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## SAFETY BULLETIN



October 16, 2015

Brought to you by Idealsafe  
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### Time to Fall Back...

Daylight savings time will "fall back" at 2:00 a.m. on Sunday, November 1st.

Make sure that all of your drivers are aware that the change to daylight savings will occur.

Caution route drivers especially that the amount of daylight will change according to their stops with the change. An intersection or street can present different challenges to drivers with one hour change in the position of the sun. One hour of time difference can present unique changes to a driver who is on a route.

## A driver with other compensated work outside of your employment could have a significant impact on your company's liability exposure and compliance!

A dangerous liability situation that motor carriers can find themselves in is when a driver operating a commercial motor vehicle has another part-time job unbeknownst to the motor carrier. It is not until there is an accident or an on-site compliance review that the motor carrier becomes aware of the situation and finds that the driver is in noncompliance with the hours of service regulations placing the motor carrier in a grave liability situation as the outside part-time work is compensated. As defined in CFR 395.2 (9) under definition of "On duty time", performing any compensated work for a person who is not a motor carrier.

How does the motor carrier protect itself from this exposure? Consider this. Have all of your drivers sign a statement upon hire indicating that they do not currently

### NEWS:

Operation Safe Driver Week

have any other employment that they are being compensated for? Also include in the statement that if they incur compensation for any work outside of their employment with your company that they will immediately inform their supervisor and will be required to document the hours on their hours of service documentation, either a grid log or time record as "On Duty" time. Have the driver sign and date the statement and maintain in the driver's qualification file. Click on the following link to see an example of the Driver's Certification of other Compensated Work statement.

[Driver Compensation Certificate](#)

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## Question of the Week?

**With the upcoming holidays, what regulations are in place that addresses alcohol consumption and driving a commercial motor vehicle?**

The Federal Motor Carrier Safety Regulations address use of alcohol by any commercial driver (>10,000lbs MGWR) in CFR 392.5 No driver shall — Use alcohol, as defined in CFR 382.107 of this subchapter, or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of, a commercial motor vehicle; or use alcohol, be under the influence of alcohol, or have any measured alcohol concentration or detected presence of alcohol, while on duty, or operating, or in physical control of a commercial motor vehicle. There are additional provisions to this regulation, please read CFR 392.5 in its entirety.



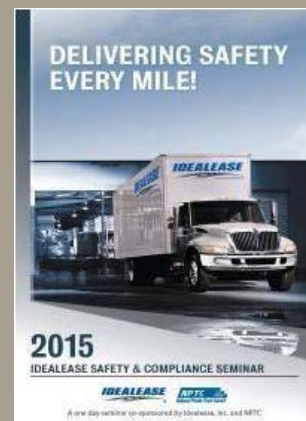
Any driver who is found to be in violation of these regulations shall be placed out-of-service immediately for a period of 24 hours.

Additional FMCSR Regulations apply to drivers who are operating a CMV with a CDL and can be found in and CFR 382 such as random, post accident and reasonable suspicion testing. CFR 383.51 addresses disqualification of a CDL for alcohol violations in a CMV and a NON-CMV.

The bottom line is that a driver of a commercial motor vehicle jeopardizes his/her license and job anytime they drive any type of motor vehicle under the influence of Alcohol.

October 18-24, 2015

**Last Chance in 2015 to attend and Idealease Safety Seminar!**



Idealease, its members and the National Private Truck Council NPTC will again be hosting safety seminars in 2015. The one day seminars this year will focus on basic safety and compliance, regulation changes 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.

October 20 Las Vegas, NV  
October 21 Los Angeles, CA  
October 22 San Martin, CA

To register for the last three seminars in 2015 click on the following link:

[www.idealease.com/safety-](http://www.idealease.com/safety-)



## Is that a Drunk Driver?

**How many times have you been driving and upon seeing another motorist ask yourself....Is that a Drunk Driver?**

[seminar-registration](#)

The National Highway Traffic Safety Administration (NHTSA) has established four categories to identify if a person is operating a vehicle under the influence. Please review these categories to be a better defensive driver when these folks are operating around you.

