



Welcome!



ICAA 2020
Virtual Convention

A laptop is shown in the center-left of the image. On its screen, the text "ICAA 2020" is displayed in large red letters, and below it, "Virtual Convention" is written in white letters on a red banner. A large grey arrow points to the left, positioned behind the banner. The entire scene is surrounded by falling autumn leaves in shades of yellow, orange, and red.

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INSULATION CONTRACTORS



ASSOCIATION OF AMERICA

Time To Go Through Your DOT Compliance Checklist

Safety Compliance and Roadside Preparation

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My Background

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- Worked for Glostone Trucking Solutions for 10 years
- Became Safety Department Manager at Glostone/CleanFleet in 2018, supporting hundreds of motor carriers
- Member of the North American Transportation Services Association (NATSA) Education Board since 2017
- Trained with Skip Nash of Standard & Best of Oregon
- Specialize in DOT Audits and Corrective Action Plans



WHAT IS A DOT NUMBER?

DO I NEED ONE?

“Commercial Motor Vehicles” are regulated by the DOT

These vehicles are subject to
Federal Motor Carrier Safety Regulations
(FMCSRs)

- “Commercial Motor Vehicle” or “CMV” is defined multiple ways in the FMCSRs. This is a common source of confusion.
- Many businesses that use CMVs for non-shipping purposes are **unaware** that they are subject to DOT regulation. Common examples include:
 - Construction companies
 - Directional drillers
 - Scrap haulers
 - “Party bus” or limousine services



All About CMVs

Commercial Motor Vehicles



Commercial Driver's Licenses



INTERstate vs INTRAstate Commerce



What is a “Commercial Motor Vehicle”?

This designation is the key to everything.

The relevant definition is found in FMCSR 390.5

- A vehicle with a Gross Vehicle Weight Rating (GVWR) or **Gross Combination Weight Rating (GCWR)** of 4,537kg (10,001lbs) or more, whichever is greater
- A vehicle **designed** or used to transport between 9 and 15 passengers (including the driver) **for compensation**
- A vehicle designed or used to transport 16 or more passengers
- Any size vehicle used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transport Act



An F250 By Itself has a GVWR of 10,000lbs

Anything bigger will be a CMV if used for commerce, even without a trailer.

Explore 2020 SUPER DUTY ✓		Models & Specs ✓	Pricing & Incentives	Build & Price
Wheelbase	141.6 (Regular Cab) 148.0" (SWB SuperCab); 164.2" (LWB SuperCab) 159.8" (SWB Crew Cab); 176.0" (LWB Crew Cab)			
Maximum Conventional Towing	24,200 lbs.			
Maximum 5th Wheel Towing	32,500 lbs.			
Maximum Gooseneck Towing	37,000 lbs.			
Maximum Payload	7,850 lbs.			
Maximum GVWR	14,000 lbs.			
Warranty	Bumper to Bumper: 3 years / 36,000 miles Powertrain: 5 years / 60,000 miles; Diesel: 5 years / 100,000 miles			

IF YOU OPERATE A CMV YOU ARE SUBJECT TO DOT REGULATION

Many CMVs can be operated by a driver who does not have a Commercial Driver's License (CDL)

Thinking you are not regulated by the DOT because you do not use a CDL is a common error

A Brief Overview of Commercial Driver's Licenses



➤ Class A CDL – Heavy Combination

- Allows the driver to operate a combination of vehicles with a combined GVWR of 26,001lbs and a towed unit over 10,000 lbs like a conventional “eighteen-wheeler”

➤ Class B CDL – Heavy Straight

- Allows the driver to operate a single-unit vehicle with a GVWR of 26,001lbs like a dump truck or motor coach. They may also pull a trailer with a GVWR of 10,000lbs or less.

➤ Class C CDL – Light but Specialized

- Allows the driver to operate a CMV that does not otherwise fall into the above categories but still requires a CDL to drive like a small Hazmat truck

➤ You may require various endorsements on your license as well, depending on your operations



A Vehicle Must Be Used in “Commerce” To Qualify as a CMV

Personal vehicles are not regulated by the DOT

- Almost anything that furthers the interest of the business is considered **commerce**
- The term **vehicle** applies to non-powered units as well, including **trailers**.
- If you use company pickups or vans in your operation, they may be under 10,000lbs GVWR by themselves. If you connect a trailer to them they will almost certainly have a **combined GVWR** of more than 10,000lbs and become a CMV.
 - This is one of the most common issues I encounter with “trucking-adjacent” companies



INTER vs INTRAstate Commerce

- The USDOT regulates INTERstate commerce. If you cross state lines for business, you are engaged in interstate commerce.
- INTERstate commerce also includes a movement **entirely within a state**, when that movement is the **beginning or continuation** of movement across a state or national border
- If you are engaged ONLY in INTRAstate commerce, you *may* not need a USDOT number. In this case, the state may require alternative registration.
- 37 states require a USDOT# even if the business operates solely as an INTRAstate carrier.
- If you ONLY engage in INTRAstate, and do not require a USDOT#, it is still common for the state to adopt the federal safety regulations and require the same level of compliance that would be expected from an INTERstate operation.



