

DRIVER TRAINING

&

DOT COMPLIANCE

Brian Wilson
Corporate Safety Director
Deffenbaugh Industries Incorporated

Objective

- ◆ Determine Area of Compliance
- ◆ Method/Means of Compliance
- ◆ Illustrate Importance of Compliance
- ◆ Create Discussion on Drivers Training –

*What they need to know and why
they need to know it*



◆ DOT COMPLIANCE
DRIVER TRAINING

Training

- ◆ “Training” - the process of bringing a person, to an agreed standard of proficiency, by practice and instruction.

“Tell me and I'll forget; show me and I may remember; involve me and I'll understand.”

-Confucius- 551-479 BC

49 CFR

390.3 General applicability.

- ◆ (a) The rules in Subchapter B of this chapter are applicable to all employers, employees, and commercial motor vehicles, which transport property or passengers in interstate commerce.

49 C.F.R. CHAPTER III--FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

- ◆ TITLE 49--Transportation
- ◆ Subtitle B--OTHER REGULATIONS RELATING TO TRANSPORTATION
- ◆ CHAPTER III--FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION
- ◆ SUBCHAPTER A--GENERAL REGULATIONS –Part 301-325
- ◆ SUBCHAPTER B--FEDERAL MOTOR CARRIER SAFETY REGULATIONS –Part 350, 355, 356, 360, 365-399

390.3 General applicability.

- ◆ e) (2) Every driver and employee shall be instructed regarding, and shall comply with, all applicable regulations contained in this subchapter.

“Instructed Regarding”

To provide with knowledge on the
subject of...

Specific References

- ◆ 380.500 (a) / 380.501 / 380.503 received the training
 - ◆ Require 391 subpart B,E; part 395 ; 29 CFR1978(whistle); driver wellness, **NOTE certification required.**
 - ◆ GCVR 26k or 10k trailer GVWR 26k (Covered)
- ◆ 382.103 this part applies (D&A)
- ◆ 382.601 shall provide educational material
- ◆ 383.3 applies to every person (CDL)

Specific References

- ◆ 390.11 or in this subchapter to require observance of
- ◆ 391.11 must be qualified - physicals/re certify interpretations
- ◆ 391.13(a) can by reason of experience, training, or both (DQ)
- ◆ 391.31 road test skills test on type vehicle to operate
- ◆ 391.33 may present/accept not double/trip or tank endorsements or
- ◆ 391.33(c) may require to take road test

Specific References

- ◆ 392.1 shall be instructed in and comply with part 392 (Gen Drive)
- ◆ 393.1(b) shall comply and be conversant (Parts & Acc)
- ◆ 395.1 rules in this part apply (HOS)
- ◆ 396.1 comply and be conversant (VCR)
- ◆ 397.1(b) know and obey (Trans HM)

Definitions

- ◆ “Complying” -to act in accordance with another's command, request, rule, or wish
- ◆ “Observance” - an act or instance of following, obeying, or conforming to: the observance of traffic laws.

Definitions

- ◆ “Conversant” - familiar, as by study or experience
- ◆ “Applies” -to make use of as relevant, suitable, or pertinent: to apply a theory to a problem.



◆ DOT COMPLIANCE
DRIVER TRAINING

Compliance

- ◆ DOT Compliance – satisfactory rating by FMCSA
- ◆ Performance rating by using 7 Behavioral Analysis Areas CSA 2010
- ◆ Key to success is a trained driver.

DOT Compliance

■ AUDIT

- ◆ Driver's Fitness Parts 381 & 391
- ◆ Unsafe Driving Parts 392 & 397
- ◆ Fatigued Driving Parts 392 & 395
- ◆ Controlled Substance & Alcohol Part 392
- ◆ Vehicle Maintenance Parts 393 & 396
- ◆ Improper Loading / Cargo Securement
Parts 392, 393, 397, HM
- ◆ Crash Indicators : number of accidents/mile

Data Sources

- **Roadside Inspections**
 - ◆ Driver traffic violations, unsafe driving behavior
 - ◆ Crash reports
 - ◆ Compliance reviews

Driver Fitness Parts 383 & 391

Operational definition

- ◆ Operation of commercial motor vehicles by drivers who are unfit to operate them because they lack training, experience, or medical qualification.

Data sources

- ◆ Roadside inspection violations for failure to have a valid commercial driver's license
- ◆ Crash reports citing a lack of experience or medical reason as a cause or contributing factor
- ◆ Compliance review violations for failure to maintain proper driver qualification files or use of unqualified drivers

Unsafe Driving Parts 392 & 397

Operational definition

- ◆ Dangerous or careless operation of commercial motor vehicles.

Data sources

- ◆ Driver traffic violations and convictions for speeding, reckless driving, improper lane change, inattention, and other unsafe driving behavior

Fatigued Driving Parts 392 & 395

Operational definition

- ◆ Driving commercial motor vehicles while fatigued.

