



GUARDIAN

A Publication of the Commercial Vehicle Safety Alliance

Volume 27, Issue 1
1st Quarter 2020

Mastering Masking

**Why and How to Avoid
Masking CDL-Holder Convictions**

**CVSA Accepting 2020
College Scholarship Applications**

**PHMSA Asks Inspectors to Report
Undeclared Hazardous Materials**

**Texas DOT and Mexico's DGAF
Work Together on Border
Transportation Master Plan**

IN THIS ISSUE

Insight

President's Message	1
Executive Director's Message	2
Letter to the Editor	3

Regional News

North Carolina State Fair Passenger Carrier Vehicle Inspection Operation	4
South Carolina State Transport Police Introduce New Educational Tool in the Fight Against Distracted and Impaired Driving Around Large Trucks and Buses	5
Updates from Florida Highway Patrol Office of Commercial Vehicle Enforcement	6
Georgia and Kentucky Team Up for Training	9
The Importance of a Functional Suspension System	10
Texas DOT and Mexico's DGAF Work Together on Border Transportation Master Plan	11
Ontario, York and the Ministry of Transportation Team Up for CMV Impaired Driving Blitz	12

Cover Story

Mastering Masking: Why and How to Avoid Masking CDL-Holder Convictions	13
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CVSA Committee and Program News

CVSA Holds 2020 COHMED Conference	17
CVSA Offers Regional COHMED Training Courses to Its Membership	18
CVSA Hosts WIM Enforcement Symposium at 2019 CVSA Annual Conference and Exhibition	20
CVSA Accepting College Scholarship Applications	25
Colors for Hazardous Material Placards	26
CVSA Offers Online Class 3 Flammable and Combustible Hazardous Materials Course	28
Canadian Education Quality Assurance Team Meets, Sgt. Wes Roth Retires	28

Government News

The Legislative and Regulatory Rundown	29
NHTSA Releases 2018 Fatal Motor Vehicle Crashes Overview	30
PHMSA Asks Inspectors to Report Undeclared Hazardous Materials	30
FMCSA Offers Under 21 Military CDL Pilot Program Job Opportunities Website	31
PHMSA Leads Multi-Agency Strike Force Operations Along the Texas-Mexico Border Ports of Entry	32

Knowledge Matters

What's Next with FMCSA's Revamp of CSA?	33
Mobile Driver's Licenses and Law Enforcement Interaction at Roadside	34

From the Driver's Seat

Winter Weather Driving Preparedness	35
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Inspector's Corner

Always Expand Your Knowledge	36
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Industry Perspectives

Safe and Sound: OOIDA Safe Driving Award Program Honorees Share Tips and Tricks	37
The Clearinghouse Is Here. Now What?	38
Register for CVSA's Industry Course on Roadside Vehicle Inspections	39

RAD Inspection News

Level VI Roadside Inspections (2020 - Fiscal)	40
Level VI Roadside Inspection Violations (2020 - Fiscal)	40
Level VI Basic Certification Course	40
CVSA Holds Its 177th Level VI Certification Class in Austin, Texas	41
CVSA Holds Its 178th Level VI Class in Raleigh, North Carolina	41
Level VI Certified Inspectors: Get Your Copy of the New 2020 Level VI Out-of-Service Criteria	41

GUARDIAN

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PRESIDENT'S MESSAGE

CVSA to Submit Proposal to Modernize Roadside Inspection Data Collection

By **Sgt. John Samis**, Delaware State Police, CVSA President

Now that we're well into 2020, I think this is the perfect time to modernize the way we compile our data collected from the North American Standard Inspection Program. The data that we collect from this program is essential for jurisdictions to determine how to best deploy resources. It is also a great way to determine which enforcement practices are a success and which ones need to be amended.

With the current system, we have had issues accurately collecting and comparing enforcement data between Canada, Mexico and the U.S. This has been a concern for quite some time now. It was discussed several years ago as the CVSA Board of Directors was developing and implementing the latest CVSA strategic plan and it has continued to be the topic of discussion at many subsequent board meetings.

CVSA is currently working to address and solve this issue. Last year, the U.S. Federal Motor Carrier Safety Administration (FMCSA)

announced that it was looking for a vendor to develop and replace ASPEN, the current roadside inspection reporting software that FMCSA provides to jurisdictions to document data during commercial motor vehicle inspections. In addition to replacing ASPEN, FMCSA is also considering replacing SAFETYNET, the information collection system where the data collected from ASPEN reports is compiled and stored.

CVSA has proposed that it be the provider for both replacements, and has partnered with Seikosoftware to develop replacement systems. Working together, we hope to present a successful proposal to FMCSA.

We feel that the combination of Seikosoftware's software expertise and our inspection/enforcement experience will allow CVSA to provide a new inspection reporting platform that will carry our industry into the next decade. One of the major components of this new software will be to ensure that the data

collected among all jurisdictions within the program will be accurate and comparable. This will help all of us to enhance and tailor our inspection programs and utilize our resources as efficiently as possible.

Providing that CVSA is successful in its proposal to FMCSA, the intention is to provide this software as a complimentary member benefit. Jurisdictions currently using ASPEN will need to convert to the new software. Your options to continue with your current information collection system, develop your own or purchase an aftermarket inspection software system will remain the same. The new software replacement will be developed to continue to accept other reporting systems.

CVSA will actively continue to develop its relationship with Seikosoftware and I am confident that we will present a viable ASPEN replacement that will greatly modernize the collection and storage of inspection data. ■





EXECUTIVE DIRECTOR'S MESSAGE

Reversing the Trend – The Pursuit to Reduce Crashes Involving Large Trucks and Buses

By Collin B. Mooney, MPA, CAE, Executive Director, Commercial Vehicle Safety Alliance

The year 2020 marks a personal milestone; I have been actively involved in commercial motor vehicle (CMV) safety for the past 30 years – 13 years as a CMV enforcement officer and an additional 17 years with CVSA. Every time the year on the calendar changes, I tend to look back and reflect upon the number of people killed on our roadways during the previous year; specifically, those crashes involving a large truck or bus.

According to the Federal Motor Carrier Safety Administration's (FMCSA) 2019 Pocket Guide to Large Truck and Bus Statistics, in 2017, there were 4,237 fatal crashes involving large trucks and 229 fatal crashes involving buses. See page 3.

And according to the National Highway Traffic Safety Administration's (NHTSA) most recent highway crash fatality data (released in October 2019), although there was a 2.4% decline in overall roadway fatalities, alarmingly, large-truck-related fatalities increased by 0.9%. See page 30.

As CVSA plans its annual slate of enforcement activities and initiatives, I try to determine whether there is anything the Alliance needs to change or implement to reverse that trend and reduce the number of crashes involving large trucks and buses on our roadways. It's very important that we keep focused on the target because, at the end of the day, it's all about saving lives, and all of our enforcement programming that we develop and implement collectively has a direct impact on reducing the number of CMV crashes.

As I review NHTSA's Fatality Analysis Reporting System (FARS) data and analysis, two things immediately come to mind that are both short- and long-term solutions.

In my opinion, one short-term solution is the need for aggressive traffic enforcement of all drivers operating on our roadways. Even though a cautious, safe and polite driver attitude and behavior is ideal, we all realize that this isn't always the reality and that a driver's attitude and behavior is the underlining issue. Therefore, to have an immediate

impact on reducing the increase in crashes involving large trucks and buses, we need to adjust unsafe driver behaviors through aggressive traffic enforcement, whether it's removing an impaired driver from the highway, issuing a citation to a distracted driver or conducting speed enforcement through a construction zone.

It's important to note that not all crashes involving a large truck or bus are the result of the CMV driver; however, any crash involving a large truck or bus, by the sheer size of the vehicle(s) or number of passengers involved, creates a bigger and more dramatic crash scene. If these safety initiatives didn't have a direct impact on safety, there wouldn't be any need for traffic enforcement. However, studies have shown that promoted, repetitive and high-visibility traffic enforcement initiatives have a direct impact on highway safety.

It seems that one of the biggest challenges associated with reviewing the NHTSA FARS data is the difference in definitions between NHTSA and FMCSA. Specifically, what is categorized/cataloged as a "large truck or bus" by NHTSA in the FARS data is somewhat different to a regulated CMV by FMCSA. So, anyone reviewing the FARS data needs to be cautious when drawing conclusions and comparisons regarding the increase in large truck and bus crash data from NHTSA versus an increase in crashes by motor carriers that are subject to the Federal Motor Carrier Safety Regulations (FMCSRs) by FMCSA. For example, NHTSA's National Center for Statistics and Analysis identified issues with the classification of light pickup truck body types in FARS. Light pickup truck body types are those vehicles that have gross vehicle weight ratings (GVWRs) of 10,000 lbs. or less. However, several of these vehicles had VIN-derived GVWRs over 10,000 lbs., which places them in a respective large truck body type with most in the medium/heavy pickup body type.



LETTER TO THE EDITOR

A Different Approach to Roadside Safety

By **Brian J. Riker**, *President, Fleet Compliance Solutions*

As vehicle miles traveled continue to increase, and as the economy continues to expand and as we continue to cram more people into the same geographical space, our roadways will continue to see an increase in traffic volume and congestion, which tends to result in more crashes. Unfortunately, funding and staff resources for enforcement activities and initiatives aren't increasing proportionately. As a result, the second initiative is a longer-term solution.

To combat the rise in large truck and bus crashes, it has become increasingly obvious that we need to leverage technology and encourage the accelerated adoption of all lifesaving crash avoidance technologies (e.g., forward collision warning systems and lane departure warning systems) for all vehicles operating on our highways. Great strides have been made over the past few years to realize the benefits these lifesaving initiatives provide, all in the pursuit of advancing highway safety.

A couple of other areas of concern that need to be given serious consideration are the crumbling of our highway infrastructure and the inadequate advance notification systems, processes and signage advising a driver that a crash has occurred ahead, which may result in secondary crashes.

Additionally, to obtain a better picture of crashes involving large trucks and buses, FMCSA should update its now outdated Large Truck Crash Causation Study to identify and analyze related factors, such as the changes associated with advancements in technology, vehicle design and operating conditions over the past two decades, in addition to identifying and forecasting changes occurring within our current operating environment. ■

Total Crashes by Vehicle Type, 2014-2017

Source: 2019 Pocket Guide to Large Truck and Bus Statistics, FMCSA

Year	NUMBER OF CRASHES INVOLVING:			
	Large Trucks	Buses	Large Trucks and Buses	All Vehicle Types
2014	411,000	68,000	476,000	6,065,000
2015	415,000	67,000	480,000	6,296,000
2016*	434,000	67,000	496,000	6,820,000
2017*	450,000	66,000	511,000	6,453,000

*Beginning with data for 2016, the National Highway Traffic Safety Administration (NHTSA) replaced the General Estimates System (GES) with the Crash Report Sampling System (CRSS). Comparisons of 2016 (and later) CRSS estimates with older GES estimates should be performed with caution.

Fatal Crashes by Vehicle Type, 2014-2017

Source: 2019 Pocket Guide to Large Truck and Bus Statistics, FMCSA

Year	NUMBER OF CRASHES INVOLVING:			
	Large Trucks	Buses	Large Trucks and Buses	All Vehicle Types
2014	3,429	235	3,656	30,056
2015	3,622	259	3,864	32,539
2016	3,896	231	4,116	34,748
2017	4,237	229	4,455	34,247

Safety is at the forefront of everything we do. No one wakes up and says, "Heck with it, I am not going to be safe today." The towing and mobile repair industry is no different than law enforcement or fire/EMS (Emergency Medical Services), in that, they too, desire to be safe and make it back home after serving the community each day. I am sure everyone reading this article understands the important role towing services play in maintaining our national highway system, just as the towing industry understands and respects the valuable role law enforcement has regarding highway safety.

I am a 30-year veteran of the towing industry, beginning my career working alongside many awesome law enforcement officers on the highway and now as a safety educator and advocate. As a safety and compliance expert for the towing industry, I am often called upon to investigate roadside injuries and deaths; a task none of us enjoys.

As of this writing, in late January, there have already been eight incidents involving police, fire/EMS and towing personnel that have resulted in line-of-duty deaths.¹ Three of these individuals worked in the towing/vehicle recovery industry. In 2019, there were at least 60 incidents nationwide, with 44 confirmed line-of-duty deaths across law enforcement, fire/EMS and towing². This is no longer just a problem; it has become an epidemic.

I am pleading with you, the officers who enforce motor carrier safety, to help prevent these needless deaths. This may sound crazy, but I am asking for increased enforcement on commercial motor vehicles, including those within my industry – towing and road service. Specifically, I am asking for extra attention on emergency lighting code violations.

I subscribe to the theory that misuse of emergency lighting, regardless of intention, has led to the motoring public becoming desensitized to the meaning of these lights. Ask yourself, how often do you see a utility vehicle, such as a private snow plow, landscaper, refuse collection truck or tow truck, driving on the highway displaying flashing amber beacons for no apparent reason?

I realize that there are vastly different emergency lighting regulations across the U.S., Canada and Mexico. In fact, I attempted to address this issue in the May 2019 issue of American Towman Magazine, where I published a guide to emergency lighting regulations for tow trucks in the U.S. In my research for that article, I discovered that only six states require use of amber warning lights while in-tow, yet you can observe tow trucks throughout the country displaying amber lights unnecessarily.³

I believe this unsafe act is a contributing factor to the increasing number of towing operators being struck roadside. Additionally, this practice increases risk for all other highway responders, such as yourself, because of the misuse of emergency lighting.

In conclusion, I am asking CVSA member officers to refresh their knowledge of emergency lighting regulations within their jurisdictions and help spread the word to other officers with authority to enforce these regulations. With an education and enforcement campaign nationwide, we may be able to help curb improper or unauthorized use of emergency lighting among all highway users.

Our safety depends upon it. ■

¹Emergency Responder Safety Institute LODD Report at www.respondersafety.com prepared by the Cumberland Valley Volunteer Firemen's Association

²Randall Resch Training Hemet, California 2019 Struck by Incident Report, Randall C. Resch

³American Towman Magazine, May 2019, Emergency Lighting in the U.S., Brian J. Riker, pages 28-32 <http://digital.olivesoftware.com/Olive/ODN/AmericanTowman/default.aspx> and technical corrections, September 2019, page 22 <http://digital.olivesoftware.com/Olive/ODN/AmericanTowman/default.aspx>

North Carolina State Fair Passenger Carrier Vehicle Inspection Operation

By **Monica Y. Greiss**, Staff Development Specialist II, Motor Carrier Enforcement Administration, North Carolina State Highway Patrol, North Carolina Department of Public Safety

The North Carolina State Fair is the state's oldest celebration. The state fair first opened in 1869 in Raleigh. The 10-day celebration is now attended by more than 1 million people. To ensure passenger carrier safety, the North Carolina State Highway Patrol Motor Carrier Enforcement Unit conducted a passenger carrier vehicle inspection (PCVI) operation from Oct. 21-25, 2019, at the fairgrounds. Tpr. Thomas D. Darnell Jr., Tpr. Aaron A. Glancy, Tpr. Steven C. Mitchell and Tpr. James P. Barnes participated in the PCVI operation and conducted numerous Level I and Level III Inspections. The state fair PCVI operation allowed the advancement of a positive relationship between enforcement and industry.



REGIONAL MAP

Region I

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, U.S. Virgin Islands and Vermont

Region II

Alabama, American Samoa, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia

Region III

Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Northern Mariana Islands, Ohio, South Dakota and Wisconsin

Region IV

Alaska, Arizona, California, Guam, Hawaii, Idaho, Mexico, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming

Region V

Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Northwest Territories, Nova Scotia, Nunavut, Ontario, Prince Edward Island, Quebec, Saskatchewan and Yukon

REGION II

South Carolina State Transport Police Introduce New Educational Tool in the Fight Against Distracted and Impaired Driving Around Large Trucks and Buses

By Lt. L.T. Catoe, South Carolina State Transport Police

Unsafe/improper driver behavior is a major contributing factor in commercial motor vehicle crashes. South Carolina State Transport Police's (STP) DRIVE (Distracted, Reckless, Impaired, and Visibility Enforcement) is a comprehensive program designed to address driver behavior through three key areas: outreach, education and enforcement.

The DRIVE to Zero program is STP's newest outreach and educational component aimed at addressing unsafe driving behaviors before they occur. The program highlights the negative consequences of distracted and impaired driving behaviors, particularly in and around commercial motor vehicles. The program consists of a presentation by a STP officer addressing distracted driving, impaired driving and unsafe driving behaviors by passenger and commercial motor vehicle drivers. The program has been tailored to address different age groups and levels of driving experience – each one delivering a different highway safety message focused on safely operating in and around commercial motor vehicles.

Upon completion of the safety presentation, participants drive a go-kart-type vehicle (inside a controlled course) equipped with driver distraction/impairment simulation technology. This allows participants to experience the effects of operating a vehicle while impaired or distracted.

DRIVE to Zero is available free of charge to the trucking industry, passenger carriers, high schools, colleges, civic organizations or other groups throughout the state. The goal of the program is to create a social climate that stigmatizes unsafe, distracted and impaired driving behaviors as socially unacceptable. Since the program was unveiled in late October 2018, assigned officers canvassed the state and by the end of November 2019, more than 4,000 participants had completed the program.

The DRIVE to Zero program is the only impaired/distracted driving simulation that specifically addresses these dangerous driving behaviors around commercial motor vehicles. Operating passenger cars, sport utility vehicles, pickup trucks and motorcycles on the roadways require drivers and riders to be even more careful as they travel. Many motorists are unaware that an 80,000 lb. tractor-trailer traveling at 55 miles per hour requires the length of a football field to stop.

In South Carolina, data shows that when fatal collisions occur between passenger vehicles and commercial motor vehicles, 65% of the time the



actions and driving behaviors of the car were the catalyst for the crash.

