

## Contractors Transportation Management Association (CTMA) Conference 2019



The Contractors Transportation Management Association (CTMA) held their annual conference May 13-16 in Knoxville, TN. There were several booths hosted by packaging and transportation contractors. Atkins hosted a booth and Brad Scott also gave a presentation on Recent Letters of Interpretation from the DOT. Presentations were delivered on both Tuesday and Wednesday offering valuable and interesting information.

Next year's conference is scheduled for May 26-29, 2020 in San Diego, CA.

Recent Letters of Interpretation (LOI) presentation included the following:

Abbreviations are allowed but limited to accepted and recognizable  
LOI #18-0068

Determining the gross weight when Hazardous and Non-Hazardous are in the same package LOI #18-0094

It is the shippers responsibility to classify HazMat for transportation  
LOI #18-0088

Determining which ID number to use when transporting multiple distillate fuels  
LOI #18-0023

If a hazardous material is no longer hazardous, don't identify it as such  
LOI #18-0111

Updating information on a packaging when it is recertified LOI #18-0107

Shipping paper access when permanently attached LOI #18-0083

Determining the number of packages to enter on the shipping paper  
LOI #18-0027

Markings and Shipping Paper entries for ID numbers should match  
LOI #18-0096

## Move Over. It's the Law

If your car has ever broken down or had a flat tire, leaving you stranded on the side of a road, you know how dangerous and unnerving it can be. Cars and trucks speeding by just inches away leaves too little margin for error and could so easily result in a disastrous crash. Police, fire, EMT's, as well as, tow truck drivers, highway workers, utility workers and others – face this peril every day.

More than 150 law enforcement officers have been killed since 1997 after being struck by vehicles along America's highways. Already in 2019, responder fatalities include 7 law enforcement officers. From 2007 to 2017, 39 percent of law enforcement officers killed in the line of duty were lost in traffic-related incidents. Many have been seriously injured. This is a tragedy and completely preventable.

**When you see a first responder or other vehicle with flashing lights, please slow down, move over, and give them space to stay safe.** "Move Over" is not only the law in all fifty states, but is also the courteous thing to do.

The National Highway Traffic Safety Administration will continue to raise awareness of this important issue through its ongoing safety campaign: Move Over. It's the Law.

Posted by U.S. Secretary of Transportation Elaine L. Chao





## Hands-Free Devices Do Not Eliminate the Danger of Cell Phone Use While Driving

Hands-free devices are often seen as a solution to the dangers of cell phone use while driving. They eliminate the need to look away from the road as well as the need to remove the hands from the steering wheel. However, they do not eliminate cognitive distraction. People typically do not recognize cognitive distraction and do not quickly take measures to end the distraction. This may explain why studies have not found a safety benefit to hands-free devices.

According to a study conducted by Carnegie Mellon University, activity in the parietal lobe, the area of the brain that processes movement of visual images decreases by as much as **37%** when listening to language. Drivers can miss seeing up to **50%** of their surroundings,

including red lights and pedestrians. They look but don't see. This phenomenon is known as "**inattention blindness**" or cognitive distraction.

This may be due to the way our brains compensate for receiving too much information by not sending some visual information to the working memory. When this happens drivers are not aware of the filtered information and cannot act on it.

Drivers talking on hands-free cell phones demonstrate a lack of ability to allocate attention to the most important information. They miss visual cues critical to safety and navigation. They tend to miss exits, go through red lights and stop signs and miss important navigational signage.

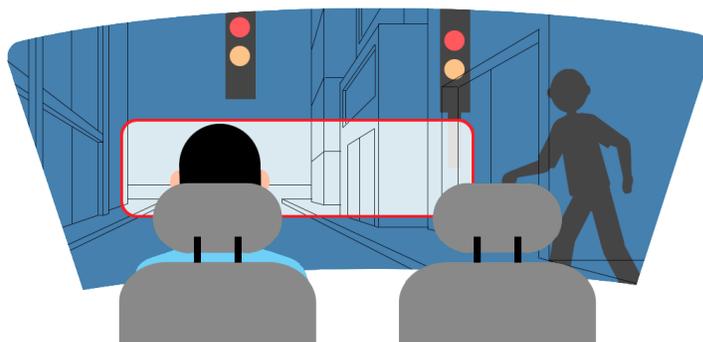
The danger of inattention blindness is that when a driver fails to notice events in the driving environment, either at all or

too late, it's impossible to execute a safe response such as a steering maneuver or braking to avoid a crash.