1. Problems in maintaining lane position. Look for signs of erratic steering or an inability to keep the vehicle in a lane. Weaving across lanes, straddling two lanes, almost striking another vehicle are potential indicators of a drunk driver.
2. Speed and braking problems: Braking smoothly becomes a difficult task for an impaired driver. Look for general problems with stopping, like jerkiness, stopping short or abruptly. Maintaining speed also becomes a challenge for drunk drivers, so look for drivers that accelerate and decelerate quickly also a look for the driver who is operating well below the posted limit.
3. Vigilance problems. This simply means that the driver is unable to pay attention to driving. An impaired driver might forget simple things that a normal driver would not, such as driving at night without headlights on, wrong way on a one way, or responding slowly to traffic signals.
4. Judgment problems. Alcohol can impair a driver's judgment of what is safe and what is not. Drunk drivers will often take risks that endanger other lives as well as their own. Examples of this is following another vehicle too closely, or making unsafe lane changes. Any erratic behavior like making sudden, erratic turns, crossing the median, or violating no-turn laws can signal an impaired driver.

### What should you do?

Seeing any of these identifying factors, you should prepare to take evasive action to avoid trouble or any unpredictable move that the suspected drunk driver might take. If you see two or more of the above factors, the driver is probably drunk, and it's your responsibility to save the lives of other drivers and **call the police immediately.**

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## Time to Fall Back... Daylight Savings Time Change in Two Weeks!!!

Daylight savings time will "fall back" at 2:00 a.m. on Sunday, November 1st. Make sure that all of your drivers are aware that the change to daylight savings will occur. Caution route drivers especially that the amount of daylight will change according to their stops with the change. An intersection or street can present

different challenges to drivers with one hour change in the position of the sun. One hour of time difference can present unique changes to a driver who is on a route.

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## **FMCSA Releases Additional Analysis on Alternatives for Safety Measurement System**

The Federal Motor Carrier Safety Administration (FMCSA) today released a Congressionally directed report confirming that the amount of data used in the agency's Safety Measurement System (SMS) is clearly sufficient to allow FMCSA to identify high-risk truck and bus companies.

The report found that SMS effectively identifies the truck and bus companies involved in 90 percent of the more than 100,000 crashes that occur each year, and those that are identified as high-risk carriers continue to have crash rates that are twice the national average.

In examining commercial motor vehicle crash rates, FMCSA looked at carriers of various sizes in accordance with the Congressional directive. The analysis revealed no significant difference in actual crash rates between small carriers and those with 20 or more roadside inspections.

FMCSA's examinations further determined that the category of carriers with 11-20 inspections and patterns of non-compliance has the highest crash rates, presenting a clear and immediate intervention opportunity for the agency to proactively bring these carriers into compliance with important safety regulations, including: hours-of-service limitations designed to prevent fatigued driving; vehicle maintenance, and; commercial driver's license (CDL) requirements.

FMCSA's current SMS data sufficiency standards allow the agency to effectively identify and proactively intervene with high-risk carriers before a crash involving a large truck or bus occurs.

In March, the Government Accountability Office (GAO) recommended that the agency increase the minimum number of required roadside safety inspections needed before prioritizing truck and bus companies for interventions. FMCSA disagreed; pointing out that a delay in responding to known non-compliant carriers would needlessly jeopardize the safety of the motoring public.

Under current Federal Motor Carrier Safety Regulations (FMCSRs), a carrier's safety fitness can only be assigned following an on-site investigation; SMS is a tool to prioritize high-risk truck and bus companies for enforcement interventions.

Today's report underscores the critical importance of considering carriers of all sizes in the agency's continuing efforts to remove unsafe carriers and commercial drivers from the nation's roadways and protecting travelers everywhere.

For a copy of today's report, see:

<http://www2.idealease.com/e/36492/m-data-assessing-motor-carrier/2x3lrj/383929759>

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