"As we continue to master the art of reaching the low-hanging fruit in commercial motor vehicle safety, we must continue to find new innovative ways to reach our current new generation of drivers while bringing fresh concepts and reminders to seasoned drivers," said Col. Leroy Taylor. "The DRIVE to Zero program does just what we intended for it to accomplish: change driver behavior around large trucks and buses for a safer South Carolina."

In order to participate in the program, students must have, at minimum, a beginner's permit. The DRIVE to Zero program is administered by

two STP officers who handle the scheduling and travel the state, reaching out to drivers from beginners to professionals.

Col. Taylor went on to say: "It's amazing the number of appointments these guys are able to complete in a month. Their dedication and passion are the reasons for the continued success of the DTZ program."

Do you DRIVE to Zero?

For further information on the DRIVE to Zero program, visit www.scdps.sc.gov/scstp/drivetozero or follow our Twitter account @STP_CRO. ■

Updates from Florida Highway Patrol Office of Commercial Vehicle Enforcement

In December 2019, the Panama City District conducted multi-carrier outreach for the master logger continuing education program. Capt. Park, Sgt. Goodman, Tpr. Simmons and Lt. Strickland attended the outreach event. Topics of discussion included traffic laws, federal regulations, distracted driving, medical certificates, commercial driver's licenses, seatbelts, texting and cell phone use while driving, inspections and load securement. The initiative was a success, with approximately 100 logging haulers in attendance, and the enforcement team received positive feedback from the attendees.



On Dec. 2-5, 2019, members of the Office of Commercial Vehicle Enforcement Hazardous Materials Team attended CVSA Level VI certification training in Raleigh, North Carolina. Level VI Inspections are conducted to ensure vehicles transporting highway-route-controlled quantities of radioactive materials are defect-free of critical violations and radiological readings are within allowable U.S. DOT limits.



On Nov. 7, 2019, Staff Sgt. Derrick Williams conducted educational outreach to more than 60 members from the Florida Forestry Association in Lake City. He discussed topics relevant to the safe transportation of forestry products. The Florida Highway Patrol values its partnerships with transportation associations, such as the Florida Forestry Association.



On Nov. 6, 2019, the Office of the Florida Attorney General, the Florida Trucking Association, Truckers Against Trafficking (TAT) and Busing on the Lookout (BOTL) hosted a three-hour briefing to bring together key truck and bus industry stakeholders and law enforcement to close loopholes to human traffickers. The training featured a Human Trafficking 101 presentation by TAT and BOTL, a presentation by a survivor and a law enforcement panel. Chief Derek Barrs participated in the panel where he and other members of the law enforcement community discussed current trends, case studies, victim-centered approaches and trucking industry partnerships.

A commercial motor vehicle post-crash inspection course was conducted from Oct. 21-Nov. 1, 2019, at the University of North Florida in Jacksonville. Seventeen commercial vehicle enforcement members received advanced instruction from Capt. Bryant Gay and Tpr. Matt Chaffin on many topics, including:

- Hours of service, utilizing classroom electronic logging devices
- Brake systems, utilizing classroom brake boards which demonstrate a complete air brake system, seven hydraulic brake systems, an electric brake system and a surge brake system
- Air brake chamber disassembly and reassembly
- Cargo tank inspection, utilizing cargo tank models
- Courtroom testimony specific to testifying based on a post-crash inspection

The two-week training culminated in a field trip to conduct full brake inspections on tractor-trailer trucks using an outside air source to simulate a crash-damaged truck. Students' commercial motor vehicle inspection experience ranged from one to 25 years, but everyone expressed that they gained knowledge which will be beneficial to the job they do each day, as well as when conducting post-crash inspections. Drug recognition experts from Troop G assisted with the impaired drivers module. We appreciate Tpr. Farley, Tpr. Hilliard and Tpr. Montgomery for their drug recognition expertise. We were also aided invaluable by the non-instructional support of Training Section members Sgt. Ingram, Tpr. Meredith and Institute of Police Technology and Management adjunct commercial motor vehicle instructor Walter Dobson. We'd also like to thank Capt. Gay, Tpr. Chaffin and Maj. Harris.



Continued on next page

Continued from page 7

On Oct. 24, 2019, Sgt. Natalie Ruff and Sgt. Casey Moore conducted educational outreach for the University of Florida's Pest Management University program in Apopka. This class was conducted in partnership with the Florida Department of Agriculture and Consumer Services. Fourteen different carriers were represented at this educational outreach event.



The Office of Commercial Vehicle Enforcement hosted an Investigative Safety Analysis and New Entrant Safety Audit Workshop on Sept. 30-Oct. 16, 2019, in Orlando. This training, delivered by instructors Lt. Michael Weaver and Capt. Charles Smalley, was provided to certify investigators to conduct compliance investigations and new entrant safety audits. The 23 attendees represented the states of Arkansas, Florida, Georgia, Illinois, Maine, Massachusetts, Michigan, Missouri, Montana, Ohio and Washington.

On Sept. 28, 2019, members from the Office of Commercial Vehicle Enforcement conducted a demonstration of its portable and mat scales, along with a command bus and No-Zone truck presentation, for the Auxiliary Command staff. ■



REGION II

Georgia and Kentucky Team Up for Training

By Capt. Tristan Truesdell, *Commercial Vehicle Enforcement, Kentucky State Police*

The Georgia Department of Public Safety and the Kentucky State Police teamed up in December 2019 to put on a North American Standard Part A/B Course in Forsyth, Georgia.

The class consisted of motor carrier enforcement officers from Georgia and Kentucky State Police commercial vehicle inspectors. The students participated in classroom and field training to learn the Level I 37-step process for inspecting commercial motor vehicles, under the instruction of Capt. Kristopher Bowen (Georgia). ■



Pictured from left to right: Justin Price, Brandon Lumley, Timothy Shafer, Tucker Porter, Ramona Lawson, Carrie Winegardner, Jacob Prewitt, Andrew French, Luther Banks, Christopher Gammon, Quentravious Felton, Joshua Jordon, Chase Randall.

MARK YOUR CALENDAR

INTERNATIONAL ROADCHECK

May 5-7, 2020

This year's International Roadcheck is scheduled for May 5-7. International Roadcheck is an annual three-day event when CVSA-certified inspectors conduct inspections on commercial motor vehicles and drivers. Each year, International Roadcheck places special emphasis on a category of violations. This year's focus is on driver requirements.

For more information, visit www.roadcheck.org.



The Importance of a Functional Suspension System

By **John Watkins**, Motor Carrier Services Patrol, Montana Department of Transportation

As inspectors, we can all appreciate the importance of a functional suspension system on a commercial motor vehicle. With the suspension supporting the weight of the vehicle and absorbing the shock of the roadway and road hazards, it protects the equipment, load and drivers while keeping everything in alignment.

There are many different types of suspension systems, such as air suspensions, spring suspensions including leaf and coil systems and combinations of every imaginable option. The basics or concepts of the parts do not change. Everything must be mounted properly, unbroken and capable of doing its designed job.

With spring suspensions, we have to check the springs themselves to ensure there are no cracks and everything is properly mounted. The spring hangers, U-bolts, spacers, shackles, bushings, mounts, suspension connecting rods are just some of the areas to which we need to pay attention.

Air suspension systems are more complex than the spring suspensions and have more potential areas of failure. We must pay attention to all the air hoses; air reservoirs and valves, including the leveling valves; the supply lines and the actual air suspension and mounts. We must check the U-bolts and other hangers. If air supply is restricted, the system will not operate as designed. If the air supply is leaking, it may affect the braking system on the vehicle.

A failure in any of the components on a suspension or issues caused by a defective suspension system can affect the frames, brakes, tires, load and driver.

Simply stated, the suspension affects every part of the vehicle and must be one of the inspector's priorities. Last quarter, in Montana, inspectors completed more than 8,000 inspections, finding some extreme safety violations. ■



Broken leaf springs. Photo by Spiro Mack.



Suspension hanger cracked. Photo by Brad Billington.



Deflated air bag. Photo by Russ Corbell.



Detached slider guide, broken control arm. Photo by John Watkins.



Loose suspension. Photo by Brian Dandrea.

REGION IV

Texas DOT and Mexico's DGAF Work Together on Border Transportation Master Plan

By **Salvador Monroy**, Director, Cross-Border Federal Motor Carrier Transportation, SCT DGAF, Mexico

The Border Transportation Master Plan was presented to the U.S. Department of Transportation by officials from the Texas Department of Transportation (DOT) in early 2019. This initiative includes four Mexican states bordering Texas and aims to address transportation issues in the Texas-Mexico region. The master plan will identify the cross-border challenges of moving people and goods and analyze existing transportation systems. The plan also includes a prioritized list of transportation investment strategies that support binational, state, regional and local economic competitiveness and improve the impacts of cross-border trade and transportation.

PHASE 1: **Binational Study and Data Collection** **December 2018 to April 2019**

Mexico's General Directorate of Federal Motor Transportation (DGAF) participated in three meetings on April 23, 24 and 30, 2019, at the border of Nuevo Laredo in the Mexican state of Tamaulipas and Ciudad Juárez in the Mexican state of Chihuahua.

PHASE 2: **Collect Information and Broker Analysis** **May to October 2019**

PHASE 3: **Build Binational Common Transport Solutions Agreement**

November 2019 to April 2020

- Future scenarios
- Cost benefit analysis and economic impact of the alternatives
- Viability analysis of alternatives

Mexico's DGAF participated in a meeting on Nov. 12, 2019, in El Paso, Texas, where international trade trends for the region were presented through a preliminary analysis of data on population, employment, vehicle ownership, movement of people and goods, and the value of trade. The criteria and analysis framework for the identification and designation of binational and multimodal corridors were also discussed. Representatives from the DGAF and the General Directorate of Road Development contributed useful information to the study discussion.

PHASE 4: **Complete Analysis and Communicate Results**

May to October 2020

Prioritization of the alternatives, and implementation of the higher classification alternatives plan.

Final Report **November to December 2020**

The comprehensive final report is expected in December 2020. ■



BORDER LENGTH: The border between Texas and Mexico has an area of 1,255 miles (2,000 km), which is 64% of the total border between Mexico and the U.S.

COMMERCIAL IMPORTANCE: Texas ranks first among the American states that trade with Mexico, with 33% of the total commercial flow by truck and rail.

2017 EXPORTS: Exports from Texas to Mexico in 2017 amounted to approximately \$97.7 billion and imports to approximately \$89.8 billion.

PURPOSE OF THE PLAN: Facilitate coordination and collaboration between Texas and Mexico in relation to binational planning and programming, and implement policies, programs and projects at border crossings and in support of multimodal transport facilities and systems that provide services on the border between Texas and Mexico.



Ontario, York and the Ministry of Transportation Team Up for CMV Impaired Driving Blitz

By **Sgt. Dan St. Amand**, Commercial Motor Vehicle Inspection, Programs and Partnerships Unit, York Regional Police – Road Safety Bureau

Ontario Provincial Police, York Regional Police and the Ministry of Transportation teamed up to conduct an impaired driving blitz focused specifically on commercial motor vehicles (CMVs). In Ontario, CMV operators are subject to mandatory alcohol screening and must have a zero-level blood alcohol content when operating any CMV.

The blitz involved approximately 16 officers and took place from 5-9 p.m. on Nov. 21, 2019, at the Highway 400 northbound Ontario Ministry of Transportation weigh scales, north of Toronto. Highway 400 is one of the busiest highways in Ontario with CMV traffic heading to the northern parts of Ontario and beyond.

At the end of the night, everyone agreed it was a successful deployment from both an enforcement and educational perspective. The results are as follows:

At the King weigh scales:

- 90 CMVs entered and drivers were subject to a mandatory alcohol screening test.
- One three-day alert registered by a CMV operator who blew in the warning range (full tractor-trailer combination).
- One male party was identified as wanted by

Quebec (Quebec would not return on the warrant).

- Three Highway Traffic Act violations were issued.

Officers were also deployed to area roads to detect those attempting to evade the checkpoint:

- 12 CMVs were stopped and the drivers were all administered a mandatory alcohol screening test.
- 12 Highway Traffic Act violations were issued.

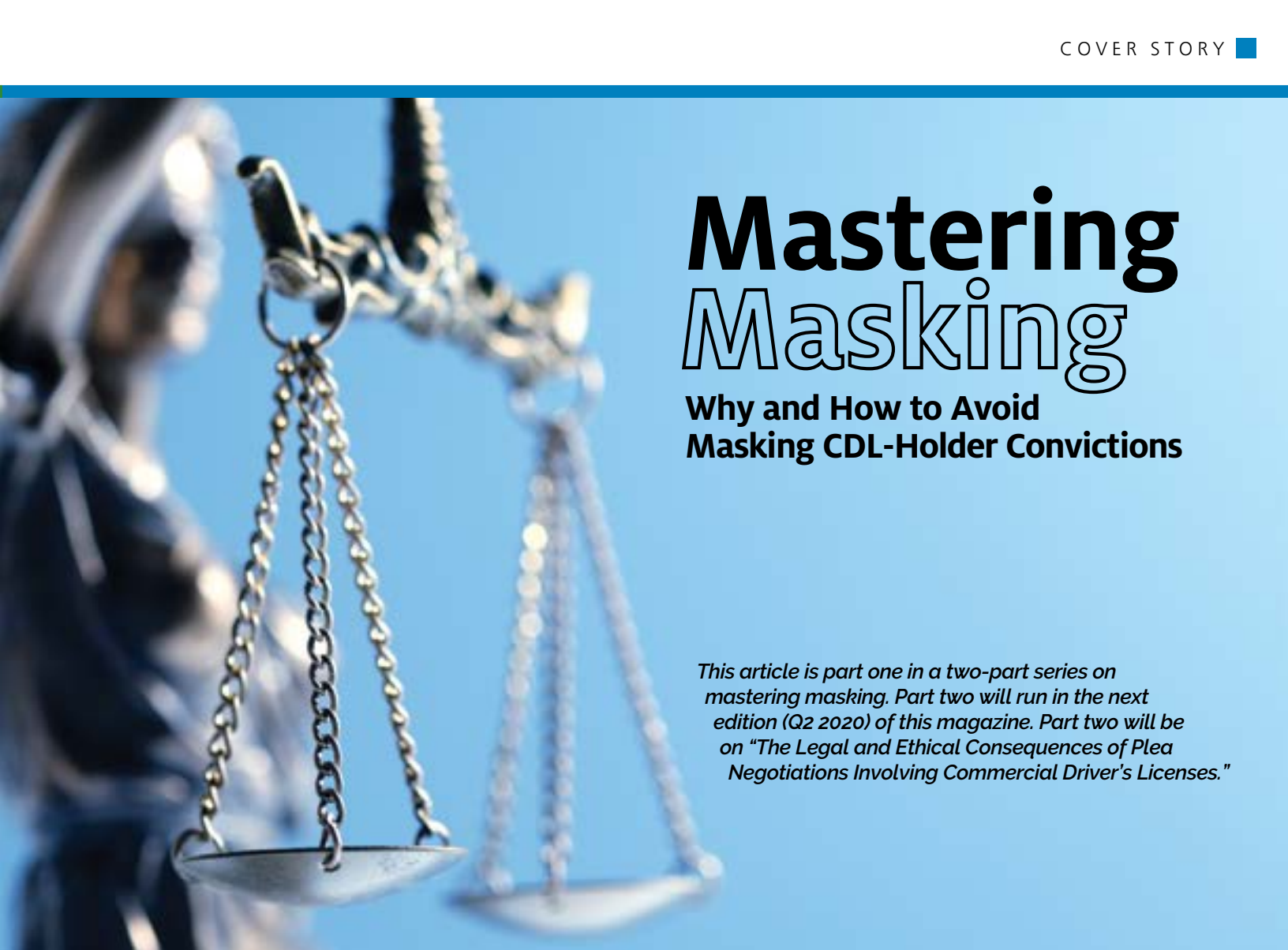
Combined total:

- 102 CMV stops and alcohol screening tests
- One three-day alert
- 15 Highway Traffic Act violations

The event was organized by PC Kyle Kneeshaw of the Ontario Provincial Police in conjunction with Michelle Mills of the Ministry of Transportation and Sgt. Dan St. Amand of the York Regional Police CMV enforcement team.

This was considered a highly successful initiative and we anticipate additional similar blitzes in the future. ■





Mastering Masking

Why and How to Avoid Masking CDL-Holder Convictions

This article is part one in a two-part series on mastering masking. Part two will run in the next edition (Q2 2020) of this magazine. Part two will be on "The Legal and Ethical Consequences of Plea Negotiations Involving Commercial Driver's Licenses."

By **Elizabeth Earleywine**, Attorney Advisor, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

Congress charged the U.S. Department of Transportation (DOT) with regulating commercial motor vehicles (CMV) to promote the public interest in their safe operation, and to encourage economical, efficient and fair transportation. The Federal Motor Carrier Safety Administration (FMCSA) is the operating administration within the DOT charged with ensuring the highest degree of safety in motor carrier transportation. Congress has instructed FMCSA to improve motor carrier, commercial motor vehicle and driver safety, in part by developing and enforcing effective, compatible and cost-beneficial motor carrier, commercial motor vehicle and driver safety regulations and practices. To further this goal and its mission to reduce crashes, injuries and fatalities involving large trucks and buses, FMCSA has promulgated (and updates) the Federal Motor Carrier Safety Regulations (FMCSRs).

