

## Hours Of Service May Soon Get A Partial Over-Haul

Stand-by folks for some possible upcoming changes to hours of services. On August 9, 2018 FMCSA announced (83 FR 39498) they received a joint application from HEPACO, LLC; Heritage Environmental Services, LLC; Lewis Environmental, Inc.; and Moran Environmental Recovery, LLC, for exemption from the hours-of-service (HOS) regulations for drivers engaged in providing direct assistance in environmental emergencies or potential environmental emergencies. The applicants requested a five-year exemption from the “14-hour rule” for their drivers engaged in responding to environmental emergencies and FMCSA requested public comments on the application for their exemption. This exemption request, as well as the many other less-formal discussions, input, and other means one airs out their dislike of an existing regulation - may be the impetus behind FMCSA recently announcing they will be seeking input on possible changes to hours of regulations for others than those listed above. With the implementation of the electronic logging devices’ ability to accurately record compliance with HOS, requests from Congress, Owner-Operator Independent Drivers Association (OOIDA), TruckerNation.org (TruckerNation), and the public have reached FMCSA to consider revising certain HOS provisions. Specifically, the Agency is considering changes in four

areas of the HOS rules: the short-haul HOS limit, the HOS exception for adverse driving conditions, the 30-minute rest break provision, and the split-sleeper berth rule to allow drivers to split their required time in the sleeper berth. FMCSA’s newly appointed Administrator, Ray Martinez, has been an advocate of listening to, and working with, industry stakeholders (motor carriers, CMV operators, etc.) on hours of service and what changes the stakeholders would propose that make sense, add flexibility for the industry, and still maintain safety. Drivers have complained the loudest against the 14-hour rule because many feel it is not flexible and requires them to continue operating a CMV when they may be tired and cannot “pause” the 14-hour “clock” in which they are only allowed to operate a CMV. FMCSA will be holding public listening sessions concerning potential changes to the HOS regulations. By the time you read this article, the first listening session will have taken place (August 24th). It will be interesting to read the input and FMCSA’s response that will follow.

## Take A Break And Learn More About Brakes

Hours of service and brake system violations continue to be the main culprits when it comes to motor carriers and their drivers receiving

violations. Both areas require a lot of attention by both inspectors and commercial motor vehicle operators to help ensure all users of roadways are safe. Commercial Vehicle Safety Alliance (CVSA) will be conducting a “Brake Safety Week” and many states will be participating in the inspection program from September 16 – 22, 2018. The brake campaign will not only check brake systems on CMVs for compliance, CVSA plans on using the opportunity to “inform operators about the importance of proper brake maintenance” as stated in J. J. Keller’s, “The Importance of Brakes: Key Components, Inspection and Maintenance” guideline (click on link below). This informative guideline by J. J. Keller & Associates is an excellent explanation of the basics of brakes including how brakes function, what are the key elements of compressed air brakes, what areas of the brake system requires the most attention for preventive maintenance, why heat is considered “the enemy” to brakes, exactly what are all the valves in a brake system are all about, qualifications of brake technicians, and how/what to train the drivers on what issues to look for to avoid costly repairs, violations, and most importantly, accidents! This whitepaper written by Tom Bray of J. J. Keller & Associates is a must read for those who want to take a break (I couldn’t help it) and learn about how brakes work and what to look for, and correct, before being inspected by someone with the ability to cite out of compliance violations.



## Join us for Training in Livermore, CA

**Advanced Radioactive Materials Shipper Certification – Sept. 25 - 27, 2018**

**IATA: Transportation of Dangerous Goods by Air Shipper Certification – Nov. 13 - 15, 2018**

See our Class Schedule for course descriptions, pricing and registration information.

