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Are You Ready for the New FMCSA Regulations Coming in 2020?

Starting in January of 2020 you will see two new Federal Motor Carrier Safety Administration (FMCSA) regulations that will go into effect that will impact the driver qualification and CDL licensing process.

January 6, 2020 Drug & Alcohol Clearinghouse for CDL Drivers

So, what does this new regulation mean for you?

1. You will have to register your company with the FMCSA Drug and Alcohol Clearinghouse if you have CDL drivers subject to the Drug and Alcohol testing regulations. Registration is open now for your company and drivers and I recommend you do this as soon as possible. Go to the [website](#), which will provide you with the access to register your company and drivers and receive additional information about the clearinghouse, including a fact sheet, implementation timeline, and frequently asked questions.

You can also sign up to receive clearinghouse-related email updates during the implementation process.

2. Starting on January 6 , before you hire a new driver with a (CDL) to operate a CDL vehicle you must query the Drug and Alcohol Clearinghouse as part of your pre-employment driver investigation to see if the driver is eligible for hire regarding the Department of Transportation (DOT) drug and alcohol testing regulations.
3. Query all current drivers that you have with a CDL to determine if your current CDL employees are prohibited from performing safety-sensitive functions, such as operating a commercial motor vehicle (CMV), due to unresolved DOT drug and alcohol violations. By doing so you will be following the annual query requirement.



The query must be conducted by you the motor carrier or your designated consortia or third-party administrator (C/TPA).

4. Annually, query all your drivers with a CDL.
5. As part of the query process the prospective CDL employee and current CDL employees will have to sign a release as provided in the registration process.

FMCSA defines two types of queries:

- Limited, which checks for the presence of information in the queried driver's clearinghouse record and requires driver consent outside of the database; and
- Full, which discloses to employers and designated C/TPAs detailed information about any resolved or unresolved violations in a driver's record and requires a driver clearinghouse account to provide the driver's consent via the portal.

FMCSA will charge a flat fee of \$1.25 for every limited or full query and offer bundles depending on need, though the bundles do not offer a discount per query unless a carrier purchases an unlimited bundle plan for \$24,500 a year.

While the unlimited plan is only good for one year, the bundles do not expire. FMCSA will require carriers to purchase a query plan to ensure they or their C/TPA can conduct queries. A C/TPA is not allowed to purchase queries on the behalf of a carrier.

You will still be required to conduct past employment drug and alcohol inquiries to past employers as required by Code of Federal Regulation (CFR) 391.23 for all new CDL drivers hired until January 23, 2023 when the clearing house has been in place for a full three years.

February 8, 2020 New Entry-Level Driver Training Rule

On February 8, 2020, the FMCSA will implement a new rule for all states regarding CDL licensing.

Final rule establishes minimum training standards for INTERstate and INTRAstater drivers applying for their initial CDL, upgrading their current CDL, or obtaining a hazardous materials, passenger, or school bus endorsement for the first time. The prescribed training includes both theory (knowledge) and behind-the-wheel (range and public road) instruction. Drivers must complete a certified training program that meets the designated criteria for classroom and

behind the wheel training before taking the CDL skills test. Training programs may be provided by motor carriers, vocational or technical schools, for-hire schools, and others; self-certification of compliance.

A list of certified schools will be on the [FMCSA website](#) beginning in Fall 2019. For additional information [click here](#) and scroll down to **CFR 380.600**.



Tis' Deer Season

Most states have deer season open for bow with rifle shortly to follow and the deer are on the move. Now is the time to remind drivers of the dangers of animals in the roadway. The Insurance Institute for Highway Safety estimates that 1.5 million deer-related accidents occur each year. Deer are struck in three out of four accidents involving animals. Nationally, deer collisions with vehicles annually cause some **\$1.1 billion in vehicle damage, kill 150 people and injure another 29,000 people.**

Cattle, horses, dogs and bears also led to fatalities in collisions. Crashes with deer are most likely to occur in late fall during deer breeding, migration and hunting season. Accidents with deer are likely to occur on rural roads with a speed limit of 55 mph or higher speed limits, in



Next Week is Thanksgiving, so there will not be a Safety Bulletin November 29, 2019

Got Chains?

If you are operating in state that require chains to be on board, make sure the chains are the correct size, properly secured, clean, and not broken as to be easily applied when necessary.

Not sure what your states chain laws are? [Click here to find out.](#)



darkness, or at dusk and dawn. In 60% of the accidents involving human fatalities with animal-vehicle collisions, the fatality was caused not by the collision with the deer, but failure to wear a safety belt. The animal-vehicle collision is the first event and often not the deadliest. It is what occurs to the vehicle after the initial collision that is often the cause of the fatality; i.e. striking a fixed object or another vehicle(s). There is no feasible way to keep deer and other animals off the roadway. Deer whistles have been sold over the years as a way of avoiding deer collisions. I can personally attest that the whistles work. However, it is still up to the deer what action is taken after hearing the whistle. This may include standing still in the roadway or running directly at you; therefore, drivers always need to be vigilant and especially in those areas that are prone to animal crossing.



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