Driving is a privilege, not a right. It is a privilege granted upon meeting certain

qualifications, such as passing a test, and can be taken away for many reasons. A commercial driver's license (CDL) is not a standard driver's license. Driving a CMV requires advanced skills and knowledge above those required to drive a car or other lightweight vehicle. To be granted a CDL and authorized to drive a CMV in interstate commerce, an applicant must meet additional specific requirements that do not apply to holders of non-commercial licenses. As such, a CDL holder may be considered a professional driver. A CDL indicates that the individual has a unique privilege to operate a motor vehicle that is larger, longer and capable of carrying heavier loads. If the driver possesses further qualifications, he/she may have privileges to transport hazardous materials or drive a vehicle that holds large numbers of passengers.

Not only is a person required to meet certain conditions in order to earn the privilege to drive a CMV, he/she must comply with special

laws and regulations in order to retain the privilege. These conditions are more stringent than those placed on a person with a standard driver's license. For example, a CDL holder may not consume any alcoholic beverages within four hours of driving or having physical control of a CMV. A CDL holder who operates in interstate commerce is also required to maintain physical qualification standards, which, generally, the CDL holder must renew every two years.

These higher standards reflect the nature of the inherent risk in operating a CMV. The fact is that CMVs are disproportionately involved in motor vehicle crashes and fatalities. Large trucks and buses represent 9.6% of all vehicle miles traveled in 2016 but accounted for 12% of all traffic fatalities. In those crashes, the occupants of a car, pedestrians, bicyclists or motorcyclists accounted for more than 80% of the fatalities.

Continued on next page

Continued from page 13

'masking'
...the act or practice
of a defendant's
agreeing by plea
bargain to plead
guilty to a less serious
offense than the one
originally charged



This article focuses on the role of the courts in advancing FMCSA's safety mission. Promoting safe driving behavior starts on the roadside through a state's enforcement of its traffic laws. The process continues in the courts, by holding the driver accountable for unsafe driving behavior. First, this article will provide a brief overview of how modern-day CDL safety measures came about, then it will discuss the prohibition against masking and define key terms. Lastly, the article will describe the ways in which masking can occur and some ways the court might act in conflict with the masking prohibition.

History of CDL Requirements

Prior to 1986, when Congress enacted the Commercial Motor Vehicle Safety Act (CMVSA), regulation of CMV drivers was largely left to the states, resulting in piecemeal commercial driver qualifications and requirements. Some states did not require special licenses to operate 26,000-pound-plus, articulated vehicles. Drivers could obtain licenses in multiple states and states did not communicate driver records with other states. The goal of the CMVSA was to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways. In 1985, the year before Congress enacted the CMVSA, large trucks and buses were involved in just under 0.30 fatal crashes for every 100 million vehicle miles traveled. By 2017, however, they were involved in 0.14 fatal crashes for every 100 million vehicle miles traveled.

The CMVSA established the CDL Program with minimum standards for commercial drivers, introduced the one driver/one license/one record concept, and mandated creation of the Commercial Driver's License Information System (CDLIS) to serve as a clearinghouse and depository of information about the licensing, identification and disqualification of operators of commercial motor vehicles. The CMVSA also required states to ensure that drivers convicted of certain traffic violations be prohibited from operating a CMV. Congress determined that increased highway safety could be achieved by holding CMV drivers accountable for their driving behavior. A significant step toward that accountability was the CMVSA's prohibition on CMV operators from possessing more than one driver's license.

In 1987, the Federal Highway Safety Administration (FHWA) amended the FMCSRs to implement the requirements of the CMVSA and establish national CDL standards that states were responsible for enforcing. As part of this rulemaking, FHWA defined the term "conviction" as "the final judgment on a verdict [or] finding of guilty, a plea of guilty, or a forfeiture of bond or collateral upon a charge of a disqualifying offense, as a result of proceedings upon any violation of the requirements in this part, or an implied admission of guilt in States with implied consent laws." In this final rule, FHWA requested further comment from the CMVSA regarding the term "found to have committed." In 1988, FHWA published a notice of proposed rulemaking, which, in part, proposed revising the definition of the term conviction in response to the comments received. The proposal discussed adopting the Uniform Vehicle Code and Model Traffic Ordinance definition. Several states further suggested that the definition include administrative findings that a violation had been committed. This early collaboration between the Federal government and commenters resulted in the definition that is used today.

Building on the improvements in CMV safety resulting from the CMVSA, Congress implemented additional safeguards in 1999 by enacting the Motor Carrier Safety Improvement Act (MCSIA). The MCSIA created FMCSA as a separate operating administration of the DOT and authorized the agency to regulate motor carriers and motor carrier safety. In part, the purpose of the Act was to reduce the number and severity of large-truck involved crashes through stronger enforcement measures against violators and effective commercial driver's license testing, recordkeeping and sanctions.

Congress first prohibited states from masking violations committed by CDL holders in MCSIA. The prohibition, codified at 49 USC § 31311(a), states in relevant part:

(19) The State shall—
(A) record in the driving record of an individual who has a commercial driver's license issued by the State; and
(B) make available...all information...with respect to the individual and every violation by the individual involving a motor vehicle (including a commercial motor vehicle) of a State or local law on traffic control...The

State may not allow information regarding such violations to be withheld or masked in any way from the record of an individual possessing a commercial driver's license.

A joint explanatory statement issued by Congress in conjunction with the MCSIA makes clear that this provision is intended to prohibit states from both masking convictions, which includes using diversion programs or any other disposition that would defer the recording of a conviction on the CDL holder's record. The statement clarifies that the MCSIA prohibits:

Both conviction masking and deferral programs by requiring every State to keep a complete driving record of all violations of traffic control laws (including CMV and non-CMV violations) by any individual to whom it has issued a CDL, and to make each such complete driving record available to all authorized persons and governmental entities having access to such record. This provision provides that a State may not allow information regarding such violations to be masked or withheld in any way from the record of a CDL holder.

To implement MCSIA's prohibition against masking, FMCSA promulgated 49 CFR § 384.226, which states:

The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP35 or CDL holder's conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (other than parking, vehicle weight, or vehicle defect violations) from appearing on the CDLIS driver record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.

The Prohibition Against Masking

To understand the intent of both Congress and FMCSA in codifying the prohibition against masking, we must look to the legislative history and to the definitions of key words within the legislation and regulation. Certain terms, such as "conviction," are specifically defined in the FMCSRs. Other terms, such as "masking," "defer" or "diversion," are not defined in the FMCSRs, but otherwise have commonly accepted legal definitions.

Masking, Deferred Judgment and Diversion Defined

Masking is the act or practice of a defendant's agreeing by plea bargain to plead guilty to a less serious offense than the one originally charged, as by pleading guilty to parking on the curb when one has been charged with speeding in a school zone, or the act or an instance of concealing something's true nature.

Taking the example from the definition, masking occurred because changing the charge and citation to parking on the curb had the effect of concealing the true nature of the violation. In this type of case involving a CDL holder, no record of the actual violation, often having more significant consequences, ever makes it to the driver's CDLIS record.

The purpose of deferring imposition of judgment or of a diversion program is nearly identical. They differ in procedure, however. Deferred judgment places a person convicted of an offense on some form of probation, the successful completion of which will prevent entry of the underlying judgment of conviction. A diversion program, however, takes place prior to any preliminary judgments being entered. It is a pre-trial program that typically refers the offender to a rehabilitative program and, upon successful completion of that program, results in the charges being dismissed. In the first instance, a conviction, as it is understood in the criminal justice arena, enters against a person, but is not recorded. In the second, there is never a conviction. The result is the same, in terms of the prohibition against masking: no record of any violation ever makes its way to the driver's CDLIS record.

Conviction Defined

Also relevant to the discussion of masking is the definition of the term "conviction." Typically, conviction describes an instance in which a judgment of guilt is rendered against a person. However, as discussed above, conviction is defined more broadly in the FMCSRs and includes actions beyond a judge entering a judgment of conviction for a substantive offense. To promote the Congressional goal of improved, more uniform commercial motor vehicle safety measures and strengthened enforcement to reduce the number of fatalities and injuries and the level of property damage related to commercial motor vehicle operations, the FMCSRs define conviction as any of the following:

- An unvacated adjudication of guilt;
- A determination that a person has violated or failed to comply with the law in a court of original jurisdiction;
- A determination that a person has violated or failed to comply with the law by an authorized administrative tribunal;
- An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;
- A plea of guilty or nolo contendere accepted by the court;
- A payment of a fine or court cost;
- A violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or prorated.

Where any of these actions occur, the violation must be reported from the court to the licensing agency to be recorded on the driver's record (and trigger any appropriate disqualifying action).

Note that a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal is considered a conviction. As mentioned above, this language was added to the definition to include administrative findings, such as those originating from implied consent suspensions. This occurs, for example, when a CDL holder refuses chemical testing upon arrest followed immediately by an administrative license suspension, but subsequently the substantive DUI prosecution does not result in a judgment of conviction (the defendant is found not guilty at trial, for example). In this case, the finding that the driver refused, for administrative license revocation purposes, must be reported to the licensing agency as a conviction.

Additionally, under the regulation, when a CDL holder fails to appear and his/her bond is forfeited (including any type of recognizance or promise to comply bond), the court is required to report the violation as a conviction to the state licensing agency. Finally, any type of cost or fine associated with the violation requires that the offense be reported as a conviction to the state licensing agency. This includes cases where a violation is dismissed for court costs.

[Continued on next page](#)

Continued from page 15

Plea Negotiations and Masking

The prohibition against masking is not meant to bar plea negotiations in cases involving a violation by a CLP or CDL holder. Caseloads are large, particularly in courtrooms handling traffic offenses. Offenders often are charged with multiple offenses arising from the same incident. Not every charge is provable to the standard of beyond a reasonable doubt. The statute and regulation prohibiting masking do not bar negotiations entered in good faith and supported by facts and law. The anti-masking regulation cannot supersede a defendant's due process or other Constitutionally protected rights.

Plea negotiations may take many forms, some of which may contravene the prohibition against masking. In routine traffic matters, such as those involving offenses listed in Table 2 to 49 CFR § 383.51, a common disposition may be that the driver agrees to plead guilty and pay court costs. So long as the driver pays the court costs and does not get another traffic violation in the subsequent 6 months, the charges are dismissed. This is a clear case of deferring judgment, which constitutes masking. If the driver is a CDL-holder, and the violation is not reported as a conviction, as defined in 49 CFR § 383.5, it has been masked. Likewise, where a driver is charged with DUI, a common plea negotiation for a first offense could be a diversion program. Here, the driver agrees to certain terms, which typically includes substance abuse education or counseling, and the charges are dismissed upon successful completion of the terms. This occurs pre-trial or pre-disposition, so the driver never pleads guilty or is never found guilty. As with the previous scenario, if the driver is a CDL-holder and a conviction is not reported to the licensing agency, masking has occurred.

Furthermore, just because a CMV operator has given up his or her CDL does not mean that deferral or diversion are legally permissible dispositions. If the individual had a CDL at the time of the offense, allowing the charge to be deferred or granting diversion would be prohibited by the anti-masking regulation. In *Indiana Bureau of Motor Vehicles v. Hargrave*, the defendant, a CDL holder at the time of the offense, was charged with driving under the influence. He surrendered his CDL prior to pleading guilty to the offense and was granted

diversion with the understanding that the charge would be dismissed upon successful completion of the program. The defendant later filed a petition to reduce the time of his administrative suspension, which the court granted. Upon receiving the order regarding the suspension, the Bureau of Motor Vehicles (BMV) petitioned the court to reconsider, arguing that the defendant was not eligible for a diversion program due to his holding a CDL at the time of the offense. The appellate court agreed with the BMV, stating, "[a]llowing Hargrave to surrender his license, avoid his conviction, and possibly return to driving professionally with no record of the offense is precisely what the anti-masking law is designed to prevent. Hargrave's suggested interpretation of the law is unreasonable, as it would permit the very mischief that the law is designed to prevent."

A more challenging scenario for prosecutors, defense attorneys and judges occurs when the defense requests that a charge be reduced. Sometimes, the request is for a reduction to an offense that would be considered a lesser included offense of the charge, while on other occasions, the reduced charge has no bearing on the original offense. In either scenario, the prosecutor and judge must determine the reason for the amendment. Is there a bona fide legal and/or factual issue with the original charges brought against the driver? Where the answer is yes, those legal or factual issues provide justification for amending or reducing the charge. If not, the intent behind the action is no different than that found in *Hargrave*. The driver will have avoided the conviction and will continue to drive with no record of the actual offense. Where there are no legitimate legal or factual bases for a reduction, then masking has occurred, as the purpose of the plea is to conceal the nature of the offense.

Conclusion

While the rate of fatal crashes involving large trucks or buses and the number of fatalities as a result of these crashes per miles traveled has improved since Congress passed the CMVSA in 1986, the actual number of fatal crashes and fatalities has been rising since 2009. In 2017, more than 5,000 people lost their lives in crashes involving large trucks and buses. Part of this can be attributed to an increase in the number of large trucks and buses on the road

and miles being driven in all types of vehicles in that same time frame. Additionally, not all fatal crashes involving large trucks or buses are the fault of the driver of these vehicles. However, one only has to consider the size difference between a CMV (more than 26,000 pounds) and an average car (approximately 4,000 pounds) to conclude that the truck will inflict the majority of the destruction.

The prohibition against masking is not an arbitrary rule. A driver record that accurately reflects the CDL-holder's driving behavior is critical to promoting highway safety. Operators of CMVs are professional drivers, held to a higher standard based upon the type of vehicle they drive. As stated in "Commercial Drivers' Licenses: A Prosecutor's Guide to the Basics of Commercial Motor Vehicle Licensing and Violations," without a clear picture of a driver's history, a prosecutor, judge or even a prospective employer will be unable to determine the threat posed by that driver and what remedial actions should be taken to correct his or her poor driving. Drivers' histories also are relevant to those handling impaired driving cases, as well as serious or fatal crashes caused by impaired or reckless driving. Masking prevents the court system, state licensing agency and motor carrier employers from taking the appropriate action against a potentially dangerous driver. Too often, we hear the lament after a particularly egregious crash involving a CDL-holder driving a CMV, "(S)he never should have been on the road." An effective way to avoid this is to follow the prohibition against masking and ensure a violation appears on the CDL-holder's driving record.

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Visit www.cvsa.org/eventpage/events/cohmed-conference/2020-louisville to check out the online photo gallery from this year's COHMED Conference.



CVSA Holds 2020 COHMED Conference

Nearly 300 individuals involved in the regulation, enforcement and safety of hazardous materials/dangerous goods transportation attended the Cooperative Hazardous Materials Enforcement Development (COHMED) Conference, Jan. 27-31, 2020, in Louisville, Kentucky.

Hosted by the Commercial Vehicle Safety Alliance (CVSA) and funded, in part, by the U.S. Pipeline and Hazardous Materials Safety Administration's Community Safety Grant, the five-day COHMED Conference provided specialized technical training to individuals who represent the organizations and agencies that regulate and enforce the safe transportation of hazardous materials and dangerous goods, along with industry stakeholders.

Hazardous materials specialists, law enforcement personnel, and trucking companies and associations attended the COHMED Conference to receive advanced training and participate in discussions on highly specialized issues related to hazardous materials/dangerous goods transportation, regulation and enforcement. The conference featured informative and collaborative sessions on some of the most important topics related to the hazmat community, such as:

- The transportation of fireworks and applicable regulations
- Special permits and Canadian regulations on fiberglass reinforced plastic tanks
- The basics of hazardous materials regulations
- Mexico's regulations on hazardous materials transportation
- The UN packaging code on non-bulk packaging/small means of containment
- Classification of hazardous materials and blends
- The significant differences between DOT specification cylinders and UN pressure receptacles
- Cargo tanks used to transport crude oil and other hazardous materials unique to the oilfield industry in the U.S. and Canada.
- Testing requirements for MC331 bobtail cargo tanks designed to transport 2.1 (flammable gas) hazardous materials in the U.S. and TC331 cargo tanks used in Canada.

Attendees at the conference also received regulatory updates from Transport Canada and the U.S. Department of Transportation's Federal Motor Carrier Safety Administration and the Pipeline and Hazardous Materials Safety Administration. ■



Next year's COHMED Conference is scheduled for Jan. 25-29, 2021, in Savannah, Georgia.

CVSA Offers Regional COHMED Training Courses to Its Membership

By **Thomas Fuller**, *New York State Police, Retired; CVSA Contractor*

On Nov. 19-20, 2019, CVSA conducted its second Regional COHMED Training Course on Class 8 corrosive materials. The course was held in Pasadena, Texas, at the Pasadena Convention Center, and led by instructors Rion Stann with the Pennsylvania State Police, Scott Maguire with the Massachusetts State Police and Tom Fuller (retired from the New York State Police).

The training course was attended by certified inspectors from the Arizona Department of Public Safety, Texas Department of Public Safety, New York State Police, Rhode Island State Police, Michigan State Police, Public Utilities Commission of Ohio, Smithfield Police Department (Rhode Island) and the following local Texas agencies: Pasadena Police Department, Garland Police Department, Baytown Police Department, Dallas County Sheriff's Office, Houston Police Department, La Porte Police Department, Grapevine Police Department and Odessa Police Department. Three associate members, from Schlumberger and U.S. Well Services, also attended the course.



CVSA would like to thank Sgt. Gary White and his staff from the Pasadena Police Department for hosting the course and providing the training facility and geographic support. Without their assistance, this training would not have been such a success. CVSA would also like to thank Robert Blanco (point of contact) and Joe Swinbank (owner) of Sprint Waste Services for providing a specification cargo tank for training purposes.

This training was made possible by a Community Safety Grant from the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration. The grant enhances the capability of communities to prepare for and respond to hazardous materials (hazmat) incidents and supports the training of state and local enforcement personnel who are responsible for enforcing the safe transportation of hazmat.

The first-year Regional COHMED Training courses were on Class 3 flammable liquids. Second-year courses were on Class 2 gases.