## Traffic Safety Facts

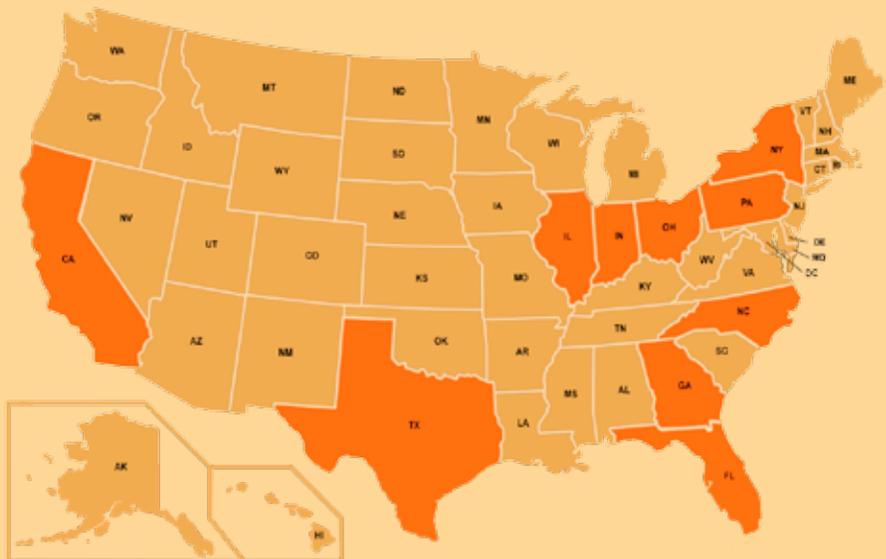
The Federal Motor Carrier Safety Administration (FMCSA) is dedicated to saving lives by preventing crashes involving commercial motor vehicles (CMVs). The following data is based on crash data from both FMCSA and the National Highway Traffic Safety Administration (NHTSA).

### 2016 CMV Related Fatalities by the Numbers:

- 37,461 lives lost on America's roadways in 34,439 fatal motor vehicle crashes.
- 4,564 lives lost in 4,079 crashes involving large trucks or buses; fatalities increased 5% from 2015, and fatal crashes increased 6%.
- Large truck occupants comprised 16% of all large truck and bus fatalities, a 4% increase from 2015.
- Large trucks and buses account for 12% of the traffic fatalities.



### Ten States with the Highest Average of Fatal Large Truck and Bus Crashes for 2014–2016



These ten states represent:

**51%** of fatal crashes involving at least one large truck or bus

**50%** of fatalities resulting from a crash involving at least one large truck or bus

**51%** of all Fatal Analysis Reporting System (FARS) fatal crashes

Source: FARS 2014-2016 data

### Large Truck Fatal Crash Data

At least **39%** of large truck occupants killed in crashes were not wearing a seatbelt

Speed was a factor in **17%** of truck crashes with at least one large truck occupant fatality

**61%** of fatal crashes involving a large truck occurred in rural areas

**27%** of fatal crashes in work zones involved a large truck

**6%** involved large truck driver distraction as a factor, of which 16% was related to cell phone use

Source: Large Truck Fatal Crash Data 2016

## Latest Happenings in the Federal Register

### GPS Mounting Exemption Now in Place



On August 22, 2018 (83 FR 42552) the Federal Motor Carrier Safety Administration (FMCSA) announced its decision to grant Traditional Trucking Corporation's (TTC) application for a limited 5-year exemption on behalf of motor carriers operating commercial motor vehicles (CMVs) to allow a Global Positioning System (GPS) device to be mounted on the interior of the windshield of a CMV within the areas allowed for "vehicle safety technology" devices. The Agency has determined that the placement of the GPS device in the windshield area would not have an adverse impact on safety, and that adherence to the terms and conditions of the exemption would achieve a level of safety equivalent to or greater than the level of safety provided by the regulation. The exemption would be for any carrier who wishes to mount a GPS device on the windshield within the area defined for "vehicle safety technology"—not more than 4 inches below the upper edge of the windshield wipers, and not more than 7 inches above the lower edge of the area swept by the windshield wipers and outside the driver's sight lines to the road and highway signs and signals. This would yield an equivalent level of safety for GPS devices as compared to those "vehicle safety technologies," and it would be a potentially safer location than lower in the CMV where the driver must take his/her eyes off the road to look at the location of his CMV on the GPS device. This exemption is effective August 22, 2018 and ending August 22, 2023.

