

# DDH Notes

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## FEDERAL & STATE UPDATES

### FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION - FMCSA



We now offer Electronic Logging Devices through Geotab. Please contact our office for additional information.

There are less than 15 days until all interstate truck drivers driving over a 100 air mile radius must use electronic logging devices. The new rule requires ELDs to be integrated with the truck's engine and to use location information.

There is no change in the HOS rules with this ELD mandate.

Electronic Log regulations have been ruled by the courts that the regulations are to be implemented 12/18/17 and the Supreme Court decided not to hear the case against the mandatory ELD requirement. There have been several bills introduced in Congress for a delay in the regulation, they did not get any Congressional support.

All agricultural and livestock haulers have a 90 day extension to become compliant with the ELD mandate.

When deciding on an ELD device make sure that the device and software are IFTA and IRP compliant, many are not.

### COMPLIANCE, SAFETY, ACCOUNTABILITY - CSA

There has been some confusion on the purpose of the CSA which monitors company safety fitness. This is a barometer for the FMCSA to evaluate which carriers should go through a safety compliance audit. Insurance companies and shippers are using the values also to see if a carrier has a safety problem in one of the "BASIC" areas. This effects insurability and insurance rates, and which carriers are tendered the freight. The scores for the seven BASIC safety areas do not generate any fines or penalties but are only an evaluation tool.

The CSA is based on the following Behavioral Analysis Safety Improvement Categories - BASIC's:  
Unsafe Driving BASIC - Operation of a CMV in a dangerous or careless manner. Sample violations: speeding, reckless driving, improper lane change, and inattention. The current intervention threshold for this BASIC is 65+%.

Hours-Of-Service (HOS) BASIC - Operation of a CMV by drivers who are ill, fatigued, or in non-compliance with the hours-of-service regulations. This BASIC includes violations of regulations surrounding the complete and accurate recording of log books as they relate to HOS requirements and the management of CMV driver fatigue. Sample violations: HOS, logbook, and operating a CMV while ill or fatigued. The current intervention threshold for this BASIC is 65+%.



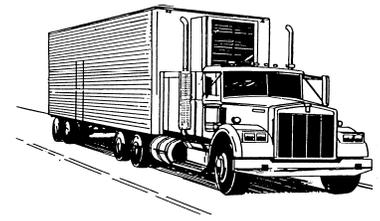
## Happy Holidays

Driver Fitness BASIC - The operation of CMV by a drivers who is unfit to operate a CMV due to lack of training, experience, or medical qualifications. Sample violations: failure to have a valid and appropriate commercial driver's license and being medically unqualified to operate a CMV. The current intervention threshold for this BASIC is 80+%.

Controlled Substances and Alcohol BASIC - Operation of a CMV by a driver who is impaired due to alcohol, illegal drugs, and/or misuse of prescription or over-the-counter medications. Sample violation: use or possession of controlled substances or alcohol. The current intervention threshold for this BASIC is 80+%.

Vehicle Maintenance BASIC - Includes failure due to improper or inadequate maintenance. Sample violations: brakes, lights, and other mechanical defects, and failure to make required repairs, a CMV incident resulting from shifting loads, spilled or dropped cargo, and unsafe handling of hazardous materials. Sample violations: improper load securement and

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cargo retention. The current intervention threshold for this BASIC is 80+%.

Hazardous Materials (HM) Compliance BASIC - Motor carriers that do not comply with Federal safety regulations related to properly packaging, transporting, accurately identifying, and communicating hazardous cargo in the event of a crash or spill. The general public is subject to a greater safety risk if HM is involved in a motor carrier crash. Unmarked or poorly marked HM cargo can result in less effective emergency response, as well as injuries and fatalities for emergency responders and others. The current intervention threshold for this BASIC is 80+%.

Additionally, the Safety Measurement System (SMS) evaluates an entity's crash history relative to its peers. Crash history is not specifically a behavior. Rather, it is a consequence of a behavior and may indicate a problem with the entity that warrants intervention. The Crash Indicator is defined as follows: Histories or patterns of high crash involvement, including frequency and severity and is based on information from state-reported crash reports. The current intervention threshold for this BASIC is 65+%.

The CSA system is continually being tweaked. There is a proposal to reduce the threshold for CSA intervention for Vehicle Maintenance from 80% to 75% which would put more carriers in the Alert status for this BASIC. There is also a possibility that the threshold would be increased from 80% to 90% for controlled Substances/Alcohol, HM

Compliance and Driver Fitness causing fewer carriers to be in the Alert status in these areas.

## IFTA and IRP

Carriers that use GPS systems for IRP and IFTA must ask the following questions to be in compliance with the regulations:

Does the software that collects and organizes the GPS data store the information for at least four years?

Does the system record the date and time of each GPS reading (ping)?

Does the system record the location (latitude, longitude) of each GPS reading (ping)?

Does the system record the beginning and ending reading of the odometer for the trip?

Does the system record the calculated distance between each GPS reading (ping)?

Does the system record route of travel?

Does the system calculate the total distance traveled by the vehicle for each trip?

Does the system record the distance traveled in each jurisdiction for each trip?

Does the system record the vehicle identification or unit number?

## U.S. CUSTOMS

It is time to renew your U.S. Customs Transponders. Carriers with vehicles that travel regularly in and out of Canada will need to obtain new transponders or renew their transponders from the U.S. Customs Service for the 2018 calendar year. Those who purchased transponders in past years should have received renewal notices.

The transponder fee again this year will include a U.S. Department of Agriculture annual entry fee. The cost for the transponders will be

\$401.67 each and will fulfill the user-fee requirement for all crossings during the calendar year for the vehicle to which they are assigned. Individual trip fees can be purchased at the border crossings for vehicles without transponders. The per trip fee for US. Customs and the U.S.

Department of Agriculture fee is \$13.05 per crossing into the U.S. This Agriculture entry fee will be used to find illegal products entering the U.S.

## COLORADO

The state's chain law requires commercial vehicles to carry chains when traveling in the state. Carriers that are caught without chains in or on their vehicles between September 1 and May 31 each year on I-70 between milepost 163 and 259 will be fined. If a truck blocks a roadway due to being stuck in snow, the driver can be fined up to \$1000 if the vehicle is not chained and as a result blocks the highway when the law is in effect. Drivers can also be assessed four points on their CDL license for violation of the law.

## December 31, 2017 Permit Extensions

UCR - 2018 Uniform Carrier Registration has been delayed and is expected to be enforced 90 days after the new vehicle rates are established.

IFTA Fuel Tax Decals & Licenses are extended until February 28, 2018.

New Mexico has not granted an extension at this time.

Oregon has a grace period until March 15, 2018 if the renewal application is filed prior to December 31, 2017.



We want to take this opportunity to wish you a Merry Christmas and a prosperous New Year.

*Dave*