This year, our third, we are concentrating on Class 8 corrosive materials. However, this series of training courses is not a curriculum where you attend one time and are done. This program is constantly evolving and responding to the needs of not only the inspector, but also crash and incident rates involving hazardous materials.

The Regional COHMED Training Course is an intensive, fast-paced, two-day advanced training on Class 8 corrosive materials. The training encompasses hazmat communications, special provisions, special permits, toxicology, emergency response information, recent incidents, and 407 and 412 specification cargo tanks. Attendees take a pre-test and post-test, both of which are graded. Inspectors must score 80% or higher on the post-test to receive a certificate of completion.

The Regional COHMED Training Courses are open to all members of the Alliance: Class I Members, Class II Local Members, Class III



I think the class was a great success because even though I teach hazmat, the activities and presentations really covered corrosive materials in more detail than most training. —Allan Melton, Schlumberger

Associate Members and Class IV Federal Members. The grant covers expenses for Class I Members and Class II Local Members. This includes airfare, luggage fees, hotel accommodations, meals not otherwise provided, mileage up to the price of a coach fare (if the member elects to drive) and airport parking. CVSA does not, however, reimburse for rental vehicles, since staff instructors pick up and drop off students at the airport and take students from the hotel to the training location each day. Class I Members and Class II Local Members must be hazmat certified and either cargo tank or other bulk packaging certified to attend. The grant does not cover Class III Associate Members and Class IV Federal Members; they are required to pay for all applicable expenses.

At the end of the training, the students fill out an evaluation, which is closely assessed, so we can constantly improve our courses. This helps us to make changes, where necessary, in response to the needs of students.



If you are interested in attending the Class 8 corrosive class, the training schedule is posted on the CVSA website at www.cvsa.org/trainingpage/training. Registration typically opens approximately 6-8 weeks in advance of the class. If the current dates and locations listed on the website won't work for you, there is an online training interest form that you can complete to let us know you're interested in receiving training.

If you are interested in hosting a Regional COHMED Training Course or would like additional information, contact the Director of COHMED Program Bill Reese at 301-830-6148 or billr@cvsa.org. ■



The Regional COHMED Training held in Pasadena, Texas, was an excellent training opportunity that allowed commercial vehicle inspectors to delve deeper into the Hazardous Materials Regulations concerning Class 8 corrosive shipments, while allowing participants to network with other inspectors from all over the U.S. This advanced training course additionally provided a hands-on opportunity to conduct an inspection on a specification cargo tank, thus reinforcing the Hazardous Materials Regulations presented.

—Sgt. Robert Kidder, New York State Police

I've had the pleasure to attend a few COHMED trainings and I will continue to attend these as they become available. These trainings are exceptional in several ways. The information obtained fine-tunes my inspections on the roadway. As much hazmat as I stop, I feel I could always use more training to remain at high vigilance to complete those inspections. Another aspect is networking with other inspectors and people from industry. It is another great way of getting more information and gaining contacts. Performing FMCSA inspections on commercial vehicles is a perishable skill. Performing hazmat inspections is a greater perishable skill due to the increase in steps to make sure everything is correct. Staying sharp is important when doing any inspection, especially when a carrier is transporting hazardous material. Attending the Class 8 corrosives class in Pasadena, Texas, was an excellent chance to fine-tune that specific inspection to ensure safety for me and vehicles traveling on the roadway. As in my previous trainings and future trainings, it's a great way to continue awareness and knowledge for a specific hazard class. Basic hazmat and cargo tanker classes are great. But to be able to acquire knowledge in a specific hazard class is even better. Thank you to all the instructors and COHMED for the opportunity to attend these trainings.

—Patrol Ofc. Neil Marcoccio, Smithfield (RI) Police Department





CVSA Hosts WIM Enforcement Symposium at 2019 CVSA Annual Conference and Exhibition

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CVSA hosted a Weigh-in-Motion (WIM) Enforcement Symposium on Sept. 24, 2019, at the CVSA Annual Conference and Exhibition in Biloxi, Mississippi. Some of the world's foremost experts, both in providing and using WIM technology for highway weight and safety enforcement, were invited to the symposium to discuss the current state-of-the-art WIM technology and to highlight opportunities for new WIM use. Nearly 150 interested individuals attended the symposium.

First, the symposium would not have been feasible without guidance and support from the International Society for Weigh-in-Motion (ISWIM), the Federal Highway Administration (FHWA), the Federal Motor Carrier Safety Administration (FMCSA), the time and efforts of our speakers and panelists, and the support and participation from the sponsors.

During the symposium, enforcement agency WIM users shared their experiences with the technology, in the U.S. and elsewhere around the world, followed by two panel discussions consisting of WIM technology and systems integration experts.

With opening remarks from FHWA Freight Operations Program Manager Tom Kearney, we learned that WIM systems have been used for decades; however, WIM technology is evolving and advancing to the point that the traditional ways of road safety and weight enforcement may be ripe for change.

We also heard from FMCSA Innovative Technology Deployment Program Manager Tom Kelly about how WIM implementations can be funded in the U.S. under the Motor Carrier Safety Assistance Program (MCSAP) if the technology is combined with a safety enforcement approach.

Chief Willie Huff, with the Mississippi Department of Transportation (MS-DOT), highlighted his agency's weigh station technology deployment, which was featured in a field trip on Sept. 22, coordinated by Drivewyze and MS-DOT, to visit MS-DOT's NASA weigh scale on Interstate I-10. Approximately 75 conference guests attended the scale visit.

Capt. Steve Rundell, with Texas Department of Public Safety, explained several considerations Texas made in its purchases of WIM systems, noting that periodic maintenance costs should be considered. Capt. Rundell also noted some technical lessons learned, including the tip that bending plate and load cell sensors should only be installed in Portland cement concrete (PCC) pavements. Whereas, strip-type sensors, such as a polymer piezo, coaxial piezo, quartz piezo or strain gauge, could be installed in either PCC or asphalt concrete (AC) pavement.

Four main themes emerged from the day's discussions. First, WIM direct enforcement stood out as an important, but challenging, way to innovate oversight productivity, effectiveness and efficiency. Second, interconnectivity of



WIM system data is critical. Third, rethinking enforcement may demand WIM to play an important role in future enforcement strategies. Lastly, the need for standardization and public acceptance related to WIM was evident throughout discussions on how we can modernize our enforcement methods.

In addition to these main themes, providers of WIM technologies are making improvements in sensors, functionalities, communications/networking and cost reduction. WIM expert and consultant Hans van Loo spoke about the many ways to use WIM technology, depending on the specific needs of an organization, and how choosing the correct WIM solution is important. He suggested agencies first ask the following questions:

- What is the WIM for? Who is going to use the WIM data and in what way?
- Where will it be implemented? What are the conditions of the road, the traffic and the environment where the WIM will operate?
- What are the specifications for the system and the desired operation? (Found through answering the preceding questions.)
- What is the available budget? (Budget must include procurement, installation, calibration, maintenance and operation.)

Van Loo reiterated that there are various WIM technologies and the best choice for your agency is highly dependent upon the

specifics of each implementation. ISWIM published a WIM User's Guide to aid in WIM implementation decisions. It is available online at www.is-wim.org. Areas in which van Loo noted the technology has more recently advanced include:

- Surface sensors have improved both in accuracy and durability.
- Under pavement sensors with no direct contact with tire load have been developed. They will reduce maintenance costs, but this comes at the cost of slightly lower accuracy. This makes them a good fit for collecting road use statistics or pre-selection screening.
- Fiber optic sensors are under constant development and the latest results are promising. Their durability is increasing, and they are comparatively lower cost and quick to install.
- Tire pressure sensors are growing in popularity and can be used for detailed understanding of the impact on pavements and to detect and enforce under-inflated or missing tires.
- Bridge WIM systems are available and provide the same information as road-based systems. You always need a bridge for their use, but the sensors can be moved between bridge locations, making them scalable to a wider area for lower cost (by using same equipment in various places at different times).

Capt. Steve Rundell with Texas Department of Public Safety makes these suggestions for preparing a WIM specification:

- ✓ Plan for a maintenance contract.
- ✓ Keep specification vendor agnostic.
- ✓ Insist on integration with other vendors.
- ✓ Maintain ownership of equipment (usually) and data.
- ✓ Consider the capacity for expansion.
- ✓ Consider making the scope of the request for offer/contract as open as possible.
- ✓ Allow vendors to make recommendations.
- ✓ Allow for future contract modifications.
- ✓ Know what you can manage financially and within scope of the project.

Continued on next page

Continued from page 21

The CVSA North American Standard Level VIII Electronic Inspection is an inspection conducted electronically or wirelessly while the vehicle is in motion without direct interaction with an enforcement officer. An electronic inspection must include, where required and/or applicable, a descriptive location, including GPS coordinates; electronic validation of who is operating the vehicle; appropriate driver's license class and endorsement(s) for vehicle being operated; license status; valid Medical Examiner's Certificate and Skill Performance Evaluation Certificate; current driver's record of duty status; hours-of-service compliance; USDOT or (Canada) NSC number; power unit registration; operating authority; Unified Carrier Registration compliance and federal out-of-service orders.



Chris Koniditsiotis, ISWIM president and former CEO of Transport Certification Australia, also provided background about WIM and why vehicle weight is such an important metric, noting that it "is critical to the design, management and operational use of our transport infrastructure." WIM – either on-road or in-vehicle – is the only way to assess weights of vehicles while they operate on roadways. On this basis, we now consider the following four themes that emerged from the WIM symposium dialogue.

1. WIM Direct Enforcement
2. Interconnectivity of WIM Data
3. New Perspectives on Mass Compliance and Enforcement
4. Need for Standardization

WIM Direct Enforcement

WIM direct enforcement (WDE) broadly describes the imposing of penalties – enforcement action – directly to a vehicle operator based on a WIM weight measurement alone. The weight measurement must be accompanied by identification of the vehicle, communicating the result and initiating the enforcement action. The process of identifying the vehicle may use license plate readers or other identification means, but the action is taken without also relying on a static weight measurement. Fines, violations or other administrative warnings/cautions would be issued to the motor carrier while the vehicle travels down the roadway. If desired, vehicles found with no weight violations could be credited in some way for compliance.

WDE is effectively a type of electronic inspection of weight. CVSA, in 2017, approved a new concept Level VIII Inspection to serve as a framework for states and inspection technology providers to design, build and implement an electronic inspection – one carried out without necessarily requiring a vehicle to stop or having an inspector on-site. While still developmental, the initial Level VIII Inspection definition includes a check of driver and carrier credentials, but it could, in the future, include vehicle and weight data. FMCSA is currently supporting efforts to pilot electronic inspections with participating carriers in a few states. Results of this pilot will help inform potential integration with WDE.

Presenters expressed that WDE is not simple to do but is technically achievable today, with careful planning, increased legislative and judicial institutional acceptance, and integration of data systems. Several experts also said, part of a theme highlighted later,

that better WIM standards for various aspects of installation, communications and use will build the WIM knowledge base and help bolster efforts to gain acceptance.

Experience with WDE elsewhere around the world is informative. Leonardo Guerson, researcher with Labtrans, at the Universidade Federal de Santa Catarina, presented on Brazil's overhaul of its highway monitoring and enforcement program, which has begun developing the technical requirements and legislative adjustments for using WDE. Brazil first installed WIM in the 1970s but with its latest efforts, reaching a milestone in 2013, achieved installation of more than 300 sites with mainline WIM systems. Brazil's updated network currently incorporates mainline WIM screening, using license plate readers and remote officers monitoring these automated sites. One of the challenges that Brazil encountered with automating weigh station sites is that truck drivers, at least initially, ignored the signboard instructions to bypass the weigh station and entered the weigh station anyway.

Guerson emphasized that WDE can only succeed where all parties involved – technicians, professionals, enforcement personnel – jointly work to plan, build and execute use of the WIM systems. Brazil's transport authority is conducting field tests from which it will collect data and define maximum allowable errors in WIM measurements, and test different pavement effect systems. He noted the value of carefully planning the collection, accessibility and use of the resulting data from mainline WIM systems. Guerson also observed that transport agencies should consider arrangements where WIM is purchased as a service provided by the supplier instead of purchasing equipment and operating/maintaining it in-house. No matter the arrangement, performance specifications must be established and checked regularly since all WIM systems degrade in performance over time.

In the latter part of the day's program, two expert panels were convened: one to speak to the WIM technologies and the other to address the integration of WIM components with surrounding systems. There were three WIM technologies supplier panelists, including Jess Helmlinger with Kistler Instrument Corporation, Jon Arnold with Intercomp and Peter Kirigiti with Mettler Toledo. They unanimously agreed that WIM technology is ready for WDE. With proper planning, site geometrics, roadway or bridge surface characteristics (flat/smooth), data processing

and communications being achievable, the more limiting factors today are gaining experience and building acceptance among prospective users (including motor vehicle operators, drivers, enforcement officials, regulators and legislators).

Gaining public acceptance for WDE is not trivial, and there are political and legal hurdles to doing so. One enforcement representative attendee noted that his state legislature may flatly oppose WDE. However, acceptance of WDE may have a growing tailwind: the trending advancements toward connected and automated vehicles. Lauri Brady, with Kapsch, noted that WDE would need to be a focus of automating and connecting vehicle operations. In other words, what good is a self-driving truck that follows all vehicle traffic and weight laws but still must stop at a weigh station, potentially wasting the time of enforcement and carriers? Oversight may need to be achieved in new ways. Demand from industry and highway officials for WDE may rise.

There are also societal, business and political pressures to advance automated driving systems. At some not-too-distant future date, trucking companies may have the option of running certain routes with no human in the driver seat. While far from a foregone achievement, manufacturers and technology companies are spending billions of dollars in a race to build self-driving vehicles, including long-haul trucks, in particular. Many governors, legislatures, regulators and business leaders across North America are pushing toward achievements in automation, passing laws, agreements and exemptions to enable automation research, development, design and deployment.

Interconnectivity of WIM Data

Part of the appeal of WIM systems is that they can generate volumes of traffic, infrastructure use and vehicle loading condition data. Presenters widely agreed that a database management plan must also be developed and executed along with WIM hardware installations to ensure proper access to data. Identifying, ahead of time, who accesses what data and for what purposes is crucial. Uniformity of communications protocols is also essential. Different government departments may need varying levels of access, and WIM and data systems suppliers can change over time, so planning for interoperability is a must. Agencies would typically be against obsoleting a fully

functioning WIM program simply because one component or system it is no longer state of the art or the supplier drops support for a particular product.

Jon Reimer, with the Oregon Department of Transportation, presented on Oregon's Green Light program, which takes advantage of interconnectivity of data systems. Oregon uses virtual weigh stations (VWS) and utilizes WIM technology to verify the weight mile tax record for a vehicle or company. The state can look at eight days' worth of geographic travel data for a particular vehicle to verify and assess weight mile tax. Furthermore, Oregon's data system, called OSCAR, is accessible to carriers and enforcement agencies. Oregon is partnering with other states to enable access from any participating jurisdiction. Those interested should contact Jon Reimer at Jonathan.S.REIMER@odot.state.or.us.

Paul Clark, with the Florida Department of Transportation, described how Florida has interconnected its weigh stations, enabling inter-regional calibration of scales, verifying log entries and other similar uses of connectivity. Using better connectivity and working with roadway users, Florida set a goal of enabling 50% of vehicles to bypass weigh stations on the mainline by 2040.

John Rotz, with Maryland Department of Transportation, also provided insight into interconnectivity of systems with an overview of his state's VWS implementation, with 20 installations completed or pending as of 2019. Maryland's VWS is also connected to the Regional Integrated Transportation Information System.

New Perspectives on Mass Compliance and Enforcement

Koniditsiotis also presented on his experience with Transport Certification Australia's on-board WIM success story in highway infrastructure protection and enforcement modernization. As background, he explained overloading vehicles is a natural part of business in all economies, including both in first-world societies and in the developing world. There are always competing economic and societal pressures intertwined among economic development, safety policy and damage to infrastructure from vehicle overloading.

Australia has a strong enforcement culture and a widely understood awareness that if you are in violation, you will get caught. In rural areas, less than 2% of vehicles checked are found overweight. In urban areas, the

Maryland Department of Transportation shared these WIM deployment problems they encountered, a helpful cautionary list:

- ⚠ Center lane sensors sank due to asphalt failure
- ⚠ Out of service for more than a year due to crash
- ⚠ Contractor resource issues caused maintenance and calibration delays
- ⚠ Sub-contractor installation errors: sensor cable conduits filled with Bondo® and sensor cabling breaks at roadway edge
- ⚠ Over height signal problem – misaligned laser passive reflector
- ⚠ Utility delay – no power
- ⚠ Water damage to cabling due to freeze and thaw in pull box
- ⚠ Road resurfacing/widening/change in lane configuration
- ⚠ Bad batch of sensors and/or sensors not grounded

[Continued on next page](#)

Continued from page 23



The 2019 CVSA WIM Enforcement Symposium dialogue highlighted recent advances in WIM systems, experiences of users around the world, and opportunities and challenges ahead.

rate is even lower. Australia also has, more so than the U.S., a large land area compared to population size and, therefore, long distances over which to carry freight – a widespread infrastructure network. Australia's challenge, Koniditsiotis noted, is that freight is expected to double in 15 years, but the tax base is insufficient to support traditional methods for rebuilding and maintaining roads and bridges to make them capable of handling the increased freight.

Part of Australia's solution is to offer a program to carriers in which they can run heavier trucks so long as they install on-board WIM on their vehicles, share their real-time loading data and engage GPS tracking of their vehicles. These vehicles are connected with telematics so the authorities can have their real-time weights and locations. This approach also essentially illustrates a type of electronic inspection, similar to the concepts discussed earlier.

