duty"	End Time "All Duty"	Total Hours	Driving Hours	Truck Number	Normal Work Reporting Location
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

Note: Employer must maintain and retain accurate time records for a period of 6 months showing the time the duty period began, ended, and total hours on duty each day in place of records of duty status.

I certify that these entries are true and correct.

Drivers Signature: X _____

PAPER LOG

DRIVER'S DAILY LOG
 (24 HOURS)
 (Month) / (Day) / (Year)

Name of Carrier or Carriers _____
 Main Office Address _____
 Home Terminal Address _____

Total Miles Driving Today _____ Total Mileage Today _____

Truck/Tractor and Trailer Numbers or License Plate(s) / State (show each unit) _____
 Driver's Full Signature _____ Co-Driver's Name _____

1. OFF DUTY
 2. SLEEPER BERTH
 3. DRIVING
 4. ON DUTY (OUT DUTY)

REMARKS _____

SHIPPING DOCUMENTS: _____
 B/L or Manifest No. _____
 Shipper & Commodity _____

8525

HOURS-OF-SERVICE SUPPORTING DOCUMENTS

Q: How long must motor carriers retain records of duty status (RODS) and supporting documents?

A: Motor carriers must retain RODS and supporting documents for six months.

Q: What are the categories of supporting documents?

A: Supporting documents required in the normal course of business are important to verify a driver's records of duty status. There are five categories, described in 49 CFR 395.11(c):

1. Bills of lading, itineraries, schedules, or equivalent documents that indicate the origin and destination of each trip
2. Dispatch records, trip records, or equivalent documents
3. Expense receipts related to any on-duty not-driving time
4. Electronic mobile communication records, reflecting communications transmitted through a fleet management system
5. Payroll records, settlement sheets, or equivalent documents that indicate what and how a driver was paid

If a driver keeps paper RODS under 49 CFR 395.8(a)(1)(iii), the carrier must also retain toll receipts. For drivers using paper RODS, toll receipts do not count toward the eight-document cap.



DRUG & ALCOHOL TESTING

CFR 49 § 382

- **Pre-employment**
 - Must be completed before a driver is placed into a safety sensitive function
- **Reasonable Suspicion**
 - Supervisors must have proof of training
 - One hour on controlled substance
 - One hour on alcohol
- **Random**
 - Scientifically valid method
 - 50% controlled substances
 - 10% alcohol
- **Post Accident**
 - Loss of human life is involved, or
 - The driver receives a citation, and
 - Someone is transported by ambulance, and
 - A vehicle has disabling damage requiring towing from the scene
- **Return to Duty/Follow-up**
 - All tests must be done under direct observation
 - Minimum of six follow-up in the first year
 - Must maintain records for a period of five years

TABLE FOR § 382.303 (A) AND (B)

Type of Accident	Citation Issued to the CMV Driver	Test Must Be Performed By Employer
i. Human fatality	Yes	Yes
	No	Yes
ii. Bodily injury with immediate medical treatment away from the scene	Yes	Yes
	No	No
iii. Disabling damage to any motor vehicle requiring tow away	Yes	Yes
	No	No

RECORD RETENTION

- **Driver Qualification Files:** For as long as the driver is employed and for three years thereafter
- **Vehicle Maintenance Files:** One year and for an additional six months after vehicle leaves carrier's control
- **Annual Inspections:** 14 months
- **Time Records/Record of Duty Status:** Six months
 - Must have up to eight forms of supporting documentation
- **Daily Driver Vehicle Inspections (DVIR):** 90 days
 - Unless associated with a repair-then one year
- **Roadside Inspections (DVER):** One year
- **Drug Testing Records:** Negative tests for one-year, positive tests for five years, Return to Duty & SAP info for five years



CELL PHONES

NO CELL PHONES WHILE IN A COMMERCIAL MOTOR VEHICLE

IT'S THE LAW

The Federal Motor Carrier Safety Administration (FMCSA) rule prohibits commercial drivers from **reaching for, holding or dialing a cell phone while operating a CMV**. Drivers who violate these restrictions would face federal civil penalties of up to **\$2,750 for each offense** and disqualification of their commercial driver's license (CDL) for multiple offenses. Additionally, states would suspend a driver's CDL after two or more violations of any state law on hand-held cell phone use.

Motor carriers that allow their drivers to use hand-held cell phones while driving would face a maximum penalty of \$11,000.



**QUESTIONS?
REACH OUT TO YOUR
NORTH RISK ADVISOR**