Jurisdictions That Require a USDOT# for INTRAstate Operations

Alabama

Alaska

Arizona

California

Colorado

Connecticut

Florida

Georgia

Idaho

Indiana

Iowa

Kansas

Kentucky

Maine

Maryland

Massachusetts

Michigan

Minnesota

Missouri

Montana

New Jersey

New York

Nebraska

Nevada

North Carolina

Ohio

Oklahoma

Oregon

Pennsylvania

Puerto Rico

South Carolina

Texas

Utah

Washington

West Virginia

Wisconsin

Wyoming



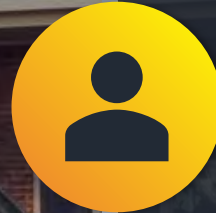
I USE CMVs

HOW DO I COMPLY
WITH DOT?

How to be Compliant



Business Requirements



Driver Requirements



Vehicle Requirements



Business Requirements



If your vehicles are rated **over** 10,000lbs in combination, the **business** will need:

- A USDOT number for the company. This identifier will be used to track the safety history of the operation.
- You must display this identifier in a particular way on each side of the vehicle
 - The legal name or single trade name of the carrier and your DOT# preceded by the letters “USDOT” must be visible from 50 feet
- If you engage in “for-hire” INTERstate operations, you may require an “MC” number, or other operating authorities. This does not apply to **private** carriers.
- If you engage in INTERstate operations, you may require a Unified Carrier Registration



Driver Requirements

If your vehicles are rated **over** 10,000lbs in combination, the **drivers** will need:

- DOT Medical Certification, aka a “medical card”
 - A medical card is obtained from a qualified medical examiner who is registered with the FMCSA. A list of qualified examiners can be found on the National Registry List [here](#).
- A Driver Qualification File
 - This is a collection of documents used to show the driver is qualified to operate a CMV at the time of hire, and continues to be qualified during their employment
 - A driver file should be assembled during the pre-employment phase and used to make an informed hiring decision.
 - A driver file must be completed within 30 days-of-hire
 - Driver files are kept for 3 years after the end of employment with a company



Records of Duty Status (RODS)

Hours-of-Service Rules and Driver's Logs or Timecards

- CMV operators must keep daily records showing the amount of time they have spent driving and working
- If a driver log is required, it will typically be in the form of an “electronic log”, captured using a qualified Electronic Logging Device. A list of qualified devices can be found on the FMCSA website [here](#).
 - There are exceptions to for things like farm operations and vehicles manufactured before 1999.
- In general:
 - A driver may not drive more than 11 hours in a single work shift
 - A driver may drive only during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty
 - A driver may not drive after being “on-duty” 60 hours in 7 consecutive days, or 70 hours in 8 days. “Drive” time is considered to be part of “on-duty” time.
 - Driving is not permitted if more than 8 hours have passed since the end of the driver’s last off-duty or sleeper-berth period of at least 30 minutes.
 - 10 consecutive hours in a combination of “off-duty” or “sleeper berth” status resets your shift clock. 34 consecutive hours in a combination of “off-duty” or “sleeper berth” status resets your cycle clock.



The Short-Haul Exemption

Alternative RODS

- If you begin and end the day in the same “normal work reporting location,” and keep within a limited air-mile radius of that place, you may use simplified RODS or “timecards”
- This must show the reporting location, your daily clock-in and clock-out time, and your total on-duty time each day.
 - If your vehicle requires a CDL to operate, you must stay within 150 air-miles, be released from duty within 14 hours, then have 10 consecutive hours off-duty until your next shift.*
 - If your vehicle does not require a CDL to operate, you must stay within 150 air-miles, **not drive** 14 hours after coming on-duty, and then have 10 consecutive hours off until your next shift.



RODS Exceptions

- RODS and supporting documents are kept for 6 months
- RODS are complicated
- There are many exceptions and exemptions, i.e. “adverse driving conditions”
- Many states have their own HOS rules for INTRASTATE carriers
- There may be recent changes to the HOS rules so be sure to stay updated



Vehicle Requirements



If your vehicles are rated **over** 10,000lbs in combination, the **vehicles** will need:

- Maintenance records that identify vehicles by make, serial #, year, and tire size
- Annual DOT inspections
 - A yearly full-vehicle inspection, performed by a qualified mechanic
- A scheduled maintenance log
 - This is a list of pre-planned maintenance activities such as oil changes or DOT Annual Inspections
- A “random” maintenance log
 - This is a list of unscheduled repairs and corresponding supporting documents
- Driver Vehicle Inspection Reports (DVIR's)
 - Pre-trip inspections to verify the vehicle is in good working order
 - At the end of the shift the driver must examine the vehicle for defects and record them. If no defects are found (in a non-passenger CMV) this document is not required to be submitted.
- The retention period for these records varies
- A CMV must carry useable emergency equipment
 - A secured fire extinguisher, spare fuses, and emergency marking devices (triangles or flares)