Australia asked: What if the transport authority knew accurately and precisely the weight of truckloads carried on its bridge and pavement infrastructure? If the transport authority could attain accurate vehicle weights, reported real-time, it could more economically enhance the infrastructure capacity with less cost. Roads and bridges are engineered and built with a safety factor, meaning that they are designed to withstand significantly more load weight than what they will see in normal use. This already accounts for unexpected loading circumstances, such as illegally overweight vehicles and other circumstances. But if the authority could precisely and assuredly confirm the weights of vehicles on the road network, the safety factor could be more lenient.

The transport authority engaged participating carriers to equip their vehicles with on-board WIM, GPS tracking and telematics. The authority could, therefore, be assured of the real-time weights of these vehicles and allow for use on bridges at a lower safety factor. For example, a bridge designed with a 2.0 safety factor for use by 100,000-lb. vehicles technically should withstand a 200,000-lb. load before potentially catastrophic failure. But using the same bridge and a 1.8 safety factor would allow it to carry 111,000 lbs. This is only done for vehicles for which the load is known in real time. Increasing the maximum allowable weight in a controlled fashion and giving the select participants more freight capacity per vehicle allows more throughput without changing the infrastructure.

Need for Standardization

The need for better standardization in use of WIM technologies and their integration was loud and clear throughout the day. Users of WIM systems noted that they needed better standards. Providers of WIM technologies and WIM integration also highlighted the need for new or improved installation, accuracy measurement, validation, data formatting and system integration standards. There was also a possible need identified for vehicle and WIM compatibility standards.

Sgt. Kendell Jackson, with North Carolina State Highway Patrol, shared his agency's challenge with one type of trailer suspension that, when measured for weight with a state WIM system, resulted in inconsistent measurements. Suspension dynamics affected the results. The issue caused the agency some embarrassment and required the state to rethink its policies for use of WIM. This kind of experience does not help win acceptance of WDE. John Rotz noted challenges with installation in some of the Maryland VWS sites, a circumstance that should be helped with better standardization as WIM technologies continue to mature.

The WIM integration provider panelists – Brian Heath with Drivewyze/Intelligent Imaging Systems, Roy Czinku of International Road Dynamics Inc. and Lauri Brady with Kapsch TrafficCom – all agreed that new and improved standards are critical. As integrators of WIM systems, these companies may or may not be installing the same equipment (e.g., WIM components, data systems, communications, vehicle identification tools, etc.) from customer to customer or site to site. For another example, this panel noted that on-board WIM systems can be used to help calibrate in-road WIMs, but achieving this also requires standardization of related processes and protocols.

Conclusions

The 2019 CVSA WIM Enforcement Symposium dialogue highlighted recent advances in WIM systems, experiences of users around the world, and both opportunities and challenges ahead. WIM direct enforcement appears achievable with proper planning, validation, standardization and routine calibration but would need to gain acceptance. Interconnectivity and data communications need to be enhanced. Future enforcement tools, such as electronic inspections, especially as vehicles become more sophisticated, should embrace WIM, including on-board WIM. Finally, success and growth in WIM use in enforcement demands more efforts toward standardization and uniform protocols at all levels. ■



CVSA Accepting College Scholarship Applications

Will your child graduate from high school this summer and is he or she planning to attend college in the fall? CVSA is currently accepting applications for the 2020 CVSA College Scholarship Award Program. The scholarship program recognizes outstanding high school seniors by weighing academic performance, volunteer work and extracurricular activities to award \$1,000 college scholarships to select exceptional graduating high school seniors.

Students who meet the following criteria are eligible for the scholarship. The candidate must:

- Be a legal dependent of a Class I Member, Class II Local Member, Class III Associate Member or Class IV Federal Member (cannot be a legal dependent of a member of the CVSA Board of Directors)
- Be a graduating high school senior
- Have a minimum high school grade point average or equivalent of 3.0
- Be a citizen and/or permanent legal resident of Canada, Mexico or the U.S.

Recipients are selected by the CVSA Scholarship Committee and will be notified of the committee's decision. Payment will be made to the recipient's school of choice upon notification and in accordance with the school's scholarship guidelines.

All applications must be completed with all required documentation submitted together at the same time. Incomplete applications will not be considered.

All applications and corresponding documentation must be received by April 30.

Visit www.cvsa.org/program/programs/college-scholarship-award to download the 2020 CVSA College Scholarship Award application form. ■

The CVSA College Scholarship Award Program is dedicated to Gary E. Curtis. While working for the Virginia State Police, Gary was an active member of CVSA and a cornerstone in the development of the roadside North American Standard Inspection Program. Gary was recruited by the Interstate Commerce Commission and later focused on commercial motor vehicle safety programs as the federal government restructured and developed the Office of Motor Carrier Safety (OMCS) under the Federal Highway Administration. Gary retired from the OMCS and came to CVSA in 1992, faithfully serving as the Alliance's director of technical services. His efforts and contributions helped form the solid base upon which CVSA now proudly stands. Gary lost his life to cancer in 1998.

Colors for Hazardous Material Placards

By **Dave Schofield, CRH**

What is the purpose of the hazardous materials placard? Placards are warning devices which indicate the presence of hazardous materials and the associated hazards. Not only is this communication important for the company, the driver and the general public, but also for law enforcement during inspections and for first responders, should the vehicle be involved in a crash.

For those who transport hazardous materials, the color of the placard should be simple. There are six major placard colors, and the color combinations of black/white or orange/black. Different manufacturers use different inks and print on different materials or surfaces. New placards may have slightly different colors. What about the color fading over time? How much can a placard fade before it is no longer in compliance?

In this article, we are going to focus on the colors of placards and what is acceptable. What do enforcement officers use to determine if placards are the proper color? Placards fall into one of the six major Pantone® colors as required by 49 CFR 172.407(d)(4) and (d)(5) listed below and specified in 172.519(d).

49 CFR 172.516 Visibility and Display of Placards

172.516(b)(6) *Visibility and display of placards* – Be maintained by the carrier in a condition so the format, legibility, color and visibility of the placard will not be substantially reduced due to damage, deterioration or obscurement by dirt or other matter.

49 CFR 172.519 General Specifications for Placards

172.519(a)(1) – A placard may be made of any plastic, metal or other material capable of withstanding, without deterioration or a substantial reduction in effectiveness, a 30-day exposure to open weather conditions.

172.519(d)(1) *Color* – The background color, symbol, text, numerals and inner border on a placard must be as specified in 172.521 through 172.560 of this subpart, as appropriate.

(2) *Black and any color on a placard must be able to withstand, without substantial change:*

- (i) A 72-hour fadeometer test
- (ii) 30-day exposure to open weather

(3) *Upon visual examination, a color on a placard must fall within the color*

tolerances displayed on the appropriate hazardous materials label and placard color tolerance chart (see 172.407(d)(4)). As an alternative, the Pantone formula guide coated/uncoated as specified for colors in 172.407(d)(5) may be used.

(4) *The placard color must extend to the inner border and may extend to the edge of the placard except the color on the CORROSIVE and RADIOACTIVE placards (black and yellow, respectively) must extend on the inner border.*

49 CFR 172.407 Label Specifications

172.407(d)(5) – *The following color standards in the Pantone formula guide coated/uncoated (171.7(b) of this subpart) may be used to achieve the required colors on markings and hazard warning labels and placards:*

For Red	Pantone 186U
For Orange	Pantone 151U
For Yellow	Pantone 109U
For Green	Pantone 335U
For Blue	Pantone 285U
For Purple	Pantone 259U

172.407(d)(6) – *Where specific colors from the Pantone matching system are applied as opaque coatings, such as paint, enamel or plastic, or where labels are printed directly on the surface of a packaging, a spectrophotometer or instrumentation must be used to ensure a proper match with the color standards in the Pantone formula guide coated/uncoated for colors prescribed in paragraph (d)(5) of this section.*

Appendix A to Part 172 of Hazardous Materials Transportation Color Tolerance Charts and Tables

The following are Munsell notations and Commission Internationale de L'Eclairage (CIE) coordinates which describe the Office of Hazardous Materials transportation label and placard color tolerance charts in Tables 1 and 2, and the CIE coordinates for the color tolerances specified in Table 3. Central colors and tolerances described in Table 2 approximate those described in Table 1 while allowing for differences in production methods and materials used to manufacture labels and placards surfaced with printing inks. Primarily, the color charts based on Table 1 are for label or placard colors applied as opaque coatings, such as paint, enamel or plastic; whereas, color charts based on Table 2 are intended for use with labels and placards surfaced only with inks.

For labels printed directly on packaging surfaces, Table 3 may be used, although compliance with either Table 1 or Table 2 is sufficient. However, if visual reference indicates that the colors of labels printed directly on package surfaces are outside the Table 1 or 2 tolerances, a spectrophotometer or other instrumentation may be required to ensure compliance with Table 3.

How many of you have ever heard of the Pantone colors used in placards? We now know what the correct colors are as required by 49 CFR 172.407, and specified by 49 CFR 172.519, but what is Pantone Red 186?

During a recent inspection, the inspector said the placard was faded and in violation. Below are two pictures: a new placard and the placard in violation on the inspection report.



When looking at the placards, was there a violation? To determine if the placard was in violation at the time of the inspection, we must know what requirements a placard must meet.

After reviewing the regulations concerning the color of a placard, it is clear the general colors for placards are specified in the regulations. What is not clear is what color tolerance is allowed for a placard to be in compliance, as outlined in the color tolerance charts on page 27.

So, what exactly is the requirement a placard must meet? Should it do more than clearly communicate the hazard required in the regulations? If yes, to what other requirements must placards adhere? Are placards required to match the appropriate Pantone color exactly?

The current method most inspectors use to determine if a placard meets the color requirement is subjective, not objective. So, one inspector may determine the placard meets compliance and the next inspector may determine the placard does not meet compliance, simply because the color is not what they believe it should be, without taking into account the color tolerance allowed by the regulations. More importantly, inspectors don't have the tools necessary to make this determination at the roadside.

Lastly, it appears there is not an objective standard which addresses the color tolerance allowed by the regulations as indicated by Tables 1-3. So, what are the color tolerances allowed in terms which both industry and enforcement people can understand and apply in the real world?

The test used at the roadside must be simple, so it is clear to drivers and inspectors when a placard is no longer in compliance. It would make life easier for all of us. ■

TABLE 1. Specifications for Color Tolerance Charts for Use with Labels and Placards Surfaces with Paint, Lacquer, Enamel, Plastic, Other Opaque Coatings for Ink

Color	Munsell Notations	CIE Data for Source C		
		Y	X	Y
Red:				
Central color	7.5R 4.0/14	12.00	.5959	.3269
Orange	8.5R 4.0/14	12.00	.6037	.3389
Purple and vivid	6.5R 4.0/14	12.00	.5869	.3184
Grayish	7.5R 4.0/12	12.00	.5603	.3321
Vivid	7.5R 4.0/16	12.00	.6260	.3192
Light	7.5R 4.5/14	15.57	.5775	.3320
Dark	7.5R 3.5/14	09.00	.6226	.3141

TABLE 2. Specifications for Color Tolerance Charts for Use With Labels and Placards Surfaces With Ink

Color	Munsell Notations	CIE Data for Source C		
		Y	X	Y
Red:				
Central Series:				
Central color	6.8R 4.47/12.8	15.34	.5510	.3286
Grayish	7.2R 4.72/12.2	17.37	.5368	.3348
Purple	6.4R 4.49/12.7	15.52	.5442	.3258
Purple and Vivid	6.1R 4.33/13.1	14.25	.5529	.3209
Vivid	6.7R 4.29/13.2	13.99	.5617	.3253
Orange	7.3R 4.47/12.8	15.34	.5572	.3331
Orange and Grayish	7.65R 4.70/12.4	17.20	.5438	.3382
Light Series:				
Light	7.0R 4.72/13.2	17.32	.5511	.3322
Light and Orange	7.4R 4.96/12.6	19.38	.5365	.3382
Light and Purple	6.6R 4.79/12.9	17.94	.5397	.3289
Dark Series:				
Dark A	6.7R 4.19/12.5	13.30	.5566	.3265
Dark B	7.0R 4.25/12.35	13.72	.5522	.3294
Dark and Purple	7.5R 4.23/12.4	13.58	.5577	.3329

TABLE 3. Specifications for Colors for Use With Labels Printed on Packaging Surfaces

CIE Data for Source C	Red
x	.424
y	.306
x	.571
y	.306
x	.424
y	.350
x	.571
y	.350
Y (high)	23.0
Y (low)	7.7

CVSA Offers Online Class 3 Flammable and Combustible Hazardous Materials Course

CVSA members can access new Class 3 flammable and combustible liquids training via the CVSA member portal.

CVSA has taken its two-day, in-person Class 3 flammable and combustible liquids training and turned it into an approximately 16-hour online course that CVSA members can take anytime, anywhere, at a speed that's comfortable for the individual learner.

Visit www.cvsa.org/memberportal to log in to your account. Select the "Online Learning" tab to enter CVSA's learning management system. You'll find the new "Class 3 Flammable and Combustible Hazardous Materials" in the course catalog, along with other courses which may be of interest.



Canadian Education Quality Assurance Team Meets, Sgt. Wes Roth Retires

By Kerri Wirachowsky, Director of Roadside Inspection Program, Commercial Vehicle Safety Alliance

The Canadian Education Quality Assurance Team (EQAT) met in Calgary, Alberta, from Oct. 20-25, 2019. A representative from each Canadian province and territory was invited to the meeting.

During this weeklong meeting, the team successfully updated the course curriculum for Part A (Driver Inspection), Part B (Vehicle Inspection), PCVI (Passenger Carrier Vehicle Inspections) and Highway Tanks. CVSA Director of Multimedia Development Ken Albrecht and I provided support to ensure the courses were up to date for April 1, 2020, when the new North American Standard Out-of-Service Criteria takes effect.

Ken and I have been involved with EQAT for more than 10 years and are fortunate to still be involved, serving the team from the CVSA side. It is always a pleasure working with such a dedicated, hardworking team of people and we look forward to continuing to assist them in the future to help produce the best product possible.

The October 2019 EQAT meeting held a special significance for me as that was Sgt. Wes Roth's (of the Alberta Justice and Solicitor General) last meeting prior to his retirement at the end of 2019. Throughout the years, EQAT members would come and go, depending on promotions, changes in duties, etc.; however, it feels like Wes has always been involved with CVSA and EQAT for as long as I can remember. He and I went through instructor certification together and he served as co-chair of CVSA's North American Inspectors Championship, a

program in which I was heavily involved. I also relied on him when I worked for the Ministry of Transportation in Ontario and I still rely on him for his vast commercial motor vehicle knowledge and resources.

On our last night at the EQAT meeting, in honor of Wes and his adventurous culinary quests, we had a dinner that progressed from hotel room to hotel room; each room had a new food experience, as well as an addition to his evening wardrobe. As we finished our dinner with beef sliders and pudding, we presented Wes with a gift basket, which included items unique to each person's province or territory, to help him get through the transition. I have been told that post-December, there will be a silent auction for his hard drive with thousands upon thousands of inspection pictures and videos he has stockpiled over the years.

We wish Wes all the best in his retirement and something tells me he will keep busy. I appreciate his friendship throughout the years and his dedication to the program. The province of Alberta and EQAT will miss him immensely and he is leaving big shoes to fill, both figuratively and literally.

Wes will be missed by all who had the privilege of working with him. I will miss our debates and his passion for the job and road safety. And we will all miss his "cut and paste" emails. We reminded Wes not to be a stranger and we still have bets on whether he will reappear at some future EQAT meeting. He said "not a chance" but we're not buying it. ■



Front, left to right: Sean Mustatia, Laurie Hurley, Steve Noonan, Wes Roth, Ken Albrecht, Richard Roberts, Brian Davyduke, Bryan Horst. Back, left to right: Donald Hendrick, Tom Power, Richard Robinson, Kerri Wirachowsky, Sebastian Nadeau, Gino Rousselle, Bruno Fauteux.



THE LEGISLATIVE AND REGULATORY RUNDOWN

By **Adrienne Gildea**, Deputy Executive Director, Commercial Vehicle Safety Alliance

On Capitol Hill, as well as in meetings with the Department of Transportation and industry, CVSA works to ensure that consideration is given to the enforcement community as policy is being crafted. New rules and policies should always be written with safety at the forefront, regulations must be clear and enforceable, and states must be given the resources needed to support their programs.

On February 4, 2020, CVSA President Sgt. John Samis, of the Delaware State Police, testified before the Senate Commerce Committee's Subcommittee on Transportation and Safety. The title of the hearing was "Keep on Truckin': Stakeholder Perspectives on Trucking in America," and the discussion focused on the state of the trucking industry and stakeholder recommendations on how to improve it.

Sgt. Samis spoke to the challenges the enforcement community faces, citing limited resources to meet an ever-growing list of responsibilities while trying to keep pace with a rapidly changing industry. Sgt. Samis encouraged the committee to provide states with the flexibly and resources needed to build strong, comprehensive safety programs that can evolve and respond to changes in the trucking industry.

Each year, grant awards are made later and later, and in recent years, the funds have come as late as September in the first year of the grant – effectively reducing the grant period of performance by one year. These delays make it difficult for states to plan long term and build their safety programs. To address this, CVSA is asking Congress to give states that year back, by adding an additional year to spend the money already allocated under the Motor Carrier Safety Assistance Program (MCSAP). In addition, CVSA is asking Congress to give FMCSA authority to keep and redistribute unspent funds at the end of the grant cycle. Sgt. Samis stressed the importance of ensuring that funds authorized for commercial motor vehicle safety programs stay within MCSAP.