### Renewal of Input for CMV Marking Requested

On August 15, 2018 (83 FR 40636) the Federal Motor Carrier Safety Administration (FMCSA) announced its plan to submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. This ICR will enable FMCSA to document the burden associated with the marking regulations in "Marking of Self-Propelled CMVs and Intermodal Equipment." These regulations require marking of vehicles and intermodal equipment by motor carriers and intermodal equipment providers (IEPs) engaging in interstate transportation. The FMCSA requests approval to renew an ICR titled, "Commercial Motor Vehicle Marking Requirements." Comments are requested by September 14, 2018. OMB must receive your comments by this date in order to act quickly on the ICR.

### National Hazardous Materials Route Registry Update

On August 9, 2018 (83 FR 39500), the Federal Motor Carrier Safety Administration (FMCSA) published a notice that provided revisions to the National Hazardous Materials Route Registry (NHMRR) as reported to FMCSA

as of March 31, 2018. The NHMRR is a listing, as reported by States and Tribal governments, of all designated and restricted roads and preferred highway routes for transportation of highway route controlled quantities (HRCQ) of Class 7 radioactive materials (RAM) (HRCQ/RAM) and non-radioactive hazardous materials (NRHMs). Applicable date for the revisions is August 9, 2018.

### Dry Storage and Transport of High Burnup Spent Nuclear Fuel

On August 9, 2018 (83 FR 39475) the U.S. Nuclear Regulatory Commission (NRC) issued for public comment a draft NUREG, NUREG-2224, "Dry Storage and Transportation of High Burnup Spent Nuclear Fuel." The draft NUREG provides technical background information applicable to high burnup spent nuclear fuel (HBU SNF), provides an engineering assessment of recent NRC-sponsored mechanical testing of HBU SNF, and proposes example approaches for licensing and certification of HBU SNF in transportation and dry storage. Submit comments on the draft NUREG-2224 by September 24, 2018. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

**STAY ALERT**

**30%**  
of fatal crashes  
in work zones  
involved at least  
**one large truck**

OurRoads@dot.gov

## Latest Happenings in the Federal Register (cont.)

### Open Forum on CMV Automated Driving Systems



On August 22, 2018 (83 FR 42456) the Federal Motor Carrier Safety Administration (FMCSA), announced a public listening session for Friday, August 24, 2018, to solicit information on issues relating to the design, development, testing, and integration of automated driving systems (ADS) equipped commercial motor vehicles (CMVs) on our Nation's roadways. The listening session is the third in a series held in 2018 with the first occurring on June 19 in Ann Arbor, MI, and the second occurring on July 12 in San Francisco, CA. The meeting will provide interested parties an opportunity to share their views on the FMCSRs as they relate to the development and safe integration of ADS. Attendees are also encouraged to share any data or analysis on this topic with Agency representatives. The meeting will be held on Friday, August 24, 2018, from 1:00 - 2:30 p.m. Central Daylight Time (CDT) at the Great American Trucking Show (GATS), Kay Bailey Hutchison Convention Center, 650 S Griffin Street, Dallas, TX 75202. If all interested participants have had an opportunity to comment, the session may conclude early. Oral comments from the public will be heard throughout the meeting. Members of the public may submit written comments to public docket referenced at the beginning of this notice using any of the following methods: Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments. Fax: 202-493-2251.



### Truck and Bus Maintenance Study

On July 16, 2018 (83 FR 32950), in accordance with the Paperwork Reduction Act of 1995, the Federal Motor Carrier Safety Administration (FMCSA), announced its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval and invites public comment. This new request titled "Truck and Bus Maintenance Requirements and Their Impact on Safety" will allow for a study that focuses on vehicle maintenance and aims to determine the impact of vehicle maintenance requirements on overall motor carrier safety. This information collection supports the DOT Strategic Goal of Safety. Comments must be received on or before September 14, 2018.

