

# COMMERCIAL VEHICLE SAFETY PROGRAM

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# INTRODUCTION

Accidents related to the operation of motor vehicles represent a high potential for loss of life, personal injury and property damage. Therefore, vehicle accidents are costly both personally and financially. In business, these potential costs may represent the single most significant exposure small- to intermediate-size businesses may face. The focus of this publication is to assist businesses in controlling the potential costs related to vehicle accidents.

This publication focuses primarily on the general principles of an effective commercial vehicle safety program. Our focus subjects include the safety policy statement, driver selection, vehicle maintenance, accident investigation and related items. We do not address specific controls which impact employee/driver personal injury. However, by working to reduce the number and severity of accidents, a residual benefit is that a commercial vehicle safety program may help to limit employee/driver personal injury (and injuries to other parties).

Vehicles and vehicle fleets vary widely regarding type, size and scope of operations. This program addresses the general principles of effective commercial vehicle safety regardless of size, type or number of vehicles. However, many operators, particularly of larger vehicles, must also address the requirements of the United States Department of Transportation (USDOT), Federal Motor Carrier Safety Regulations (FMCSR). For a general definition of the USDOT and FMCSR, please see the **Appendix**. These extensive requirements are not addressed in great detail in this program. In addition, there are a number of local and state regulations that address commercial vehicle operations. This program does not specifically address those regulations.

# I. GENERAL PROGRAM OUTLINE

# A. SAFETY POLICY

To be effective, a program must first address the commitment of owners, managers and employees. A written safety policy statement should be created to clearly and forcefully state management's commitment and desires. This statement should come from senior management.

An effective safety policy statement should:

- Provide a clear statement of management's commitment and desires regarding vehicle safety.
- Elicit cooperation and commitment of all employees.
- Specify responsibilities of management, supervisors, drivers and other employees.
- Specify individual responsible for the program.

For your convenience, a sample Safety Policy Statement is provided below

**Safety Policy Statement**

\_\_\_\_\_ is committed to the safe and efficient operation of all commercial vehicles. We accept this responsibility and will make every effort to provide an environment which encourages this objective.

By accepting this responsibility, we will endeavor to comply with all federal, state, and local rules and regulations regarding vehicle operation, use and maintenance. We also will provide an environment which fosters this commitment. Every employee is an integral part of this process and is expected and challenged to meet this commitment.

\_\_\_\_\_ has the overall responsibility for implementation of the commercial vehicle safety program.

## B. DRIVER QUALIFICATIONS, TRAINING, AND SUPERVISION

The selection, training, and supervision of drivers are crucial to an effective loss control program. For years, statistics have shown that the vast majority of accidents are caused by “human factors.” One of the best ways to make a positive impact on these “human factors” is to select and train the best available drivers.

### Driver Selection

The driver selection process is widely considered to be the key to an effective vehicle accident control program. Just as selection of the best available driver can add a great deal of value to any organization, selection of a driver who does not meet expectations may cause problems which linger for years.

Before beginning the process of selecting drivers, a review of the needs and expectations for the position should be completed. These “drivers’ needs” should be included among other considerations in the recruitment and hiring process. A review of the job tasks may include questions such as:

- Will driving be full time or part time?
- Will driving be the primary or secondary responsibility?
- Will driver(s) need special experience or expertise for this type of vehicle?
- Will vehicle(s) use or size require an operator with a Commercial Driver’s License or other special licensing? If yes, what vehicle group type or special endorsements are needed (see **Driver’s License**)?
- Will driving experience be required or do we have time and expertise to train?

After assessing the needs and expectation of the driver(s), a profile of the ideal candidate can be formed to aid in the selection process.

Identifying the needs and expectations of the ideal driver candidate will allow you to determine the best tools and methods to locate and evaluate new drivers. Depending on the size of the business, these tools may include:

- Recruiting methods — selection from internal employee pool, employee referrals, walk-ins, newspaper or other advertising, trade schools, union halls, etc.
- Applications — DOT requires applications contain specific information for regulated drivers.
- Interviews — Direct interviews or use of a service to screen candidates.
- Reference check — (Note: DOT requires regulated drivers to disclose certain prior employment information on their employment application.)
- Motor Vehicle Record (MVR) check — Should be reviewed before a new employee operates any company vehicle.
- Road Test — Formal set of specific tests and objectives or an informal observation drive with the owner or supervisor.
- Written Test — Content may vary from a simple “rules of the road” test to one which covers concerns unique to the type of vehicle and/or cargo handled.