In addition, CVSA is seeking assistance from Congress in managing the growing number of

exemptions being issued to industry. CVSA's long-standing stance on exemptions is that they can undermine safety and complicate enforcement. Exemptions should only be issued when there is a clear, urgent need, and when doing so will not negatively impact safety. When exemptions are created by Congress, CVSA is asking that they include an 18-month implementation window, to allow jurisdictions time to receive any necessary interpretations or guidance and train inspectors. This will lead to better uniformity, which benefits both industry and enforcement.

CVSA continues to speak in opposition to requests to DOT from various sectors of industry for exemption from the electronic logging device and hours-of-service requirements. In his testimony, Sgt. Samis pointed out that the hours-of-service rules are designed to help prevent and manage driver fatigue, and that electronic logging devices are a valuable tool in helping to ensure compliance. At the end of the day, excessive hours spent on-duty and driving will lead to fatigue, and a fatigued driver is a dangerous one, regardless of what that driver is hauling.

CVSA has long been an advocate for programs that promote voluntary adoption of proven safety technologies. In particular, many within the enforcement community are excited about the potential safety benefits of deploying more connectivity and automation in commercial motor vehicles, and CVSA is actively involved in the ongoing discussions around safety technologies and the future of the commercial motor vehicle industry. In particular, CVSA is actively engaged in a number of discussions on automated commercial motor vehicles. As always, it is critical that CVSA engage in these discussions early on to ensure that consideration is given to the impact to the enforcement community. We need to know how the regulations will apply to these vehicles, how and when to inspect them, and what to do when a problem is identified.

The Alliance is also looking for ways to leverage existing technologies to help grow and expand the roadside enforcement

program. CVSA has asked the National Highway Traffic Safety Administration to explore the feasibility of establishing a standard for the electronic identification of all commercial motor vehicles. This ability would revolutionize the roadside inspection program, allowing inspectors to reach more motor carriers, with less interruption to industry. And, in time, could set the foundation for our roadside Level VIII electronic inspection vision.

CVSA, along with many other organizations in the transportation safety realm, has grave concerns regarding the Federal Communications Commission's proposal to reallocate the majority of the 5.9 GHz band for unlicensed devices. The U.S. Department of Transportation (DOT), which has also weighed in against the move, has research that indicates this proposal would also likely cause significant interference with vehicle to everything (V2X) technologies operating in the remaining spectrum, which could render the spectrum useless for transportation safety. We are on the verge of the next revolution in transportation, with potential for real safety benefits from connected and smarter vehicles, along with more sophisticated and effective enforcement tools. It is critical that this portion of the spectrum remain dedicated to life saving safety technology.

Finally, CVSA is working with federal agencies and industry to continue to improve the quality of data related to commercial motor vehicle safety and enforcement. Efforts are underway to improve crash reporting data, as well as inspection data from the states. CVSA also supports FMCSA's plan to update the crash causation study. If we can better understand where, why and how crashes are occurring, we can do more to prevent them.

CVSA remains committed to making sure that the voice of the enforcement community is heard in these discussions, helping to ensure the jurisdictions are given the tools they need to contribute to our shared goal of reducing crashes and saving lives. ■

NHTSA Releases 2018 Fatal Motor Vehicle Crashes Overview

In October 2019, the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) released highway crash fatality data for 2018, showing a 2.4% decline in overall fatalities, the second consecutive year of reduced crash fatalities. The data, compiled by NHTSA's Fatality Analysis Reporting System (FARS), showed that highway fatalities decreased in 2018 with 913 fewer fatalities, down to 36,560 people from 37,473 people in 2017. The fatality rate per 100 million vehicle miles traveled also decreased by 3.4% (from 1.17 in 2017 to 1.13 in 2018), the lowest fatality rate since 2014. However, fatalities in crashes involving large trucks increased by 0.9% from 2017 to 2018.

Among fatalities in crashes involving large trucks in 2018:

- Nonoccupants had 48 more fatalities, a 9.7% increase from 2017.
- Large-truck occupant fatalities in single-vehicle crashes increased by 10, a 1.9% increase from 2017.
- Large-truck occupant fatalities in multiple-vehicle crashes decreased by 3, a 0.8% decrease from 2017.
- Occupant fatalities in other vehicles decreased by 9, a 0.3% decrease from 2017.

The 2018 FARS release also clarifies previously released data on large trucks involved in fatal crashes. NHTSA reexamined supporting material and reclassified several light pickup trucks to an appropriate large truck category. As a result, the 9% increase in large-truck-related fatalities reported for 2017 has been revised to 4.9%. For 2018, large-truck-related fatalities increased by 0.9%. The details of the scope of the changes are documented in the 2018 fatal motor vehicle crashes overview research note.

Other general findings from the 2018 FARS data include:

- Fatalities among children (14 and younger) declined 10.3%.
- Alcohol-impaired-driving fatalities declined 3.6%.
- Speeding-related fatalities declined 5.7%.
- Motorcyclist fatalities declined 4.7%.

With this release, NHTSA also introduced its new Fatality and Injury Reporting System Tool (FIRST), a modernized crash query tool that lets users not only query fatal crash data but also generate estimates of crashes and people injured in crashes. The upgraded functionalities in the new tool include generating multi-year trends, estimates of alcohol involvement, and charting/tabulation/mapping of query results. The tool, along with instructions on its usage, can be accessed at www.cdan.nhtsa.gov/query.

NHTSA's 2018 Fatal Motor Vehicle Crashes Overview is available online at www.crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812826. ■

PHMSA Asks Inspectors to Report Undeclared Hazardous Materials

The Pipeline and Hazardous Materials Safety Administration (PHMSA) launched its Check the Box (checkthebox.dot.gov) campaign to raise awareness and support for the reduction of undeclared hazardous materials shipments by all modes of transportation. The goal of Check the Box is to keep undeclared hazardous materials from entering the supply chain, through the development of a unified outreach strategy with stakeholders. To accomplish this goal, PHMSA needs information on undeclared hazardous materials shipments.

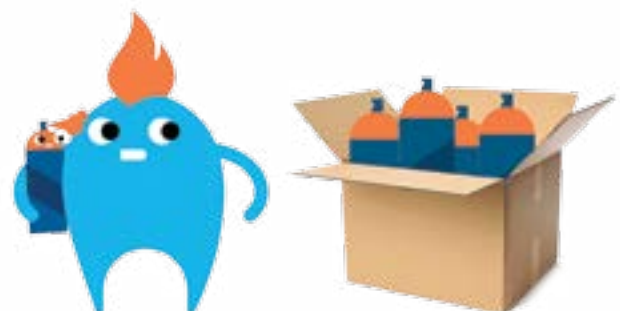
CVSA and the Federal Motor Carrier Safety Administration (FMCSA) are partnering with PHMSA on this effort and are focused on the identification and reduction of undeclared hazardous materials in highway transportation. FMCSA will provide PHMSA with information on highway shipments of undeclared hazardous materials detected during roadside inspections. PHMSA will use that information to identify and educate persons who introduce undeclared hazardous materials into the supply chain. To facilitate this information gathering, FMCSA created an email address where enforcement, industry and the general public can report instances of finding undeclared hazardous materials during transit. That email address is FMCSA.UndeclaredHM@dot.gov.

As roadside inspectors, you are an important part of this effort. During your daily roadside inspection duties, if you come across undeclared hazardous materials, email FMCSA.UndeclaredHM@dot.gov with the following information:

- Motor carrier name
- USDOT number
- Shipper/Offendor name
- Shipper/Offendor address, phone, email, or other identifying and contact information
- Date of discovery
- Location of discovery
- Type and quantity of hazardous materials discovered
- If possible, a copy of the roadside inspection report and any pictures or other documentation collected.

Information collected will be used by FMCSA and PHMSA to develop the unified outreach strategy for the Check the Box campaign. Additionally, at FMCSA's and PHMSA's discretion, the information may be used to track reports of undeclared hazardous materials discovered through roadside inspections where the motor carrier needs to submit a hazardous materials incident report (DOT Form F5800.1), pursuant to §49 CFR 171.16(a)(4).

For more information, visit checkthebox.dot.gov or contact Joan Segura at joan.segura@dot.gov. ■



FMCSA Offers Under 21 Military CDL Pilot Program Job Opportunities Website

The Federal Motor Carrier Safety Administration (FMCSA) offers a website to help 18- to 20-year-olds who possess the U.S. military equivalent of a commercial driver's license (CDL) find and apply for jobs with interstate trucking companies under the agency's Under 21 Military CDL Pilot Program: www.fmcsa.dot.gov/under21militaryjobs.

Without the pilot program, an individual must be age 21 or older to apply for an interstate CDL. The program is intended to help military veterans transition into civilian careers, while also meeting a workforce need.

"Our country has a shortage of truck drivers," said U.S. Transportation Secretary Elaine L. Chao. "This resource will help military service members translate their training into good paying jobs safely operating commercial vehicles across the country."

The website features approved motor carriers throughout the country that are seeking to hire through the pilot program. Interested service members, reservists, National Guard, active duty or military veterans who possess the equivalent of a CDL can visit the website to learn more about job opportunities.

FMCSA's pilot program will allow a limited number of qualifying young veterans to operate large trucks in interstate commerce. During the pilot program, which is slated to run for up to three years, the safety records of these drivers will be compared to the records of a control group of drivers to determine whether age is a critical safety factor.

"We are excited to offer this resource to help military service members find jobs in the trucking industry," said FMCSA Deputy Administrator Jim Mullen. "With our country's economy growing at record pace, we know motor carriers around the country are looking to hire skilled drivers. We encourage service members, National Guard, and reservists to visit this online directory and look for a trucking job today."

Drivers: [Job opportunities can be found at www.fmcsa.dot.gov/under21militaryjobs](http://www.fmcsa.dot.gov/under21militaryjobs).

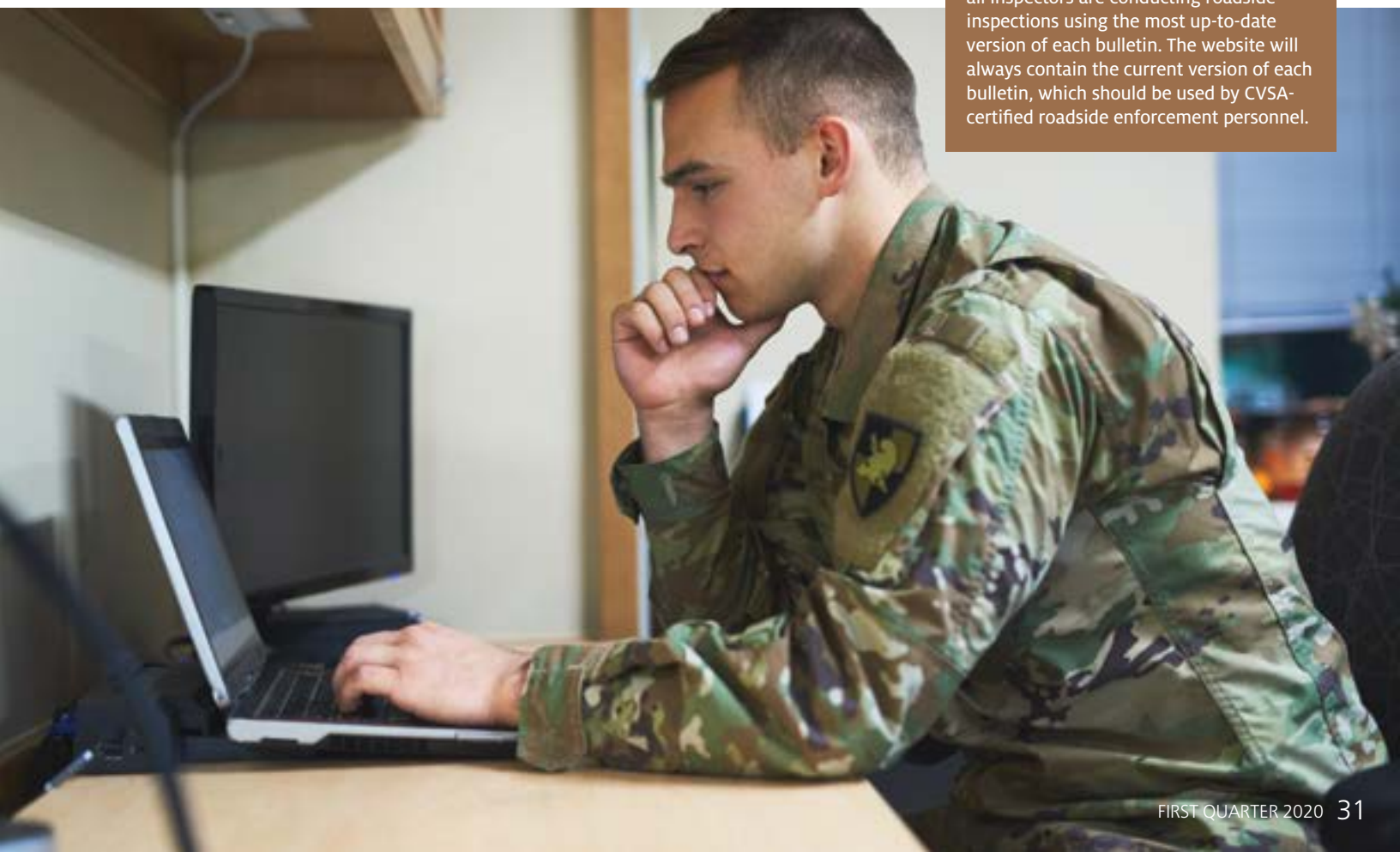
Motor Carriers: [To learn more about the pilot program and how to apply, visit www.fmcsa.dot.gov/under21pilot/under-21-pilot-program](http://www.fmcsa.dot.gov/under21pilot/under-21-pilot-program). ■

CVSA Adds New Inspection Bulletin Providing Roadside Inspection Guidance on FMCSA's Under-21 Military CDL Pilot Program

The CVSA Board of Directors approved the creation of a new inspection bulletin on FMCSA's Under 21 Military CDL Pilot Program and enhancements the agency made to Query Central (QC) to allow roadside enforcement personnel to verify a motor carrier and driver's participation in the pilot program. The bulletin can be found at www.cvsa.org/inspections/inspections/inspection-bulletins. A Spanish version is also available.

FMCSA began accepting applications from motor carriers to participate in its Under 21 Military CDL Pilot Program on June 3, 2019. CVSA's new inspection bulletin provides directions on how inspectors can verify motor carrier and driver pilot program participation through QC.

CVSA's inspection bulletins provide important information to inspectors to augment the North American Standard Inspection Program. CVSA reminds all certified roadside inspectors to visit the CVSA website for the latest versions of all inspection bulletins. We want to ensure all inspectors are conducting roadside inspections using the most up-to-date version of each bulletin. The website will always contain the current version of each bulletin, which should be used by CVSA-certified roadside enforcement personnel.



PHMSA Leads Multi-Agency Strike Force Operations Along the Texas-Mexico Border Ports of Entry

By **Shawn Daniels**, Senior Investigator, Southwest Region, Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation

In January and November 2019, the U.S. Pipeline and Hazardous Materials Safety Administration (PHMSA) coordinated two multi-agency strike force operations in the Rio Grande Valley of Texas. Partnering with federal and state law enforcement and regulatory agencies to leverage resources, the operation's goal was to detect, correct and deter dangerous import/export shipments along the Texas and Mexico border ports of entry.

A multi-agency strike force operation (MASFO) is a surge in enforcement activity involving multiple agencies, jurisdictions and authorities. MASFOs rely on interagency cooperation and information sharing to enhance each agency's safety and security missions.

Teams conducted inspections and outreach efforts at multiple international border crossings, railroad terminals and roadside inspection points. Shipments that contained, or possibly contained, hazardous materials were examined for various transportation requirements. Shipments were also screened by U.S. Customs and Border Protection

(CBP) for drug interdiction, currency, illegal contraband, human trafficking and weapons of mass destruction.

Prior to the operations, PHMSA's Hazardous Materials Safety Assistance Team conducted workshops in the region specifically to meet the needs of industry and the public safety community. Hazardous materials transportation workshops provided a basic overview of the regulatory requirements – what they are, how they apply, and how to comply with them – for shipping and transporting hazardous materials.

During the PHMSA-led operations, the teams targeted and inspected more than 1,200 shipments that resulted in a 51% noncompliance rate, citing various commercial motor vehicle safety, licensing and hazardous materials violations, including multiple arrests on criminal violations.

MASFOs also enhance and develop future interagency communication networks and connectivity. They provide valuable cross

training and familiarization of each agency's individual roles and expertise. By leveraging multiple resources and authorities, including assessing risks and utilizing enhanced layered defenses and tools, MASFOs maximize the overall objectives and outcomes by ensuring the safety and security at the nation's ports of entry.

PHMSA also provides public safety workshops specifically designed to help federal, state and local emergency responders, law enforcement and local governments understand the Hazardous Materials Regulations. These workshops cover the use of the Emergency Response Guidebook and locating emergency response information that every emergency responder should know to safeguard themselves and the public.

For more information, contact PHMSA's Public Affairs Office at 202-366-4831. ■



Federal investigators and inspectors from PHMSA, FMCSA and various divisions of Customs and Border Protection in Laredo, Texas.



PHMSA and CBP investigators conduct an audit of a hazmat shipment in Brownsville, Texas.



PHMSA and FMCSA investigators and inspectors conduct an audit on a hazmat shipment in Brownsville, Texas.

What's Next with FMCSA's Revamp of CSA?

By **Steve Vaughn**, Vice President of Field Operations, PrePass Safety Alliance

In September 2019, the U.S. Department of Transportation's Inspector General (DOT IG) published a report on the progress made by the Federal Motor Carrier Safety Administration's (FMCSA) overhaul of the program it uses to assess motor carrier safety.

That program, Compliance, Safety, Accountability (CSA), and specifically its analytical component, the Safety Management System (SMS), was an improvement over prior FMCSA safety practices. However, it showed sufficient weaknesses in its nine years of life.