Data sources

- ◆ Hours-of-Service violations
- ◆ Crash reports with driver fatigue cited as a contributing factor
- ◆ Compliance review

Controlled Substances/Alcohol

Part 392

Operational definition

- ◆ Operation of a commercial motor vehicle while impaired by or in possession of alcohol, illegal drugs, or any other substance that renders the driver incapable of safely operating a motor vehicle.

Data sources

- ◆ Roadside inspection violations involving controlled substances or alcohol
- ◆ Crash reports citing driver impairment or intoxication as a cause
- ◆ Positive controlled substances or alcohol test results on drivers

Vehicle Maintenance Parts 393 & 396

Operational definition

- ◆ Failure of commercial motor vehicle due to improper or inadequate maintenance.

Data sources

- ◆ Roadside inspection violation for brakes, lights, and other mechanical defects
- ◆ Crash reports citing a mechanical failure as a contributing factor
- ◆ Compliance review violations associated with pre-trip inspections, maintenance records, and repair records

Improper Loading/Cargo Securement Parts 392, 393, 397 & HM

Operational definition

- ◆ Shifting loads, spilled or dropped cargo, and unsafe handling of hazardous materials.

Data sources

- ◆ Roadside inspection violations pertaining to load securement, cargo retention, and hazardous material handling
- ◆ Crash reports citing shifting loads or spilled/dropped cargo as a cause or contributing factor

Crash Indicator

Operational definition

- ◆ Histories or patterns of high crash involvement, including frequency and severity. Miles carrier logs verses number of accidents.

Data sources

- ◆ Law enforcement crash reports
- ◆ Crashes reported by the carrier that are discovered during on-site investigations

Compliance Selection Process

- ◆ Accidents - Primary Selection
- ◆ Roadside Inspections - Secondary
 - ◆ Drivers (new, roadside inspection)
 - ◆ Vehicles (roadside inspection, VCR, maintenance records)
 - ◆ HOS (logs, 100 mile, supporting documents)
 - ◆ Drug Results (all pre-employment, all positive, specific)

Review of Training File

- ◆ Required training
 - ◆ ELD or LCV
 - ◆ Hazmat
 - ◆ Drugs/alcohol
 - ◆ CDL
 - ◆ HOS
 - ◆ VCR
 - ◆ Training Documented

Proper Notification Documented

- ◆ 383.31 (state / employer 30 days)
- ◆ 383.33 (next day / suspension)
- ◆ 383.35 (tell applicant, 10 yr background)
- ◆ 383.51 (CDL disqualifications, note non-CDL violation counts...)
- ◆ 383.72 (complied consent on alcohol)
- ◆ 391.23(i)(1) (investigation rights on hire)

Training - Knowledge

- ◆ CDL Drivers test w/air-brake endorsement
- ◆ SIPDE / Smith Defensive Driving
- ◆ Blind spots
- ◆ Safe backing & child safety
- ◆ Speed concept / brakes and braking
- ◆ On the road safety & security
- ◆ Pre-trip / post trip inspections

Training - Knowledge

- ◆ Slosh & Surge – center of gravity
- ◆ Train safety
- ◆ Specific truck information
- ◆ Self-appraisal of driving situations
Road signs, roadway markings, color hierarchy, define “Get the big picture” and “Aim high, look ahead”
- ◆ Substance abuse

Training - Knowledge

- ◆ Facility Flow / Fuel, Mechanical Items
- ◆ Unsecured Loads / Rigging Inspection
- ◆ HOS / IFTA / Daily Paperwork
- ◆ Critical Factor – Front Wheel Blowout
- ◆ No Rider Policy
- ◆ Disqualification for CDL Drivers
- ◆ Whistle Blower Protection

Training - Knowledge

- ◆ Driver Wellness / Fit to Drive
- ◆ LO/TO for Drivers
- ◆ SPCC for Drivers
- ◆ Final Retake of Driver's CDL Test with Brake Endorsement

Time Spent is 30-36 hours in classroom

Training - Skills

- ◆ Walk around pre-trip
- ◆ Mirror adjustment
- ◆ Backing techniques
- ◆ Special vehicle operations
- ◆ Road test with vehicle
- ◆ Combined skills/knowledge daily –documents

Typical Time on Driving Course 2 – 4 Days

Other Training

- ◆ Specialty training– forklift, uni-loader
- ◆ OSHA Required Knowledge

Benefits versus COST



Benefits versus COST

Fact:

One incident can pay for entire cost of
the employee's training

Benefits versus COST



Benefits versus COST

Fact:

Untrained Drivers create non-compliance
OOS

HAVE
A
GREAT
DAY!

HAVE A SAFE DAY!