## Driver's License

A driver's license may come in a variety of types, depending on the vehicles which will be used, cargo transported and a number of other factors.

Most small vehicles, such as automobiles and light trucks, generally require only a valid operator's license. Operators of large units usually are required to maintain a Commercial Driver's License (CDL). Between the small and large groups are vehicles of intermediate size which may or may not require operators to maintain a special license. Again, this varies depending on the size, type and use of the vehicle, and the specific state requirements which may apply.

Regulations which relate to the operation of motor vehicles are generally the responsibility of individual states. However, the U.S. Department of Transportation does stipulate requirements concerning the licensing of drivers for larger vehicles and moderate size units used in interstate commerce. When determining the type of license a driver may need, consider the following:

- States issue and regulate driver's licenses. States' licensing requirements vary for operation of certain vehicles which do not fall under DOT Federal Highway Administration regulations.
- Drivers of vehicles which meet at least the following must maintain a single Commercial Driver's License (CDL) issued by a single state based on minimum federal requirements:
  - (1) has a gross combination weight rating of 26,001 pounds or more, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
  - (2) has a gross vehicle weight rating of 26,001 pounds or more; or
  - (3) is designed to transport 16 passengers or more, including the driver; or
  - (4) is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).
- The Federal Motor Carrier Safety Regulations apply to drivers operating any self-propelled or towed vehicle used on public highways in interstate commerce or foreign commerce to transport passengers or property when:
  - (1) The vehicle has a gross vehicle weight (GVW) rating or gross combination weight rating of 10,001 or more pounds; or
  - (2) The vehicle is designed to transport more than 15 passengers, including the driver; or
  - (3) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813).

(See **Appendix** for additional information about the Commercial Driver's License and related endorsements.)

## **Drivers Training**

Training of new and existing drivers is an important part of an effective accident control program. The training methods may include formal meetings, time spent driving under the supervision of experienced drivers or supervisors, or informal guidance provided by the supervisor.

Training focus should include:

- Regulations — instruction on state and federal regulations including updates as regulations change.
- Company rules and policies — rules should be clearly defined in writing and communicated to all drivers. Changes in rules or policies should be distributed in writing.
- Familiarity with equipment — drivers must be familiar with the equipment they operate. Periodic equipment training should be provided. If a change in equipment is made, retraining should occur.
- Defensive driving techniques — defensive driving techniques should be included in training. This may include a full defensive driving course or specific targeted instruction.

## **Driver Supervision**

Monitoring driver activity provides a unique set of challenges with the operation of commercial vehicles. Drivers generally operate much of the day without direct supervision. There are several techniques to address this issue, depending on the type and complexity of commercial vehicle operations. Some techniques include:

- Routing and scheduling — Establish a route and/or schedule to determine vehicle travel time, location, etc.
- Road observation — This may include random observation by supervisors or responding to comments from other motorists.
- Recording devices — Some larger fleets may find devices which record trip information helpful. Recording devices vary from a simple mileage indicator to sophisticated satellite tracking devices.
- Logs — Some operations may find state or federal regulations require that driver logs be maintained. Careful examination of these logs may provide a valuable tool when supervising drivers.

## C. VEHICLE MAINTENANCE

Vehicle maintenance is a critical component of any effective safety program. Well-maintained vehicles reduce the potential for accidents related to equipment failure, reduce operating costs, and improve the public's perception of a business. Well-maintained vehicles also encourage drivers to take pride in the units they operate. This is especially important when attempting to attract and retain quality drivers.

This program focuses on the general components of a quality maintenance program. For those operations subject to the Federal Motor Carrier Safety Regulations (FMCSR), specific maintenance schedules, inspections, and records may be required. Please review the FMCSR if this applies to your business.