On the plus side, the DOT IG noted that the corrective action plan submitted to Congress by FMCSA in 2018 addressed many of the National Academy of Sciences (NAS) recommendations. This includes the development by FMCSA of an "item response theory" (IRT) model to prioritize carrier safety interventions. IRT brings mathematical validity to what had been arbitrary assessments of fleets under SMS, such as severity weights for violations.

FMCSA completed a small scale IRT model by mid-January 2019 and held promised public briefings on the CSA overhaul project.

On the negative side, the DOT IG found FMCSA's efforts lacked details on actual implementation and transparency regarding carrier safety rankings calculations. Also, there were few details on how the project would improve the carrier safety assessment process.

But the biggest news was in FMCSA's official response to the DOT IG report. FMCSA completed a full-scale IRT model in fall 2019 but will not decide on whether to adopt the IRT model until September 2020.

The reason for FMCSA's delayed decision is data deficiency. IRT models are deemed more capable of handling variables in safety scoring than SMS. But to do that, IRT demands more data – and FMCSA has found that data hard to come by. For example, FMCSA's corrective action plan – developed in response to NAS recommendations – said it would investigate obtaining data on driver turnover rate, type of cargo, and method and level of driver compensation to determine whether those factors influence the IRT calculation of safety risk. But FMCSA found the industry was unwilling to part with proprietary or competitive data.

The corrective action plan also said FMCSA would target better data on fleet mileage (exposure) and improvements in the completeness and timeliness of crash reporting. But an analysis utilizing fleet mileage data from the International Registration Plan showed only a 2% improvement over current SMS exposure data and, therefore, was not worth the cost of the effort. On the crash-reporting front, FMCSA partnered with the National Highway Traffic Safety Administration to bring uniformity to state reports, but results are not expected until a future date.

In many ways, the FMCSA overhaul of CSA is like an automaker launching a new car. The IRT model looked good on the NAS drawing board. The prototype small-scale IRT model performed well in January, but that was just a few laps around the track in the hands of a professional driver. Going into full-scale commercial production is another thing entirely. Can FMCSA get adequate parts – in this case, the data? And finally, will it sell? As FMCSA asks, can we explain this to the public? The answer will come in September 2020. ■



 **MARK YOUR CALENDAR**

CVSA WORKSHOP

APRIL 19-23, 2020

San Antonio, Texas

The CVSA Workshop is your chance to collaborate with fellow government, enforcement and industry members to affect meaningful changes to the overall culture of commercial motor vehicle transportation safety.

For more information, to make your hotel reservations, to view the schedule and to register, visit www.cvsa.org/eventpage/events/cvsa-workshop.

Mobile Driver's Licenses and Law Enforcement Interaction at Roadside

By **Paul Steier**, Law Enforcement Program Manager, American Association of Motor Vehicle Administrators

The ability of a law enforcement officer to properly identify the driver of a motor vehicle and the status of their driving privilege is an important responsibility for maintaining officer and highway safety. Law enforcement officers rely on the physical driver's license card to validate and verify identity and driving privilege information. Early in an officer's career they realize the importance of examining this document as it is the main source to connect the vehicle operator to an identity.

Even though current driver's license cards contain many unique security features to aid in authenticating the card, most officers query driver's license information with the issuance source (department of motor vehicles or similar state or provincial agency) to determine if the information is valid and matches what is currently on file with the driver's license issuance agency.

As technology has advanced to improve security features of driver's license cards, enhanced technology has also been utilized by identity document counterfeiters, making it more difficult to determine if a driver's license card is genuine by simply examining it. Counterfeit driver's license cards today contain high-quality holographic and ultraviolet images, mirroring those of the genuine document. Some counterfeit driver's license card stock feels almost identical to official government-issued card stock, making it increasingly challenging to feel the difference between a genuine and a counterfeit card. Machine-readable technology, such as bar codes, can be replicated on counterfeit driver's licenses to provide the same information contained on the physical card. These enhancements in driver's license card counterfeiting have increased the likelihood that a counterfeit driver's license will go undetected, making it increasingly important for law enforcement to verify the card information with the driver's license issuance source.

As mentioned previously, the driver's license card today is the main source of connecting the vehicle operator to an identity. But what is the validation of this connection other than the officer observing the operator hand the card to them and the card containing a photograph? It becomes the officer's responsibility to determine if the operator is the rightful holder of the card and if the card is genuine, containing valid information. While this practice of an officer determining these facts at roadside has been an acceptable



means of satisfying the bond between vehicle operator and their identity, the evolution of counterfeit driver's license cards makes it apparent that more needs to be done to solidify this identity bond.

This notion brings us to current piloting and testing of mobile digital identification, also known as the mobile Driver's License (mDL). An mDL is an interactive digital identity that has security features in place to protect access to the identity information. Protocols exist in the mDL to provide for electronic verification and validation of identity information, and to afford levels of security for accessing the mDL app. This is not a picture of a driver's license card on a digital device but is rather a secure method of validating the identity with the issuance source. The verification and validation of the mDL is performed electronically by the officer's infrastructure and is not a visual verification of any physical security features. This infrastructure could be in the form of a smartphone, mobile data terminal or other technology in development.

The Mobile Driver's License Implementation Guidelines document and the Mobile Driver's License Functional Needs whitepaper, developed by the American Association of

Motor Vehicle Administrators (AAMVA), provide recommended standards for the development and issuance of mDLs. These recommendations call for wireless and other contactless methods to obtain mDL information, thereby allowing the mDL to be authenticated without officers having to touch the physical device. These methods include the use of wireless technology such as Bluetooth low energy, near-field communication and other comparable solutions. This is critical to allow officers the ability to have their hands free during a roadside interaction.

Research and testing law enforcement officers' interaction with mDLs is an important step in mDL development. Officers are encouraged to participate and provide feedback in this testing. Many jurisdictions across North America have mDL testing and pilot programs underway and officers are encouraged to contact their driver's license issuance agency to determine if there are opportunities for involvement. AAMVA has mDL resources and information available, including mDL proof of concept videos and a list of frequently asked questions for law enforcement related to mDL interaction. This information can be found by visiting www.aamva.org/mDL-Resources. ■



FROM THE DRIVER'S SEAT

Winter Weather Driving Preparedness

By **Russell James**, Professional Driver, YRC Freight; America's Road Team

I challenge myself to make safety a driving concern for all aspects of my life. Winter weather driving is certainly one of those significant encounters. I begin every trip with a thorough walk-around and pre-trip inspection of my vehicle, whether it is my family car or my heavy commercial tractor-trailer combination.

During periods of cold and winter weather, my pre-trip routine is more meticulous when inspecting vehicle components impacted by colder temperatures as many components of the vehicle can be impacted. For example, after sitting for an extended time in cold temperatures, tire pressure will be noticeably lower than when the tires have warmed in travel.

A prerequisite to driving in winter conditions is a "weather and road check," which the Federal Highway Administration and CVSA have helped make conveniently accessible via radio and social media. Plan ahead to stay warm and dry in adverse weather. Remember to double-check your personal survival pack.

During confrontational weather stages, vehicle lights tend to get dirty from snow and ice. It is imperative throughout periods of low visibility to ensure lights, mirrors and windows are

clean. Mirror heaters are only used during cold weather, so test them before you depart. The same can be said for heaters and defrosters. Check windshield wipers to make sure the washer fluid system is protected and not frozen.

Route planning is crucial in preparation for cold weather driving. Be extra aware of the elevation and terrain you will be navigating to prepare yourself for potential adverse conditions on the road. You have to be prepared to adapt and overcome the winter adventure that awaits you. It can be kind of fun.

One must have a resilient and detailed mindset in preparedness for cold weather driving. Aside from obvious weather-affected road conditions, other drivers present an unpredictable risk. People can drive overly aggressive to show they have no fear, or be hesitant and inconsistent with their driving. Do not assume other drivers will drive like you. Maintain an open mind in these changing conditions. Posted speed limit signs are prescribed for ideal driving conditions, not ice and snow. Prioritize your needs on slick road conditions. As your stopping distance will increase, so too will the need for space and following distance. Take an opportunity to get the feel of your vehicle on unfamiliar road conditions. Vision may be restricted and the

lines on the highway may not be visible. It is important to be aware of these things before you start driving, as unfamiliar situations become distractions.

Focus, respect and awareness are the essentials to facing adverse road conditions. Experience is, of course, invaluable. However, don't be afraid to ask for advice and learn from examples set by others.

My biggest concern with winter weather is black ice. When there is moisture on a roadway, conditions can suddenly change during cold weather periods. The moisture on the roadway may come from freezing rain and melting snow on the side of the road. The temperature most conducive to black ice is between 26-32 degrees. If the road temperature changes 10 degrees, up or down, traction will improve. Thirty minutes will be long enough for the slick road conditions to subside. Always maintain situational awareness to eliminate the need for sudden vehicle movement and correction.

After successfully driving in winter weather, you will feel a sense of accomplishment. Not everyone gets to experience driving in winter conditions so enjoy the adventure, safely. ■





INSPECTOR'S CORNER

Always Expand Your Knowledge

By **Sgt. Benjamin Schropfer**, Nebraska State Patrol; 2019 North American Inspectors Championship Grand Champion

I have had the opportunity during my career to participate in a vast array of training. Since I joined the Nebraska State Patrol, much of this training has focused on commercial motor vehicle safety. I think you can all agree that between the safety regulations, hazardous materials regulations, traffic laws and the myriad of other skills to learn, this industry can be very information intensive. With advances in technology and the resulting changes in regulation, we must ensure that we are constantly expanding our knowledge. Because as cliché as it sounds, there is always something new to learn.

This is a never-ending process. As much knowledge as you gain over the course of your career, there will always be something more. Even someone who is at the end of their career and preparing for retirement will find new things to learn, if they want. Therefore, to perform at the top of our abilities, we need to embrace learning. We also need to take it upon ourselves to expand our knowledge. Depending on the company or agency you work for and the resources available, continuing education will vary greatly. I'm fortunate to work for an agency that devotes a fair amount of resources to continuing training. However, if you work for a smaller agency or company, you may not have the same opportunities.

That does not mean you are doomed to never learn anything again. You don't have to attend large, expensive training to learn something. Sometimes, you can learn the most from just having discussions with coworkers. Use your support networks that I spoke about in my previous articles. This is a great opportunity to pick up something new, while most likely teaching something new to the other person. You can also use other resources available. There are always articles to read or videos to watch online.

Always make sure you are getting information from a good source. Unfortunately, we know there are some people who represent

themselves as experts. However, when confronted with someone who knows the subject, their "expertise" starts to crumble. We used to talk about the so-called "truck-stop lawyers." But now with all the different types of social media available, you simply have to post a video and sound like you know what you're talking about. This could be either a driver or a law enforcement officer. Whatever the case, always beware of someone trying to be the next thing trending online.

This brings us to the next point. You are ultimately responsible for your own learning and knowledge. This holds true whether you are sitting in a training class, discussing with coworkers or finding information online. Take control and ensure you are not only getting good information, but that you are absorbing it the best that you can. There is a proverb that says: *If you give a man a fish, he will eat for a day. But if you teach him to fish, he will eat for a lifetime.* I like to apply that principle when I'm teaching. Not about the fish part—I'm more of a steak guy—but the concept of someone figuring things out for themselves. When I'm teaching, I can show you something or give you the answer to a question and you will then know that one thing. However, if I show you how to figure that same thing out for yourself, you will always have that capability.

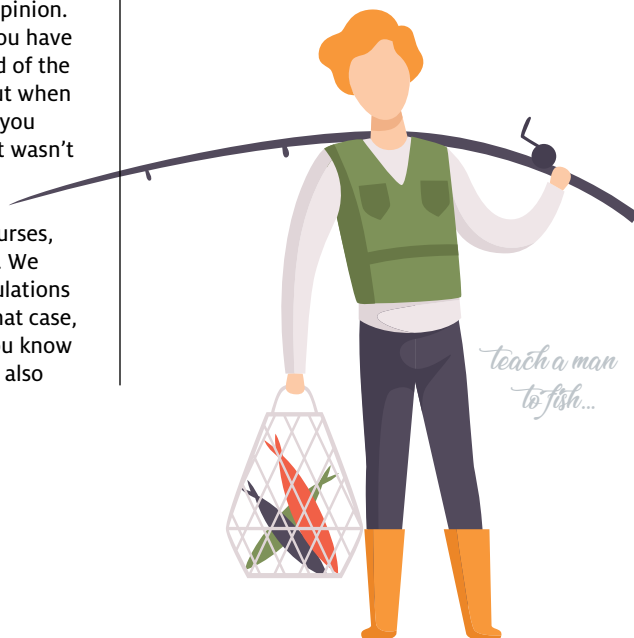
All the courses taught by the Federal Motor Carrier Safety Administration's National Training Center are this way, in my opinion. They could be taught in a way that you have all the answers for the test at the end of the week and you get your certificate. But when you go out to apply that knowledge, you don't know how to find anything that wasn't covered in the class.

However, when we instruct these courses, we guide you to learn the procedure. We then show you how to apply the regulations to anything you may encounter. In that case, you will still pass the test because you know how to find the answers, but you are also

equipped for whatever you may encounter in the field. The ability to figure things out for yourself is one of the most useful skills, in my opinion. Now, this is not to say that you will never need help figuring something out ever again. We all have our moments when we need someone to confirm that we're thinking the correct way. Or, you may come across something you've never dealt with and you simply need someone to point you in the right direction.

I discussed the need to use reputable sources when learning. One of the best resources when looking for federal regulations in the U.S. is the Government Publishing Office's electronic code of federal regulations, which is available online at www.ecfr.gov. This is a free site to access and it gives you a constantly updated version of the regulations. This is not meant to minimize the printed versions of the regulations. Numerous companies publish copies of the regulations, which are oftentimes easier to use. For example, I prefer to use a printed copy when conducting inspections.

So whether you are a safety inspector looking to improve your inspections, a driver trying to operate more safely and efficiently, or a company trying to place itself at the head of the market, I challenge you to look for ways to constantly expand your knowledge. ■



Safe and Sound

OOIDA Safe Driving Award Program Honorees Share Tips and Tricks

By **Todd Spencer**, President, Owner-Operator Independent Drivers Association



Nearly 20 years ago, Gerald and Jackie Engebretson decided that it was time for a career change and to go into trucking. Going on 19½ years in the business, the husband-and-wife team has never been in an accident.

These life members of the Owner-Operator Independent Drivers Association (OOIDA) have been recognized for 19 years of safe driving through the OOIDA Safe Drivers Program sponsored by Shell Rotella.

The OOIDA Safe Driving Award Program is designed to recognize and reward OOIDA members for their safe, accident-free years while operating a commercial motor vehicle.

The Engebretsons are approaching their collective 40 years of safe driving – nearly 20 each as a team operating a truck hauling expedited freight.

Expedited freight, being anything from crates and pallets to a 35-pound box holding a piece of factory equipment needed to get a production facility back on line, means the freight has to move when it's needed.

"We've learned a lot over the years. The most important thing is to stop and rest. And if the roads are bad, we will stop. We'll call into our company and say, 'It's a sheet of ice out here,' and they don't push us," she said. "You know, you don't want to be one of the statistics rolled over in a ditch at night and lose your rig. I mean, it won't be good. And you know, that hits you hard on your career."

In 19½ years, the Engebretsons have only suffered one mechanical issue that took them off the road.

"We carry an assortment of mechanical tools and electrical tools. That's the secret. My husband, he's a farmer, so he's kind of handy," she said.

Jackie credits that strict maintenance with keeping them safe, rolling and in compliance. "And I keep all of our paperwork together in a binder so when we go through an inspection, everything is right there ready for them," she said. "They are the DOT and you can't argue to death with them. You have to have things right on the truck and in your paperwork."

The Engebretsons aren't alone with an impressive safe driving career in the OOIDA Safe Driving Award Program. In fact, one could easily argue they are about average. There are plenty more drivers with upward of 40 and 50 years plus.

Doug Smith, another life member of OOIDA, has 51 years of accident-free driving to his credit.

Having seen a thing or two in those 51 years, Smith says there are two big keys to staying safe – always maintain your following distance, and give others room to make their mistakes and survive them.

"People are always cutting in front of you and it is gone. You have to let off – increase that distance," Smith said. "If you're not getting passed, you're going too fast. That way, people are passing you and constantly putting more following distance as they pass. I want people passing me. If you're in the center lane, you avoid a lot of conflict of people merging and having to zoom around you, coming close to tearing your bumper off to make their exit."

With so much distracted driving going on around him, Smith said it's on truck drivers to know mistakes will be made and to do their best to not be part of the mistake.

"Give people room to make mistakes and survive their mistakes. You may be in the right and you may be fully exonerated, but you could have avoided the whole thing. And that is a very heavy burden to bear – knowing that if I had just been giving more room to the car in

front of me," he said.

Smith also views law enforcement as a partner in safety, not an adversary, and wishes that sentiment was more common with law enforcement.

"Sometimes, I remind law enforcement that we're partners in public safety, not adversaries. Because some of them come out pretty hard," he said. "We're partners in this public safety business."

OOIDA launched the Safe Driving Award Program to give owner-operators and company drivers an opportunity to tout their professionalism and safe careers. Drivers are recognized for their cumulative years of accident-free driving.

For the purposes of the program, a preventable accident is defined as "any accident that occurs while operating a commercial vehicle in which the driver failed to make all reasonable efforts to avoid." In the event that an award is requested covering any years in which an accident occurred, a committee comprised of staff experts and members of the OOIDA Board of Directors will conduct a review of the circumstances and apply an interpretation of the definition to determine whether the driver qualifies for an award.

OOIDA members applying for the program must submit documents supporting their application for a safe driving award to be reviewed. Documents can include a letter from their motor carrier or insurance records covering the years for which an award is requested.