Roadside Inspections

What to Expect

- If you are inspected roadside or at a weigh station, you should be prepared to show:
 - Your current RODS and the past cycle of 7 RODS along with supporting documentation like bills of lading or work orders
 - The Annual DOT Inspection for your vehicles
 - Driver's license and medical certifications
 - Documentation of the previous Driver Vehicle Inspection Records
 - Relevant vehicle credentials, such as registrations
- Your vehicles may be weighed*
- Your vehicles may be inspected for maintenance issues



IRP and IFTA Credentials

vs “base-state” registration

- The International Registration Plan (IRP) and International Fuel-Tax Agreement (IFTA) are programs created for **CMVs** that operate INTERstate
- The idea is to distribute fees for registration and fuel taxes to the states in which the CMVs are **operated**
- These programs are administrated by different or multiple agencies in each state
- Some states have reciprocity agreements with neighboring states which may make IRP credentials unnecessary
- An “IFTA qualified vehicle” is a CMV that crosses state lines with a GVWR of 26,001lbs or more **OR** a CMV with 3 axles on the powered unit
 - If your vehicle is qualified, you are expected to obtain an IFTA license and decals and file a quarterly IFTA return whether you operated or not. These credentials renew annually on the calendar year.
- If you make limited INTERstate trips, you may consider using IFTA or IRP “trip permits” from each other jurisdiction you will travel to. These typically provide a 3-7 days window to operate outside on your base-state.



THAT WAS A LOT OF
INFORMATION

WHERE CAN I
FIND MORE?



FMCSA

Federal Motor Carrier Safety Administration



Need Help Understanding Federal Safety Regulations?

Find guidance and forms to operate safely and in compliance.

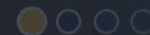


What's New

CSA/SMS Scores

The [Safety Management System](#) is a website that publicly displays safety data about your DOT#

- Your company is ranked in 7 different categories related to the safe operation of CMVs
- Specific scores and “personally identifying information” are not public, but DOT violations from roadside inspections and audits are
- The system is updated on a monthly basis. Check your scores often to be sure you are aware of all violations assigned to your DOT#.
- SMS information can affect your insurance rates and business opportunities





FMCSA

Federal Motor Carrier Safety Administration

DataQs

New to DataQs?

Motor carrier and enforcement users, sign up for an [FMCSA Portal account](#). All other users, sign up for a [DataQs account](#).

Already Signed Up?

Log in below with:

- ☒ DataQs Account
- ☐ FMCSA Portal Account

USERNAME

PASSWORD



Request a Review

DataQs allows you to request and track a review of incorrect data. The system automatically forwards updates and responses for current Requests for Review.

Data Quality

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

What's New

Data Quality

Data Q Challenges

- If there is factually incorrect data assigned to your DOT#, you may challenge the violation using the [Data Q System](#)
- You must upload documentation showing the violation was erroneously assigned to your company or driver
 - This system is not used to demonstrate correction after the fact, or to “plead your case”
 - If a DOT violation is adjudicated in court and you can provide those documents, it **may** be removed from your safety record
 - “Warnings” from enforcement are dangerous because they will go on your DOT safety record but you will have no recourse available for a Data Q Challenge from a court
 - Reportable crashes on your DOT record can be challenged under very narrow circumstances if they are deemed “non-preventable” by the DOT. If successfully challenged the crash will remain on your record but be publically designated “non-preventable” and not harm you further in audits.



FMCSA Portal

The [FMCSA Portal](#) is an access point for carriers that aggregates data from a number of sources

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](#).

- It can be used to monitor safety scores, audit results, federal mailings, and penalty assessments
- It is used to grant carrier access to the Data Q and Drug & Alcohol Clearinghouse systems
- You will need your DOT PIN# to gain access to the Portal
- The website is antiquated and getting tech support from the FMCSA is difficult. Setup your login credentials carefully and **keep them** securely.

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



Drug and Alcohol Clearinghouse and DOT Drug Testing

Log In

FMCSA & SDLA Login

- If your vehicle requires a CDL to drive, you are **required** to participate in a DOT drug testing program
- The [Drug & Alcohol Clearinghouse](#) is a new website carriers must register with using the FMCSA Portal. Most drivers subject to DOT drug testing will need to register as well. This requires an email address.
- Positive (meaning **bad**) drug tests and other related data is reported to the Clearinghouse by carriers, medical review officers, and substance abuse professionals.
- If you require DOT drug testing, your “designated employee representative” will be responsible for compliance. **Make sure this person is knowledgeable and competent.** This is a critical area for safety compliance.
- Drivers may not engage in “safety-sensitive” functions until:
 - A “full query” is run in the DOT Clearinghouse and the driver is found to be “not prohibited” from driving
 - They have a verified negative DOT pre-employment drug test
 - They are enrolled for random DOT drug testing
- “Limited queries” through the Clearinghouse on all drivers subject to DOT drug testing must be performed annually.

A silver Ford Super Duty pickup truck is parked on a gravel surface in a rural setting. In the background, there is a large wooden hayrack filled with hay, and a field of tall corn plants. The sky is overcast.

Thank you for your time.

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