### **Maintenance**

There are two basic types of vehicle maintenance: planned (or preventative) and demand.

Planned (preventative) maintenance includes scheduled services such as oil changes, engine tune-ups, and brake service. Generally, these services are determined based on mileage, hours of operation, or specific time frames. The primary focus is to prevent excessive wear of parts which may lead to premature failure.

Demand maintenance generally involves parts which are replaced as needed, or when failure occurs. This would include items as basic as light bulbs and wiper blades, up to major components such as engines and transmissions. A vehicle inspection procedure is very effective in identifying many of these demand items.

Incorporating both planned and demand considerations into a quality maintenance program plays a critical role in preventing an unfortunate part of demand maintenance — crisis service due to equipment breakdown.

### **Planned (Preventative) Maintenance**

An efficient planned maintenance program must be designed to meet the unique characteristics of each group of vehicles. To determine these characteristics, the following should be considered:

- Maintenance to be performed in-house or by an outside service firm.
- Age, type of vehicles and any special equipment or load-carrying components.
- Vehicle use and operating environment.
- Driver considerations such as experience, job turnover, etc.

Based on the characteristics, a specific schedule should be established for each vehicle or group of vehicles. Once the schedule has been established, this must be communicated to drivers, mechanics and supervisors. Records should be maintained to assure the schedules are followed (see **Vehicle Inspection and Maintenance Records**).

### **Demand Maintenance**

Methods to deal with demand maintenance differ significantly from that required for planned maintenance. Demand items may require immediate attention, especially if a vehicle breakdown occurs. This may necessitate repairs be completed by the driver or by a service garage other than those specified in the planned maintenance program. To address this issue, a specific procedure should be established and communicated to drivers, mechanics, and supervisors.

An effective vehicle inspection procedure is beneficial in identifying many of these potential items before they become a serious concern or cause a breakdown.

### **Vehicle Inspection**

The driver is key to an effective vehicle inspection program. As the vehicle operator, the driver often is the first to note a defect whether safety related or not.

Vehicle inspection procedures are recommended for all commercial vehicle operations. The depth and frequency of inspection should be determined based on many of the characteristics listed under **Planned Maintenance**. Once the inspection procedure has been established, the plan should be communicated to all drivers, mechanics and supervisors. (See **Supplemental Information and Forms** for a sample vehicle inspection form.)

### **Vehicle Inspection and Maintenance Records**

Whether your operations include a fleet or a single vehicle, records of vehicle inspections and maintenance services performed should be maintained. For operations with vehicles which fall under the FMCSR, many of these inspection and maintenance records are required. A closer review of the regulations is recommended if this applies to your business.

## D. ACCIDENT REPORTING AND ANALYSIS

All accidents, even those involving minor property damage, result in loss. To control this loss potential, a review of all accidents should occur. This accident reporting and analysis process may be either an informal review or a formalized process. The degree to which this process is formalized should be determined based on a number of factors, including the number and type of vehicles, type of cargo, amount of vehicle use, driver turnover, etc.

### Responsibility

The driver is key to accident prevention and critical to controlling losses following an accident. Any observations, comments or statements made to other drivers, witnesses, bystanders, police or other emergency personnel may have significant impact on the overall results of the event.

- Procedures – To manage postaccident events, procedures should be clearly established for the driver to follow (assuming he or she is able). Following an accident, the driver will likely be under a great deal of stress. Therefore, any procedures should be clearly communicated as part of driver training and orientation. Procedures may include directions on who and when to call following an accident. For example, it may be advisable to require drivers to call the appropriate management personnel for accidents involving death, personal injury, or major property damage. This will allow appropriate personnel to decide if someone should be dispatched to the scene.
- Forms – Every vehicle should be equipped with an Accident Report Kit. The kit should contain forms to gather names and addresses of others involved, names of witnesses, and other pertinent information from the accident scene. This information can then be used to complete the more detailed Accident Report.

Management also has a number of responsibilities following an accident. These include having someone available to the driver to answer questions and offer assistance. Due to the extreme stress drivers may be under following an accident, guidance may be needed to assure procedures are followed. This person should also decide if someone needs to be dispatched to the accident scene.

