

Regulatory Updates for 2017

Presented by Justin Cunningham

Regulatory Update

- Vehicle Speed Limiters:
 - Will Require the installation of speed limiting devices on heavy trucks
 - All Trucks will have a set speed – Undetermined at this time (ATA has recommended 65 MPH)
 - Current Status: Listening Period has been extended:
 - Projected Final Rule Date: Unknown at this time

Regulatory Update

- Drug and Alcohol Clearinghouse:
 - Effective Date: January 6, 2020
 - Creates a Database for all verified positives and refusal tests
 - Employers will be required to report all positives/refusals/failed alcohol tests
 - Pre-Hire: Companies will be required to review this database before hiring a perspective driver.
 - Project Final Rule Date: Rule should be published soon.

Regulatory Update

- CDL – Entry-Level Training:
 - This rule proposes new standards for training of individuals applying for a CDL; seeking to upgrade their CDL; or HM; or Passenger; or School Bus license Endorsement.
 - Training Facility must:
 - ❖ Meet Minimum Qualifications for training providers
 - ❖ **Must be listed on the FMCSA's proposed Training Provider Registry**
 - ❖ Submit Electronic Training Certificates to the FMCSA when drivers complete program
 - Current Status: Comment Period has ended – awaiting response from FMCSA
 - Projected Final Rule: Unknown until FMCSA responds

Regulatory Update

Safety Fitness Determination:

- Monthly determination of a companies fitness with the BASICS
 - ❖ Fit
 - ❖ Unfit
 - ❖ Certain percentiles will decide each companies fate
- Factors used:
 - ❖ BASIC Scores
 - ❖ Investigation completed
 - ❖ Inspections Roadside (Possibly)
- Current Status: Comment Period has ended awaiting response from the FMCSA
- Projected Final Rule: Unknown at this time

- <https://csa.fmcsa.dot.gov/sfd/SFDCalculator.aspx>

Regulatory Update

- Driver File Change:
 - Certified Medical Examiner
 - ❖ Company must provide verification that the examiner is in the registry
 - Update MVR
 - ❖ Obtain an updated MVR after an updated Medical certificate

Driver Coercion Rule

- The rule went into effective January 2016.
- The rule defines coercion as: “A threat by a motor carrier, shipper, receiver or transportation intermediary, or their respective agents ... to withhold business, employment or work opportunities from or to take or permit any adverse employment action against a driver in order to induce” the trucker to drive “under conditions which the driver stated would require him or her to violate one of more of” FMCSA regulations.
- Applies to any carrier, broker, shipper, receiver or anyone else in the supply chain who attempts to force drivers to operate their vehicles when it would violate federal rules to do so, such as when a driver is out of hours.
- This rule fines carriers up to \$16k for coercion instances

E-Log Mandate Update



ELD Mandate upheld in court

- The Federal Court upheld the USDOT's electronic logging device mandate.
- All carrier must replace paper logs with ELD's by:

December 18, 2017

Electronic Logging Devices

- Company's who are using or have used what the FMCSA calls "automatic onboard recording devices" prior to the ELD mandate will have two additional years (4 total) years to implement the ELD Machines.
- The mandate applies to all drivers EXCEPT:
 - Farm Operations
 - All drivers who keep records of duty status in 8 or fewer days out of every 30 days.
 - Driver in drive-away and Tow-away operations
 - Vehicles older than Modal Year 2000. (1999 – down)



Distracted Driving

- Driver distractions leading factor in fatal and serious injury crashes
- 28% of all crashes attributable to cell phones
 - **1.6 million crashes**
 - **645,000 injuries**
- Cell phone users 4x as likely to crash

How Cell Phones Distract

- Visual – Eyes off road
- Mechanical – Hands off wheel
- Cognitive – Mind off driving

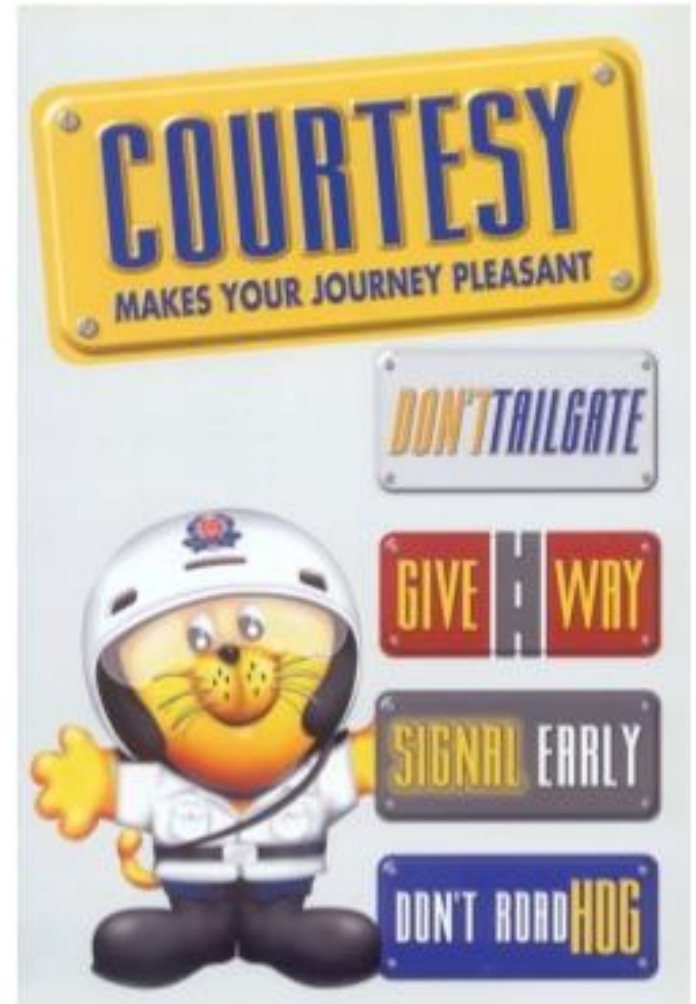


- **CHALLENGE:** Drivers don't understand or realize that talking on a cell phone distracts the brain and takes focus away from the primary task of driving.

How to Avoid Road Rage

Be Courteous

While not all drivers will be as courteous, your efforts will go a long way in protecting yourself.



THANK YOU

QUESTIONS?

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