### Proposed SMS Enhancements Nixed

On June 29, 2015 and October 5, 2016, the Federal Motor Carrier Safety Administration (FMCSA) proposed enhancements to the Agency's Safety Measurement System (SMS) and published a preview version of the changes. However, the Fixing America's Surface Transportation Act (FAST Act) required the National Research Council of the National Academy of Sciences (NAS) to conduct a study of FMCSA's Compliance, Safety, Accountability (CSA) program and the Safety Measurement

System (SMS). NAS published their report titled, "Improving Motor Carrier Safety Measurement" on June 27, 2017. On July 16, 2018 (83 FR 32949) FMCSA announced that they will not complete the enhancements previously proposed and the preview is removed from the SMS website.



### 18- to 21-Year-Old Prior Military Drivers Pilot Program

On July 6, 2018 the Federal Motor Carrier Safety Administration (FMCSA) published two notices (83 FR 31631 and 83 FR 31633) that address the proposed pilot program of August 22, 2016 (81 FR 56745) regarding a pilot program to allow a limited number of individuals ages 18, 19, and 20 to operate commercial motor vehicles (CMVs) in interstate commerce, if they have received specified heavy-vehicle driver training while in military service and were hired by a participating motor carrier. The first notice (83 FR 31631) is a 60-day notice of proposed information collection for the pilot program and the second notice (83 FR 31633) provides the details of the pilot program and responds to comments received in response to the August 22, 2016 notice. Comments for the pilot program must be received on or before September 4, 2018.

## Latest Happenings in the Federal Register (cont.)

### Comments Requested on RCRA Wastes

On July 3, 2018 (83 FR 31139) the Environmental Protection Agency (EPA) made notice that it plans to submit the information collection request (ICR) Requirements and Exemptions for Specific RCRA Wastes (Renewal) (EPA ICR No. 1597.12, OMB Control No. 2050-0145) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). Before doing so, the EPA is soliciting public comments on specific aspects of the proposed information collection. This is a proposed extension of the ICR, which is currently approved through October 31, 2018. Comments must be submitted on or before September 4, 2018.



### Childhood Lead Poisoning

On July 2, 2018 (83 FR 30889) the Environmental Protection Agency addressed childhood lead exposure as a priority for EPA in a proposed rule. As part of EPA's efforts to reduce childhood lead exposure, EPA evaluated the current dust-lead hazard standards (DLHS) and the definition of lead-based paint (LBP). Based on this evaluation, EPA is proposing to lower the DLHS from 40  $\mu\text{g}/\text{ft}^2$  and 250  $\mu\text{g}/\text{ft}^2$  to 10  $\mu\text{g}/\text{ft}^2$  and 100  $\mu\text{g}/\text{ft}^2$  on floors and window sills, respectively. EPA is proposing no changes to the current definition of LBP due to insufficient information to support such a change.



### CDL Class B to Class A Upgrade

On June 29, 2018 (83 FR 30668) Federal Motor Carrier Safety Administration (FMCSA), proposed to amend the entry-level driver training (ELDT) regulations published on December 8, 2016, titled "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" by adopting a new Class A theory instruction upgrade curriculum to reduce the training time and costs incurred by Class B commercial driver's license (CDL) holders upgrading to a Class A CDL. This NPRM does not propose any changes to behind-the-wheel (BTW) training requirements set forth in the ELDT final rule. This proposal would be a deregulatory action as defined by Executive Order (E.O.) 13771, "Reducing Regulation and Controlling Regulatory Costs." The Agency believes that this modest change in the Class A theory training requirements for Class B CDL holders upgrading to a Class A CDL would maintain the same level of safety established by the ELDT final rule.

### Updates and Corrections to 10 CFR

On June 28, 2018 (83 FR 30285) the Nuclear Regulatory Commission (NRC) amended its regulations in a finale rule to make miscellaneous administrative updates and corrections. The amendments update descriptions of agency organization and functions, correct cross-reference, typographical and grammatical errors, and add clarifying language. This document is necessary to inform the public of these non-substantive amendments in 10 CFR Parts 1 - 140. This final rule is effective on July 30, 2018.