### Accident Records

Accident Report Kits are a valuable tool to assemble basic information at the accident scene. However, a formal accident report is still needed. This report includes information required to process the insurance claim. For those operations that fall within the scope of state or DOT regulations, either state-required or DOT-approved forms must be completed.

The accident records provide documentation of specific accident events, and may be analyzed to determine loss control measures that may be taken to prevent or lessen the degree of future occurrences.

## **Accident Analysis**

Accidents are an unfortunate occurrence, which often may have been avoided. One advantage to maintaining detailed accident records is the ability to review what contributed to each specific incident, and possibly identify trends leading to occurrences. This is where accident analysis is a valuable tool.

Accident analysis may vary from a formal review process to one that includes a simple review of events. The complexity of this process will be determined by the size of fleet, number of incidents, and potential requirements of specific states or the DOT.

The focus of the accident analysis should be on at least two key areas which contribute to accidents. Since the majority of accidents are attributed to driver error, this should be the primary focus. For example, a review of all accidents involving a specific driver may address items such as prior driving record, experience, attitude, adequacy of training, and fatigue. The other key factor should be on non-driver issues such as weather conditions, vehicle conditions and maintenance. Keep in mind that this process can be expanded well beyond these two key factors to create a more detailed analysis. Also, it is difficult to entirely separate driver and non-driver issues. For example, weather conditions may be a contributing factor in an accident. However, driver response to the weather condition is just as critical.

Once an analysis of a specific accident or a group of accidents has been completed, this information may then be used to determine what loss control efforts are needed to prevent reoccurrence. Again, how involved this response may be will depend on the severity of conditions identified. Regardless of the response, a follow-up review at a later date should be completed to determine if the response was adequate and effective. If not, additional actions may be necessary.

## II. SUPPLEMENTAL INFORMATION AND FORMS

## **A. GENERAL INFORMATION ABOUT SUPPLEMENTAL INFORMATION AND FORMS**

This section of the program is a valuable resource to help you develop and manage your safety program. Included you will find a list of phone numbers and addresses of agencies that administer motor carrier regulations in each state.

### **Information Sources**

Every business which operates commercial vehicles has unique needs, questions and concerns. Throughout this program we have recommended contacting the appropriate authorities, particularly if there are questions about vehicle regulations. To assist you, we have included a listing of agencies responsible for vehicle regulations for each state.

### **Forms**

Included with the program are forms to help with your fleet management efforts. You may reproduce these forms. The following forms are located in the back of this section.

- Vehicle Inspection Report  
A standardized form for vehicle inspection.
- Motor Vehicle Record (MVR) Summary List  
A summary listing of drivers, license numbers and MVR completion dates.
- Driver Safety Meeting Record  
A summary record to track driver safety meetings.

## STATE AGENCIES

Motor Carrier Regulations by State. For information concerning motor carrier regulations for your state(s), please contact the appropriate agency listed below:

