

# Virginia Loggers Association

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# The Federal Motor Carrier Safety Administration

- **Overview:**

1. Who We Are, What We Do
2. How We Do It: Compliance, Safety, and Accountability

## MISSION

Saving Lives by working to reduce crashes, injuries and fatalities involving large trucks and buses



## Who We Are:

- One of 11 operating administrations at the U.S. Department of Transportation
- Established January 1, 2000 (formerly a part of FHWA)
- Regulates transportation by large truck, bus, and household goods operations and HAZMAT transportation.
- 60% of budget to grants
- Approximately 1,100 employees



# Our Three Core Principles

- **Raising** the safety bar to enter the motor carrier industry
- **Requiring** carriers and drivers to comply with rigorous safety standards
- **Removing** high-risk carriers, and unsafe companies, drivers and vehicles from the road



# What We Do: Safety Oversight

## ***49 CFR Parts 350-399: FMCSR***

- Driver Hours of Service
- Transportation of Hazardous Materials
- Drug and Alcohol Testing for Drivers
- Vehicle Maintenance
- Driver Training
- Commercial Driver's License (Oversight of State Operations)
- Physical Qualification of Drivers and Qualification of Medical Examiners/Examinations



# The Federal Motor Carrier Safety Administration

**How We Do It: Compliance, Safety, and Accountability**



# Compliance, Safety, Accountability

## *CSA's Three Components*

- The Safety Measurement System (SMS)
  - FMCSA's workload prioritization tool that identifies carriers for interventions (e.g., warning letters, investigations)
  
- Safety Interventions Process
  - Wide array of interventions and tools to help FMCSA work with carriers to bring them into compliance with safety rules and regulations
  - Safety Management Cycle
  
- Proposed Safety Fitness Determination Rule (SFD)
  - To assess safety performance of larger segment of industry, keeping more unsafe carriers off the road (under rulemaking process)



# What to Expect During a Compliance Investigation

- Pre
- During
- Post





# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 382: Controlled Substances and Alcohol Use and Testing
  - using a driver before the negative result has been received for a pre-employment test
  - failing to do random testing or failing to test at the 25% or 10% rate
  - failing to provide accurate list of drivers required subject to testing
  - Failing to do Supervisory Training



# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 383: Commercial Driver's License (CDL)

Downgraded CDL to a regular driver's license because medical examiners certificate not on file with DMV

Suspended CDL for too many moving violations or failure to pay fines

Also see 383.51 Table of Disqualifications & Penalties

Remember if driver is a CDL or CLP holder, convictions of violations in table (b) or (c) qualify regardless of type vehicle driven



# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 391: Qualification of Drivers

  - Incomplete driver qualification (DQ) files

  - Incomplete or missing information in DQ files

  - Physical Qualification and Medical Exams



# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 393: Parts & Accessories

Brakes

Lights

Suspension

Tires



# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 395: Hours of Service

False Records of Duty Status (RODS or logs)

Not requiring or maintaining a RODS



# Compliance Investigation Trends

## *Time Records...Who Can use Them? Short-haul Operations 395.1(e)*

- Drivers operating within 100 Air Mile Radius
- motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
- the time the driver reports for duty each day;
- the total number of hours the driver is on duty each day;
- the time the driver is released from duty each day; and
- the total time for the preceding 7 days for drivers used for the first time or intermittently



# Compliance Investigation Trends

## *Will I need an ELD?*

- not if you meet the short-haul operation exception (395.1(e))

Or...

- if you meet one of the ELD exceptions
- ELD Regulations (395.20 – 395.38 and Appendix A)



## ELD Rule Exceptions

The following are not required to use ELDs

- Drivers who use paper logs no more than 8 days during any 30-day period.
- Driveaway-towaway drivers (where the vehicle driven is the commodity) or the vehicle being transported is a motor home or a recreation vehicle trailer (at least one set of wheels of the vehicle being transported must be on the surface while being transported)
- Drivers of vehicles manufactured before model year 2000.





# Compliance Investigation Trends

## *Compliance Investigation Common Violations Discovered*

- Part 396: Inspection, Repair & Maintenance
  - maintenance records (1 year, 6 months)
  - DVIR (3 months)
  - roadside inspections (1 year)



# Where can you go for safety information

- [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)
- FMCSA Portal: Register as a Company User
- pre-employment screening program



## PSP

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information: <http://www.psp.fmcsa.dot.gov/Pages/default.aspx>



# FMCSA - Virginia Division Office

## *...or contact us for help*

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