### Medical Examiner's Certification Integration Delayed

On June 21, 2018 (83 FR 28774) the Federal Motor Carrier Safety Administration (FMCSA) amended its regulations to delay the compliance date from June 22, 2018, to June 22, 2021, for several provisions of its April 23, 2015 Medical Examiner's Certification Integration final rule. This action is being taken to provide FMCSA additional time to complete certain information technology (IT) system development tasks for its National Registry of Certified Medical Examiners (National Registry) and provide the State Driver's Licensing Agencies (SDLAs) sufficient time to make the necessary IT programming changes after upgrades to the National Registry. Effective Date: This interim final rule was effective June 21, 2018.



**Back to School  
DRIVE SAFELY!**



## Class Schedule September 2018 – December 2018

Course	Date	Location
Federal Motor Carrier Safety Regulations for Drivers	Sept. 5, 2018	Richland, WA
Hazardous Material General Awareness Transportation Training	Sept. 6, 2018	Richland, WA
Federal Motor Carrier Safety Regulations for Managers & Supervisors	Sept. 11-12, 2018	Richland, WA
Advanced Radioactive Material Shipper Certification Training	Sept. 11-13, 2018	West Homestead, PA
Reasonable Suspicion Training for Supervisors	Sept. 13, 2018	Richland, WA
Load Securement for Drivers and Traffic Personnel	Sept. 17, 2018	Richland, WA
Advanced Hazardous Waste Shipper Certification Training	Sept. 18-20, 2018	Richland, WA
Advanced Radioactive Material Shipper Certification Training	Sept. 18-20, 2018	Las Vegas, NV
Hazardous Material General Awareness Transportation Training	Sept. 19, 2018	Richland, WA
Basic Level Transportation Training – Module 1 – Basic Hazardous Material	Sept. 24-25, 2018	Las Vegas, NV
Basic Level Transportation Training – Module 2 – Basic Hazardous Waste	Sept. 26, 2018	Las Vegas, NV
Basic Level Transportation Training – Module 3 – Basic Radioactive Material	Sept. 26-27, 2018	Las Vegas, NV
Advanced Radioactive Material Shipper Certification Training	Sept. 25-27, 2018	Livermore, CA
Advanced Hazardous Waste Shipper Certification Training	Sept. 25-27, 2018	Albuquerque, NM
Hazardous Material General Awareness Transportation Training	Oct. 3, 2018	Richland, WA
Federal Motor Carrier Safety Regulations for Drivers	Oct. 9, 2018	Richland, WA
Advanced Radioactive Material Shipper Certification Training	Oct. 9-11, 2018	Albuquerque, NM
Load Securement for Drivers and Traffic Personnel	Oct. 10, 2018	Richland, WA
Hazardous Material General Awareness Transportation Training	Oct. 16, 2018	Richland, WA
IATA: Transportation of Dangerous Goods by Air Shipper Certification Training	Oct. 16-18, 2018	Richland, WA
Advanced Radioactive Material Shipper Certification Training	Oct. 23-25, 2018	Richland, WA
Hazardous Material General Awareness Transportation Training	Oct. 25, 2018	Richland, WA
Advanced Mixed Waste Shipper Certification Training	Oct 29-Nov 1, 2018	Richland, WA
Load Securement for Drivers and Traffic Personnel	Oct. 31, 2018	Richland, WA
Hazardous Materials Drivers Training	Nov. 1, 2018	Richland, WA
Advanced Mixed Waste Shipper Certification Training	Nov. 5-8, 2018	Albuquerque, NM
Federal Motor Carrier Safety Regulations for Drivers	Nov. 7, 2018	Richland, WA
Explosives Training for Shippers	Nov. 7, 2018	Livermore, CA
Explosives Training for Shippers	Nov. 13, 2018	Richland, WA
IATA: Transportation of Dangerous Goods by Air Shipper Certification Training	Nov. 13-15, 2018	Livermore, CA
Hazardous Material General Awareness Transportation Training	Nov. 14, 2018	Richland, WA
Load Securement for Drivers and Traffic Personnel	Nov. 15, 2018	Richland, WA
Advanced Mixed Waste Shipper Certification Training	Nov. 26-29, 2018	Las Vegas, NV

\*\*Class dates and locations are subject to change\*\*