To learn more about OOIDA's Safe Drivers Program, visit www.oida.com/BenefitsServices/Achievement/SafeDrivingAward. ■

The Clearinghouse Is Here. Now What?

By **Marilyn Surber**, *Transportation Advisor, Tenstreet*

The clearinghouse is a secure, online database that gives employers, FMCSA, state driver licensing agencies and state law enforcement personnel real-time information about CDL holders' drug and alcohol program violations.

As of Jan. 6, 2020, the new drug and alcohol clearinghouse rule went into effect for all carriers and drivers. The onset of activity literally shut down the database and resulted in the Federal Motor Carrier Safety Administration (FMCSA) issuing the following allowance:

"If you are an employer currently experiencing technical difficulties accessing the clearinghouse and are unable to conduct required pre-employment queries, you may hire a driver using solely the procedures set forth in 49 CFR 391.23(e)," the agency stated in an alert posted on the clearinghouse website. "Once FMCSA has determined and announced that users are able to access the clearinghouse, pre-employment queries must also be conducted as required by section 382.701(a)."

By issuing this allowance, FMCSA prevented thousands of drivers from sitting and hundreds of carriers from potentially losing revenue. As the days went on, the system began to work better. By the time you are reading this article, hopefully, everything will be working as intended.

We are all in this together and working through exactly how this new requirement fits into our hiring and safety procedures. Let's talk about what exactly the clearinghouse does.

Here are answers to some common questions we get. The following information is based off the current FMCSA announcements and is subject to change as the program develops. You can access the latest clearinghouse information released by FMCSA at www.clearinghouse.fmcsa.dot.gov where you can also subscribe to receive news and updates from FMCSA about the clearinghouse.

What is the FMCSA CDL Drug and Alcohol Clearinghouse?

The clearinghouse is a secure, online database that gives employers, FMCSA, state driver licensing agencies and state law enforcement personnel real-time information about commercial driver's license (CDL) holders' drug and alcohol program violations; thereby enhancing safety on our nation's roadways. An act of Congress directed the secretary of transportation to establish the clearinghouse.

Who does the Clearinghouse affect?

- Employers of CDL drivers who operate commercial motor vehicles
- Drivers who hold CDLs or commercial learner's permits (CLPs)
- Medical review officers
- State drivers licensing agencies
- Substance abuse professionals
- Consortia/third-party administrators

The clearinghouse will only include CDL drivers who operate CMVs under 49 CFR Part 382 that are required to participate in the FMCSA drug and alcohol testing program. It will not apply to non-CDL holders (individuals who operate commercial motor vehicles with gross vehicle weight ratings between 10,001-26,000 lbs.) or to results from a non-DOT drug or alcohol test. CDL holders that operate non-CDL vehicles with violations in the clearinghouse will be subject to enforcement action.

What happened on Jan. 6, 2020?

Implementation of the clearinghouse started on Jan. 6, 2020. As of that date, it is now mandatory for carriers, medical review officers, substance abuse professionals, and consortium/third-party administrators to report drug and alcohol violations, as well as return-to-duty (RTD) processes.

Additionally, employers are required to query the clearinghouse as a pre-employment check for all employees hired on or after Jan. 6, 2020. Employers are also required to conduct, at least, a limited query of the clearinghouse annually on all employees who hold a CDL. Essentially, this means that employers must ensure that no current or prospective employee is performing safety-sensitive functions (such as operating a commercial motor vehicle) after a drug-and-alcohol program violation if that person has not successfully completed an RTD process.

Current and prospective employees may also review their own records on or after this date.

Will employers still be required to request drug and alcohol information from the applicant's previous employer?

Yes, employers will still be required to request drug and alcohol information from the applicant's previous employers under 49 CFR 391.23. However, starting on Jan. 6, 2023 (once three years of violation data are stored in the clearinghouse), employers will no longer be required to request information from the previous employers, as querying of the clearinghouse will satisfy that requirement.

What information will the Clearinghouse contain?

Records of violations of the drug and alcohol prohibitions in 49 CFR Part 382 Subpart B will include employees who:

- Reported for duty/remained on duty for safety-sensitive function with an alcohol concentration of 0.04 or greater or while using any drug specified in the regulations (Part 40) other than those prescribed by a licensed medical practitioner
- Used alcohol while performing, or within four hours of performing, a safety-sensitive function
- Used alcohol within eight hours of an accident, or until post-accident test, whichever occurs first
- Tested positive for use of specified drugs
- Refused to submit to a required alcohol or drug test.

The information will include results from pre-employment testing, post-accident testing, random testing, reasonable suspicion testing and reports of actual knowledge violations.

As of Jan. 6, 2020, it is now mandatory for carriers, medical review officers, substance abuse professionals and consortium/third-party administrators to report drug and alcohol violations, as well as return-to-duty processes.

What types of queries can be run and is a release from the applicant required to query the Clearinghouse?

There are two types of queries, limited and full. Both require a release, but the way the release is obtained can vary. Read on to learn more about each query type and its subsequent requirements.

1. Limited Query – Employers will be required to perform a limited query as an annual check on all currently employed CDL holders to determine whether any records are found in the clearinghouse.

- FMCSA will provide a sample, limited-consent request form on its website for employers to use.
- Employers will need written consent from the employee, which can also be obtained outside of the clearinghouse with an electronic or wet signature.
- If an employee refuses to provide consent, a query cannot be conducted and the employee must be removed from safety-sensitive functions.
- If no records are found in the limited query, no action is required by the employer.
- If records are found in the limited query, the employer must conduct a full query of the clearinghouse within 24 hours.
- Written consent should be maintained in an employee's driver qualification file.

2. Full Query – Employers will be required to perform a full query as a pre-employment check for all prospective drivers or if a limited query returns showing information exists for a queried, currently employed CDL holder.

- Consent will need to be provided by applicants and employees electronically within the clearinghouse.
- If consent is provided, violation details will be released to the employer or prospective employer (including RTD status).
- If consent is refused, the employer will be notified, the query will not be conducted, and the applicant or employee must be removed from safety-sensitive functions.
- If the applicant/employee has a violation and does not have an RTD status, employers must ensure that the driver is either removed from or is not placed in safety-sensitive functions.

What rights will an applicant/employee have within the Clearinghouse?

All applicants and employees who meet the inclusion requirements of the clearinghouse will need to:

- Register with the clearinghouse only when a full query is being conducted (i.e. they are seeking new employment or a limited query shows records of a violation). An employer cannot register for them; they must do so on their own.
- Provide or refuse consent to a full query.
- View their information in the clearinghouse.
- Receive notifications of reports and employer queries.
- Identify a substance abuse professional that can enter RTD information.
- Submit a dispute to correct any inaccurately reported information in the clearinghouse.

How much will it cost?

FMCSA charges a \$1.25 fee to conduct a limited and full query within the clearinghouse. However, the agency will not charge a fee for a limited and full query on the same person.

How will information be reported?

Information will be reported using an employee's CDL number and state of issuance. FMCSA will utilize CDLIS to track drivers with multiple license numbers.

Will there be record-keeping requirements?

Yes. Employers will be required to keep records of violations reported to the clearinghouse for five years. Employers must also retain records of each query and all information received in response to a query for three years.

If you have any questions about this process you can email me at marilyn.surber@tenstreet.com. ■

INDUSTRY MEMBERS: Register for CVSA's Industry Course on Roadside Vehicle Inspections

CVSA is offering an industry training course specifically on the vehicle portion of a roadside inspection. The course will take place May 4-8 in Joliet, Illinois.

The focus of the training will be on all vehicle-related regulatory requirements and out-of-service conditions. This training is for motor carrier safety directors, owner-operators, commercial motor vehicle drivers, technicians, fleet managers, vendors, etc.

The deadline for registration is Friday, April 24. Visit www.cvsa.org/trainingpage/training/vehicle-industry-course-joliet-il/ to learn more. ■



About 'RAD Inspection News'

'RAD Inspection News' features news and other stories pertaining to the North American Standard Level VI Inspection Program for transuranic waste and highway route controlled quantities (HRCQ) of radioactive material. This inspection is for select radiological shipments that include enhancements to the North American Standard Level I Inspection Program and the North American Standard Out-of-Service Criteria with added radiological requirements for transuranic waste and HRCQ of radioactive material.

Learn more about the Level VI Inspection Program at www.cvsa.org.

'RAD Inspection News' is made possible under a cooperative agreement with the U.S. Department of Energy. Since January 2007, it has run as a section inside CVSA's "Guardian." ■

Level VI Roadside Inspections (2020 - Fiscal)

LEVEL VI INSPECTIONS	Federal	State	Total	% of Total
Number of Level VI Inspections	0	100	100	100%
Point of Origin	0	59	59	59%
En Route	0	41	41	41%
Point of Destination	0	0	0	0%
Unknown Location	0	0	0	0%
Level VI Inspections with No Violations	0	97	97	97%
Level VI Inspections with Violations	0	3	3	3%
Level VI Inspections with Out-of-Service Conditions	0	1	1	1%

Level VI Roadside Inspection Violations (2020 - Fiscal)

Violation Code	Violation Description	# of Inspections	# of Violations	% of Total Violations	# of OOS Violations	OOS %
393.45D	Brake Connections with Leaks or Constrictions	2	2	50%	1	50%
393.207B	Adjustable Axle Locking Pins Missing or Not Engaged	1	1	25%	0	0%
393.75A3	Tire—Flat and/or Audible Air Leak	1	1	25%	0	100%

Level VI Basic Certification Course

MAY 11-14, 2020 | ALBUQUERQUE, NEW MEXICO

There is no registration fee for this course; however, registration is required. To register for the above-listed certification course or if you have any questions, contact CVSA Director of Level VI Inspection Program Carlisle Smith at carlises@cvsa.org or 301-830-6147.

CVSA, under a cooperative agreement with the U.S. Department of Energy, offers Level VI certification on inspecting vehicles, motor carriers and drivers that transport transuranic waste and highway route controlled quantities shipments of radioactive material. This Level VI training is offered to jurisdictional inspectors who meet the prerequisite of having obtained CVSA Level I and hazmat certification. ■



CVSA Holds Its 177th Level VI Certification Class in Austin, Texas

CVSA held its 177th Level VI Inspection Certification Class in Austin, Texas, the week of Oct. 4-7, 2019. In attendance were representatives from CAST Transportation Service and commercial motor vehicle inspectors from the Texas Department of Public Safety, Arizona Department of Public Safety, Oklahoma Highway Patrol, Louisiana State Police, Iowa Department of Transportation and La Porte Texas Police Department. CVSA would like to thank Sgt. Brad Wagner and his staff for their hospitality and assistance. ■



Level VI student Roman Macias, from Texas, conducts a mock survey of a TRUPACT II container.



CVSA National Instructor Juel Leuis reviews a work project with a Texas Department of Public Safety student.

CVSA Holds Its 178th Level VI Class in Raleigh, North Carolina

CVSA held Level VI Certification Class 178 in Raleigh, North Carolina, the week of Dec. 2-5, 2019. The 22 students in Class 178 represented the North Carolina Highway Patrol, Kentucky State Police, Florida Highway Patrol, Massachusetts State Police, Illinois Emergency Management Agency and the Public Utilities Commission of Ohio. CVSA Instructors were Kelly Horn, with Illinois Emergency Management Agency; Reggie Bunner, with the West Virginia Public Service Commission and Tpr. Scott Maguire, with Massachusetts State Police. CVSA would like to express its appreciation to Lt. Joe Memory and Master Tpr. Chris Thompson of the North Carolina Highway Patrol for the use of their training facility, hospitality and assistance. ■



CVSA National Instructor Reggie Bunner reviews definitions with the students of Class 178.



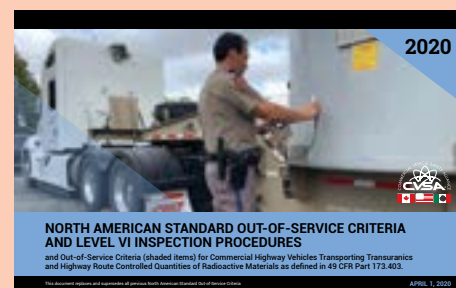
CVSA National Instructors Kelly Horn, Scott Maguire and Reggie Bunner assist students during a work project.

Level VI Certified Inspectors: Get Your Copy of the New 2020 Level VI Out-of-Service Criteria

The “2020 North American Standard Out-of-Service Criteria and Level VI Inspection Procedures Handbook” is now available to certified Level VI inspectors. This handbook is offered to certified Level VI inspectors free of charge under CVSA’s U.S. Department of Energy cooperative grant.

Updated Level VI Out-of-Service Criteria go into effect on April 1, 2020. The 2020 version replaces and supersedes all previous editions. If you do not have the 2020 criteria, you will be operating using outdated information.

To have your complimentary Level VI handbook mailed to you, contact CVSA Director of Level VI Inspection Program Carlisle Smith at 301-830-6147 or carlises@cvsa.org.



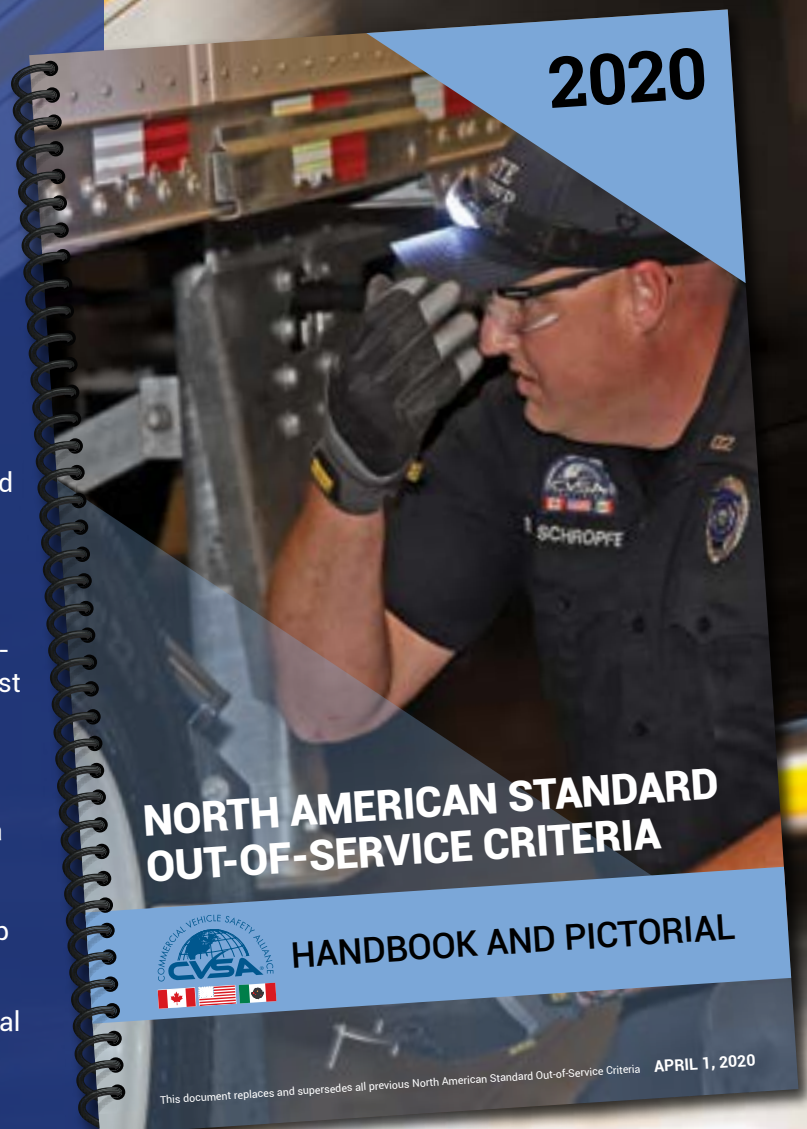
Purchase the New 2020 CVSA Out-of-Service Criteria

Updated out-of-service criteria go into effect on April 1, 2020. The 2020 version replaces and supersedes all previous editions. If you do not have the 2020 criteria, you will be operating using outdated information.

CVSA offers several formats of the new out-of-service criteria. Find the version that works best for you.

- **The spiral-bound hard copy handbook.**
- **The electronic handbook** is a PDF file with a restricted three device and/or web browser limit. The PDF cannot be printed or copy-and-pasted and is best viewed on a desktop computer.
- CVSA offers a Spanish edition and a bilingual English/Spanish edition. Both versions are only available in an 8.5" x 11" format.
- There's a French edition and a bilingual English/French edition. Both versions are only available in an 8.5" x 11" format.

If the app is more your style, it'll be available for download on April 1 by searching "CVSA" in the Apple or Google Play store. The app contains the out-of-service criteria, along with inspection bulletins, pictorials, the learning management system for online training, inspection procedures, operational policies, inspection and educational videos, brochures and webinars.



Visit www.cvsa.org and select "Store" to purchase your print or electronic copy of the "2020 North American Standard Out-of-Service Criteria Handbook and Pictorial." Spanish, French and bilingual versions of the criteria are also available in the store for purchase.

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Texas Charter Bus Company
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VoidForm Products Inc.
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NEW CVSA LOCAL MEMBERS As of Feb. 18, 2020

Baytown Police Department (Texas)
Dallas Police Department (Texas)

Harris County Sheriff's Office (Texas)



6303 Ivy Lane, Suite 310
Greenbelt, MD 20770-6319



CVSA DATA MANAGEMENT, QUALITY AND FMCSA SYSTEMS TRAINING

AUGUST 18-20, 2020

Indianapolis, Indiana

CVSA and FMCSA are proud to once again offer data systems training to state partners who report quality inspection and crash records to support federal and state safety programs. For more information, visit www.cvsa.org/eventpage/events/data-quality.