

# Client Services Update



September 2005

THE ROAD TO SAFETY AND COMPLIANCE

## New DOT rules effective October 1, 2005

The US DOT has announced its long anticipated new Hours-of-Service regulations. While these changes will have little or no effect on many companies, they will have a major impact upon others. Below is a summary of the primary changes.

HOURS-OF-SERVICE RULES	
2003 Rule Property-Carrying CMV Drivers Compliance Through 09/30/05	2005 Rule Property-Carrying CMV Drivers Compliance On & After 10/01/05
May drive a maximum of 11 hours after 10 consecutive hours off duty.	NO CHANGE
May not drive beyond the 14th hour after coming on duty, following 10 consecutive hours off duty.	NO CHANGE
May not drive after 60/70 hours on duty in 7/8 consecutive days.  A driver may restart a 7/8 consecutive day period after taking 34 or more consecutive hours off duty.	NO CHANGE
Commercial Motor Vehicle (CMV) drivers using a sleeper berth must take 10 hours off duty, but may split sleeper-berth time into two periods provided neither is less than 2 hours.	CMV drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.

Passenger-carrying carriers/drivers are not subject to the new hours-of-service rules. These operations must continue to comply with the hours-of-service limitations specified in 49 CFR 395.5.

*Note: Currently drivers can use split sleeper provided neither period is less than 2 hours and combined they add up to at least 10 hours. The new rule requires one period of at least 8 hours (but less than 10) and the other period of at least 2 hours (but less than 10). The second period can be either sleeper berth, off duty or a combination of both.*

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### Entry Level Driver Training—Will it Last ?

The Public Citizen and Advocates for Highway Safety along with other driver rights associations filed a court petition to remove the Entry Level Driver Training Requirements that the DOT implemented back in May of 2004. The Entry Level Driver Training implemented 4 training areas that drivers holding a CDL with less than 1 year experience (operating interstate) must receive. The four areas include:

- ◆ Hours of Service
- ◆ Driver Qualification
- ◆ Driver Wellness
- ◆ Whistleblower Protection

The petitioners argue that the requirements are not effective because there is no proof that this requirement is enhancing the safety of CMV operations as well as the fact that this training is narrow in scope and does not cover the broader areas of CDL operations. They also argue that this training is essentially saying that CDL operators do not receive adequate training at the time of them receiving their CDL. The case is in the courts hands for now.

Fleet Safety will keep you posted on any changes in this requirement. However for now, the ruling stays in effect. **Do you have drivers who have just obtained their CDL ? Call Fleet Safety for more information about our Entry Level Driver Training Module-- 800-215-2490**

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## New Rule Pertaining to "Local" Non-CDL Drivers

### Short-Haul Provision

**Drivers of property-carrying CMVs which do not require a Commercial Driver's License for operation and who operate within a 150 air-mile radius of their normal work reporting location:**

May drive a maximum of 11 hours after coming on duty following 10 or more consecutive hours off duty.

Are not required to keep records-of-duty status (RODS).

May not drive after the 14th hour after coming on duty 5 days a week or after the 16th hour after coming on duty 2 days a week.

**Employer must:**

Maintain and retain accurate time records for a period of 6 months showing the time the duty period began, ended, and total hours on duty each day in place of RODS.

Summary: Drivers of non-CDL vehicles operating within 150 air-miles of their work reporting location do not have to prepare a driver's log provided: They return to their work reporting location each day, don't drive more than 11 hours per day, take 10 hours off between work days, don't drive after 14 hours of coming on duty five days a week or after 16 hours two days a week. As is the case now, companies must still retain a proper time record for the driver.

The US DOT enforcement officials are meeting later this month to better define how the new rules will be specifically enforced upon the trucking industry. Fleet Safety Services will follow the results of these meetings and keep our clients apprised.

Please contact Fleet Safety with any questions or concerns regarding the new Hours of Service rule.



**On Site  
Training**

HazMat and Fork Lift  
Training - at your  
terminal, at your  
convenience - Give  
us a call for more  
information!

SafeStat Results are updated monthly  
Check out the SafeStat website at:  
<http://www.ai.volpe.dot.gov>

### **Random Testing Reminder**

#### **The Third Quarter will end on September 25**

Please get your Third Quarter Testing Completed  
Contact Fleet Safety if you are in need of collection sites, cab  
kits or need another copy of your selection list.  
Remember - all testing for 2005 should be completed by  
December 23 to ensure that your company's stats are complete for  
the year. Tests that report out after 12/31 (even if collected in 2005)  
are considered to be 2006 test results. **HELP US HELP YOU!!!**