**Alabama**  
Dept. of Public Safety  
P.O. Box 104  
Montgomery, AL 36101  
(304) 242-4235

**Alaska**  
Div. of Motor Vehicles  
P.O. Box 100960  
Anchorage, AK 99510  
(907) 269-5572

**Arizona**  
Motor Vehicle Division  
1801 Jefferson  
Phoenix, AZ 85007  
(602) 255-7011

**Arkansas**  
Motor Vehicle Division  
P.O. Box 8091  
Little Rock, AR 72203  
(501) 682-4653

**California**  
Dept. of Motor Vehicles  
P.O. Box 932320  
Sacramento, CA 95808  
(916) 732-7075

**Colorado**  
Motor Vehicle Division  
1402 W. 6th Avenue  
Denver, CO 80204  
(303) 572-5632 or  
(303) 572-5639

**DOT**  
4201 E. Arkansas  
Denver, CO 80222  
(303) 757-9514

**Connecticut**  
Dept. of Motor Vehicles  
60 State Street  
Wethersfield, CT 06109  
(203) 566-2404

**Delaware**  
Motor Vehicle Division  
P.O. Box 698  
Dover, DE 19903  
(302) 739-2500

**District of Columbia**  
Bureau of Motor Vehicles  
301 C St. NW  
Washington, DC 20001  
(202) 727-2402

**Florida**  
Motor Carrier Services  
Neil Kirkman Bldg.  
Room A-114  
Tallahassee, FL 32399-0626  
(904) 488-6921

**Georgia**  
Motor Vehicle Unit  
126 Trinity-Wash. Bldg.  
Atlanta, GA 30334  
(404) 656-4100

**Idaho**  
Department of Law Enforcement  
Room 124  
P.O. Box 34  
Boise, ID 83731-0034  
(208) 334-8631

**Illinois**  
IRP Section  
300 Centennial Bldg.  
Springfield, IL 62756  
(217) 785-1800

**Indiana**  
Bureau of Motor Vehicles  
509 State Office Bldg.  
Indianapolis, IN 46204  
(317) 486-5500

**Iowa**  
Office of Operating Authority  
5238 NW 2nd Avenue  
Des Moines, IA 50313  
(515) 244-8725

**Kansas**  
Division of Vehicles  
State Office Bldg.  
10th Floor Docking  
Topeka, KS 66612  
(913) 296-3352 or  
(913) 296-3355

**Kentucky**  
Department of Transportation  
501 High Street  
Frankfort, KY 40622  
(502) 564-4540

**Louisiana**  
Department of Public Safety  
P.O. Box 64886  
Baton Rouge, LA 70896  
(504) 925-6270

**Maine**  
Motor Vehicle Division  
242 State Street  
Augusta, ME 04330  
(207) 287-8605

**Maryland**  
Motor Vehicle Administration  
6601 Ritchie Highway NE  
Glen Burnie, MD 21062  
(301) 729-4550

**Massachusetts**  
Registry of Motor Vehicles  
100 Nashua Street  
Boston, MA 02114  
(617) 351-4500

**Michigan**  
Office of Driver and Vehicle  
Administration  
Secondary Complex  
Lansing, MI 48918  
(515) 322-1097

**Mississippi**  
PSC  
P.O. Box 1174  
Jackson, MS 39215-1174  
(601) 961-5439

**Missouri**  
Dept. of Revenue  
301 W. High Street  
Jefferson City, MO 65101  
(314) 751-4450

**Montana**  
Motor Carrier Services  
Box 4639  
Helena, MT 59604  
(406) 444-6130

**Nebraska**

Dept. of Motor Vehicles  
301 Centennial Mall SO  
Lincoln, NE 68509  
(402) 471-4435

**Nevada**

Dept. of Motor Vehicle  
and Public Safety  
555 Wright Way  
Carson City, NV 89711-0625  
(702) 687-5373

**New Hampshire**

Bureau of Highway  
Enforcement/Penhaven Drive  
Concord, NH 03305  
(603) 271-3339

**New Jersey**

Div. of Motor Vehicles  
25 S. Montgomery Street  
Trenton, NJ 08666  
(609) 827-292-6500

**New Mexico**

Dept. of Transportation  
P.O. Box 1028  
Santa Fe, NM 87501  
(505) 827-0392

**New York**

Dept. of Transportation  
Building 4/G17  
W.A. Harriman State Office Campus  
1220 Washington Ave.  
Albany, NY 12232  
(518) 457-6391

**North Carolina**

Office of Motor Vehicles/Motor  
Carrier Section  
1100 New Bern Avenue  
Raleigh, NC 27697-0001  
(919) 733-7631

**North Dakota**

Truck Regulatory Div.  
Highway Bldg.  
603 E. Blvd.  
Bismark, ND 58505  
(701) 328-2725

**Ohio**

Bureau of Motor Vehicles  
4300 Kimberly Parkway  
Columbus, OH 43232  
(614) 752-7865 or  
(800) 477-0007

**Oklahoma**

Motor Vehicle Division  
2501 Lincoln Blvd.  
Oklahoma City, OK 73194  
(405) 521-3036

**Oregon**

PUC  
350 Winters St. NE  
Salem, OR 96310-0335  
(503) 378-6903

**Pennsylvania**

Bureau of Motor Vehicle Laws  
207 Transportation &  
Safety Bldg.  
Harrisburg, PA 17120  
(717) 783-6095

