

January 17, 2020

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Registration is now open online for the 2020 Idealease/NPTC Safety Seminars!

2020 Safety Seminar Theme: *Transcending Technology in Transportation Safety*

Idealease and the National Private Truck Council (NPTC) will again be hosting safety seminars in 2020. The one-day seminar this year will focus on new safety technologies available on trucks today, basic safety and compliance, regulation changes, load securement and CSA. 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.

[Register here for an upcoming seminar in 2020.](#)

Spring Seminars		Fall Seminars	
3/11/2020	San Leandro, CA	9/23/2020	Brandtford, ON
4/6/2020	Columbia, SC	9/23/2020	Indianapolis, IN
4/7/2020	Atlanta, GA	9/29/2020	Fort Wayne, IN
4/14/2020	Cleveland, OH	10/7/2020	Eugene, OR
4/15/2020	Youngstown, OH	TBD	Phoenix, AZ
4/16/2020	Tampa, FL	TBD	Richmond, VA
4/22/2020	Dallas, TX	TBD	Birmingham, AL
4/30/2020	Chattanooga, TN	TBD	Memphis, TN
5/5/2020	Wausau, WI	TBD	Kansas City, MO
5/6/2020	Madison, WI		
5/7/2020	Aurora, CO		
5/13/2020	Portland, OR		
5/14/2020	Santa Fe Springs, CA		
5/20/2020	Altoona, IA		
5/20/2020	Baltimore, MD		
5/21/2020	Indianapolis, IN		
5/21/2020	Mannheim, PA		
7/22/2020	Santa Rosa, CA		

FMCSA Drug and Alcohol Clearinghouse Website Has Problems Verifying CDLs

Although the Drug and Alcohol Clearinghouse system is working after technical difficulties following its launch on January 6, 2020, users are experiencing

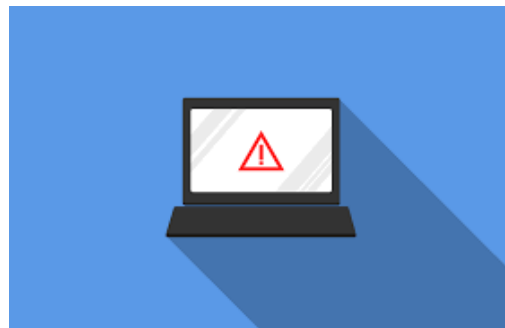
intermittent issues verifying drivers' commercial driver's license (CDL) information.

The Federal Motor Carrier Safety Administration (FMCSA) has instructed those experiencing the problem to continue requesting the report until successful.

Check your entry. If the database does not recognize a driver's CDL, your first step is to make sure it was not an entry error on your part. The same would be true of a driver trying to register for a personal account.

The system does not recognize:

- Dashes
- Symbols
- Spaces



In addition, you need to confirm the correct state of issuance was selected. If the CDL number was entered correctly, the error message is likely the site's inability to verify the license.

Meanwhile, handling driver queries, the sporadic technical difficulties do not have to disrupt your new hire process. An employer does not have to delay hiring and assigning a driver to a safety-sensitive position due to the pending query.

Instead, as previously communicated by FMCSA on the clearinghouse site, employers would use the procedures set forth in §391.23(e), the DOT testing history portion of the safety performance history inquiry. Once users can access the site, they would be expected to have the pre-employment query as required in §382.701(a).

Additional attempts at getting the pre-employment query should be timely. As evidence of your compliance efforts, it is suggested that employers take a screen shot of the clearinghouse message indicating that it is unable to verify

the driver's CDL.



UCR Registration Period Remains Delayed

The 2020 Unified Carrier Registration (UCR) program remains delayed as the Federal Motor Carrier Safety Administration works to establish fees for 2020. Because the 2020 fees aren't yet finalized, carriers aren't yet able to register.

For 2020, registration was supposed to start October 1, 2019, and end December 31, 2019. Instead, this is the third straight year that the registration start date has been delayed until at least late December, meaning the deadline to register is pushed into 2020.

By rule, once the fees are announced, motor carriers have three months to register before enforcement begins. The registration period eventually will happen sometime in 2020 and when the UCR Board of Directors meets later this month, it may consider extending the registration period even longer.



California State Court Rules AB5 Preempted by Federal Law

A Los Angeles Superior Court judge has ruled that the worker classification test in California Assembly Bill 5, known as the "ABC" test, is preempted by federal law that precludes any state from "enact[ing] or enforc[ing] a law, regulation, or other provision having the force and effect of law related to a price, route, or service of any motor carrier ... with respect to the transportation of property." *California v. Cal Cartage Transportation Express LLC*, Case No. BC689320, Superior Ct. for the County of Los Angeles, decided January 8, 2020.

The court held that because the second prong of the test, which requires that an independent contractor provide services outside the normal scope of the employer's business, precludes the use of owner-operator truck drivers, it is preempted by the federal statute.

While 2020 remains delayed, law enforcement agencies will continue roadside enforcement for 2019 registration. Law enforcement may use the following information for proof that a carrier's 2019 registration is up to date:

- Log entries,
- Toll receipts,
- Shipping papers,
- Bills of lading,
- Previous year's apportioned receipt, and
- Prior years' roadside inspection reports of interstate/international operations

Private property carriers, for-hire passenger, property, and exempt commodity carriers, freight forwarders, leasing companies, and brokers engaged in interstate commerce are subject to UCR registration.



This is the second court within a week to rule that federal law preempts application of the ABC test to truck drivers. On December 31, 2019 a federal judge issued a temporary restraining order against enforcement of California's use of the "ABC" test to determine when a worker is an employee or an independent contractor. California Trucking Association, et al. v. Bercerra, U.S. Dist. Ct. for S.D. Cal., No. 3:18-cv-02458.

Safety Bulletin

Training Requirements of the Federal Motor Carrier Safety Administration (FMCSA)

September 27th, 2019

UPCOMING EVENTS

October 7th - 13th is Fire Prevention Week

National Fire Prevention Week is coming, and it is a good time to review with your drivers how to prevent fires and how to react to a fire that occurs in their commercial motor vehicle.

Fire extinguisher inspection is a vital part of a driver's daily vehicle inspection process. It amazes me how many times I will be looking at a truck and find the fire extinguisher has had 0 pressure due to a leak or was used and returned to the truck without being recharged. The actions of a driver at the time of a fire are crucial in saving lives and controlling the amount of loss.

Register Now to Attend an Idealease/NPTC Safety Seminar this Fall!

DRIVING SAFETY THROUGH BUSINESS

Many of you have sent me emails you have received from consulting firms saying that you are required to have your supervisors of CDL drivers trained in Drug and Alcohol Reasonable Suspicion Testing. The emails are used as "scare" tactics to get you to purchase their supervisor training courses, webinars, etc. They are correct that your supervisors are required by Federal Motor Carrier Safety Administration (FMCSA), but the good news is that the FMCSA makes this training available to you at NO COST!!!

Let's look at what the regulations say about training of your supervisors of CDL drivers.

By the way, this applies to all motor carriers INTRA and INTER state.

[Register here for the weekly Safety Bulletin or view past bulletins.](#)



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