

FLEET SAFETY, INC.

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Introducing Ken Haigh-Fleet Safety's Client Services & Training Manager. Ken retired from United Parcel Service after 27 years and has been with Fleet Safety since 2005. Assignments at UPS include operations, training, compliance and human resources to name a few. Ken is a certified instructor in Hazardous Materials, Power Industrial Trucks (forklift), conducts internal company DOT audits, driver hours-of-service compliance training and informational DOT driver meetings.

If your company is interested in any of the following please call Ken at: 508-425-4170 or cell: 508-934-9088.

Hours of Service Training, Hazmat Training, Forklift Training,
DOT Compliance Meetings, Driver Qualification Files/Logs/Fuel Tax etc.
Mock DOT Audit.

Ken's [Mock DOT Internal Company Audits](#) can prepare you for a real audit by the DOT!

Driver "On Duty Time":

Driver "on duty time" means all time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. This time must be recorded by the driver on his daily driver's log or other acceptable method if the driver meets the 100 or 150 air-mile radius exception. Be aware that the definition of on duty time in 49 CFR Part 395.2 includes all time performing any other work in the capacity, employ or service of a motor carrier and any compensated work for a person who is not a motor carrier. This requirement includes any compensated work performed by the driver outside of your employ. This additional work time must be reflected on the driver's log or some other method for drivers not preparing logs. In addition to helping ensure the driver operates within the 11, 14 and 60/70 hours rules, the requirement to account for all compensated employment ensures the driver has adequate off duty periods prior to operating a commercial vehicle for your company. Any thorough investigation by a State or Federal authority would include inquiring into compensated work drivers may be performing outside your employ.

DOT Issues Changes to Part 40

Major changes to FMCSR Part 40 will take effect August 25, 2008. Most of these changes are aimed at making it more difficult to cheat on urine drug screens. However, it is one particular change that will likely cause the most controversy- the new requirement for directly observed collections.

40.67 (b): As an employer, you must direct a collection under direct observation of an employee if the drug test is a return-to-duty or a follow-up test.

(i): As the observer, you must request the employee to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show you, by turning around, that they do not have a prosthetic device. After you have determined that the employee does not have such a device, you may permit the employee to return clothing to its proper position for observed urination.

Other less intrusive changes involve validity testing at the lab, stopping the publishing of adulterant criteria; and the reporting of actual values for out of range pH.

In addition, if the donor admits to illicit drug use during the MRO interview for a specimen that has an invalid result, the MRO must report the admission to the designated employer representative.

More information on the changes can be found on the DOT website <http://www.dot.gov/ost/dapc/news.html>