**Rhode Island**

Division of Motor Vehicles  
State Office Building  
Providence, RI 02903  
(401) 277-2970

**South Carolina**

Motor Vehicle Division  
P. O. Box 1498  
Columbia, SC 29216  
(803) 737-1091

**South Dakota**

Division of Vehicle Licensing  
118 W. Capitol Avenue  
Pierre, SD 57501  
(605) 773-3501

**Tennessee**

Department of Revenue/  
Motor Carrier Services  
500 Deaderick St.,  
Room 701  
Andrew Jackson State  
Office Building  
Nashville, TN 37242  
(615) 741-1786

**Texas**

Dept. of Transportation/  
Division of Motor Vehicles  
40th and Jackson Avenue  
Austin, TX 78779  
(512) 465-7686

**Utah**

Motor Vehicle Division  
State Office Bldg, Room 202  
Salt Lake City, UT 84114  
(501) 538-3000

**Vermont**

Dept. of Motor Vehicle/  
Reciprocity Section  
State Office Bldg.  
Montpelier, VT 05603  
(802) 828-2121

**Virginia**

Dept. of Motor Vehicles/  
Motor Carrier Services  
P.O. Box 27412  
Richmond, VA 23269  
(804) 367-0266

**Washington**

Dept. of Highways/  
Licensing Bldg.  
1125 Washington St., SE  
Olympia, WA 98504  
(360) 753-6993

**West Virginia**

Dept. of Motor Vehicles  
1800 Washington St. E  
Room 60  
Charleston, WV 25305  
(304) 348-3629

**Wisconsin**

Motor Carrier Registration  
4802 Sheboygan Avenue  
Madison, WI 53702  
(608) 266-1356

**Wyoming**

Motor Vehicle Management System  
2200 Carey Avenue  
Cheyenne, WY 82002  
(307) 777-4859

## DRIVER'S VEHICLE INSPECTION REPORT

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ A.M. P.M.

VEHICLE: \_\_\_\_\_ ODOMETER READING: \_\_\_\_\_

Check items (☑ = Yes or satisfactory, ☒ = No or unsatisfactory) and provide detail under "Comments" for those marked as unsatisfactory.

- |  |   |
|--|---|
| <input type="checkbox"/> Battery<br><input type="checkbox"/> Body<br><input type="checkbox"/> Brakes, parking<br><input type="checkbox"/> Brakes, service<br><input type="checkbox"/> Clutch<br><input type="checkbox"/> Defroster/heater<br><input type="checkbox"/> Engine<br><input type="checkbox"/> Exhaust<br><input type="checkbox"/> Frame<br><input type="checkbox"/> Front axle<br><input type="checkbox"/> Fuel tank<br><input type="checkbox"/> Horn<br><input type="checkbox"/> Lights<br><input type="checkbox"/> Head<br><input type="checkbox"/> Stop<br><input type="checkbox"/> Tail<br><input type="checkbox"/> Turn indicators<br><input type="checkbox"/> Mirrors<br><input type="checkbox"/> Muffler | <input type="checkbox"/> Oil pressure<br><input type="checkbox"/> Radiator<br><input type="checkbox"/> Rear end<br><input type="checkbox"/> Reflectors<br><input type="checkbox"/> Safety equipment<br><input type="checkbox"/> Fire extinguisher<br><input type="checkbox"/> Reflective triangles<br><input type="checkbox"/> Flares<br><input type="checkbox"/> First aid kit<br><input type="checkbox"/> Suspension system<br><input type="checkbox"/> Starter<br><input type="checkbox"/> Steering<br><input type="checkbox"/> Tires<br><input type="checkbox"/> Tire chains<br><input type="checkbox"/> Transmission<br><input type="checkbox"/> Wheels and rims<br><input type="checkbox"/> Windows<br><input type="checkbox"/> Windshield wipers<br><input type="checkbox"/> Other _____ |
|--|---|

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CONDIITON OF ABOVE VEHICLE IS ACCEPTABLE

Driver's signature: \_\_\_\_\_

- Above defects corrected  
 Above defects need not be corrected for safe operation of vehicle

Mechanics signature: \_\_\_\_\_ Date: \_\_\_\_\_

Driver's signature: \_\_\_\_\_ Date: \_\_\_\_\_

The information in this document was obtained from sources we believe to be reliable, but the document does not address every acceptable or possible safety procedure or regulation applicable to your business. Abnormal or unusual situations may warrant development of different or additional procedures. Keep in mind that we cannot and do not in any way undertake to provide you with legal advice, any assurance of regulatory compliance, nor to assume your legal obligations to your employees or others. Those things remain your responsibilities.





### III. APPENDIX

## A. U.S. DEPARTMENT OF TRANSPORTATION

The United States Department of Transportation (DOT) has responsibility for development and promulgation of regulations which apply to operation of commercial vehicles for interstate or foreign commerce. Through the Federal Highway Administration, the DOT has developed Federal Motor Carrier Safety Regulations (FMCSR). These rules are published in Title 49, Code of Federal Regulation Parts 300-399.

Below is a brief review of the scope of the FMCSR. If you have any questions whether these standards apply to your business, we strongly recommend you contact local, state, or federal authorities for further information or clarification. Although these are federal regulations, many states have adopted them as part of their own intrastate programs representing either whole or part of their regulations.

### **Federal Motor Carrier Safety Regulations**

The FMCSR apply to “all employers, employees and commercial motor vehicles which transport property or passengers in interstate commerce.” Although this is a very broad, all-encompassing definition of applicability, the primary limiting factors are the definitions of “commercial motor vehicles” and “interstate or foreign commerce.”

### **Commercial Motor Vehicle/General Definition**

“Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when

- (a) The vehicle has a gross vehicle weight (GVW) rating or gross combination weight rating of 10,001 or more pounds; or
- (b) The vehicle is designed to transport more than 15 passengers, including the driver; or
- (c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801 - 1813).”

The above definition is used when referring to general FMCSR requirements. However, when determining if a driver must have a Commercial Driver’s License (CDL), a different definition of “commercial motor vehicle” applies. (See **Driver Qualifications, Training and Supervision**).

### **Interstate Commerce/General Definition**

“Any trade, traffic, or transportation in the United States which is between a place in a state and a place outside of such state (including a place outside the United States) or is between two places in a State through another State or a place outside of the United States.”

According to the FMCSR and USDOT interpretation, this definition of “interstate commerce” generally would apply to commerce transported state to state or between a state and foreign country.

If your business has at least one vehicle which may potentially meet this definition, a closer review is recommended. Specific interpretations are available from local, state and federal agencies.

## **Commercial Driver's License (CDL)**

Drivers of larger commercial motor vehicles are required to maintain a Commercial Driver's License (CDL) as defined by the U.S. Department of Transportation. Those affected are primarily operators of commercial motor vehicles which fit the following requirements:

“A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle

- (1) Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- (2) Has a gross vehicle weight rating of 26,001 or more pounds; or
- (3) Is designed to transport 16 or more passengers, including the driver; or
- (4) Is of any size and is used in the transportation of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (40 CFR part 172, subpart F).”

Once it has been determined a CDL license is required or desired, then the license groups and endorsement must be determined. The groups are:

**Group A – Combination Vehicle(s)** includes any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, providing the vehicle(s) being towed is in excess of 10,000 pounds gross vehicle weight. Holders of a Group A license may, with appropriate endorsements, operate all vehicles within groups B and C.

**Group B – Heavy Straight Vehicle(s)** any single vehicle with gross vehicle weight rating of 26,001 pounds or more or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating. Holders of group B license may, with appropriate endorsements, operate all vehicles within group C.

**Group C – Small Vehicle(s)** any single vehicle or combination of vehicles that does not fit the definitions of group A or B but is designed to transport 16 or more passengers including the driver, or requires placarding for hazardous materials.

In addition to determining the group, endorsements to the license must be added if operation is to include any of the following:

- Double/Triple Trailers
- Passenger Vehicles
- Tank Vehicles
- Hazardous Materials (when volume is sufficient to require vehicle placarding).