A study by Transport Canada's Ergonomics Division showed that drivers using hands-free cell phones looked less at the periphery, reduced visual monitoring of instruments and mirrors and some even abandoned those tasks. At intersections the drivers checked traffic lights and surrounding traffic less often, while some didn't even look at traffic signals.

Additional studies show delayed response and reaction times as well as problems staying in the driving lane.

Remember. Driving while talking on cell phones - handheld and hands-free - increases the risk of injury and property damage crashes fourfold.



National Safety Council, "Understanding the Distracted Brain", White Paper, April 2012

## Latest Happenings in the Federal Register

### Insulin-Treated Diabetes Exemption Withdrawn



On February 21, 2019 (84 FR 5549) the Federal Motor Carrier Safety Administration (FMCSA) withdrew its September 3, 2003, notice concerning exemptions for certain individuals with insulin-treated diabetes mellitus (ITDM) and its November 8, 2005, revision. This action is in response to the Qualifications of Drivers; Diabetes Standard final rule, published on September 19, 2018, which revised the physical qualifications standard for ITDM individuals who wish to operate commercial motor vehicles (CMVs) in interstate commerce. The revised standard allows certified medical examiners, in consultation with the treating clinician, to evaluate and determine whether to grant an ITDM individual a medical examiner's certificate (MEC) to drive a CMV in interstate commerce. FMCSA has determined, therefore, that an exemption program for ITDM individuals is no longer necessary.

### CDL Upgrade From Class B to Class A

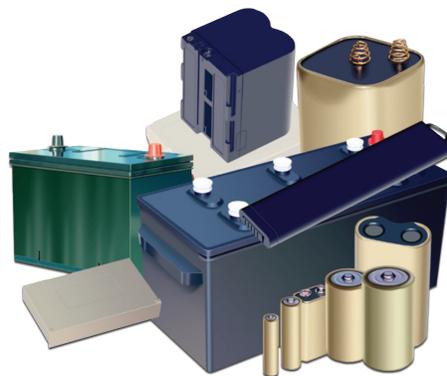


**F M C S A**  
Federal Motor Carrier Safety Administration

On March 6, 2019 (84 FR 8029) the Federal Motor Carrier Safety Administration (FMCSA) amended the entry-

level driver training (ELDT) regulations published on December 8, 2016, titled "Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators" (ELDT final rule), by adopting a new Class A CDL 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 final rule does not change the regulatory text proposed in the Notice of Proposed Rulemaking (NPRM). 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 maintains the same level of safety established by the ELDT final rule, and the regulatory burden reduction will result in annualized cost savings of \$18 million. This final rule was effective May 6, 2019. The compliance date for this final rule is February 7, 2020.

### Interim Final Rule (IFR) Lithium Batteries



PHMSA issues this interim final rule (IFR) to revise the Hazardous Materials Regulations for lithium cells and batteries transported by aircraft. This IFR prohibits the transport of lithium ion cells and batteries as cargo on passenger aircraft; requires lithium ion cells and batteries to be shipped at not more than a 30 percent state of charge aboard cargo-only aircraft when not packed with or con-

tained in equipment; and limits the use of alternative provisions for small lithium cell or battery shipments to one package per consignment. This IFR does not restrict passengers or crew members from bringing personal items or electronic devices containing lithium cells or batteries aboard aircraft, or restrict cargo-only aircraft from transporting lithium ion cells or batteries at a state of charge exceeding 30 percent when packed with or contained in equipment or devices.

### Input Requested on Fueling Auxiliary Equipment

On March 28, 2019 (84 FR 11862) the Federal Motor Carrier Safety Administration (FMCSA) requested public comment on Charles Machine Works, Inc.'s (CMW) application for an exemption from the Agency's prohibition against the use of gravity or syphon-fed fuel systems for auxiliary equipment installed on or used in connection with commercial motor vehicles (CMVs) not operating on the highway. CMW believes that the use of gravity or syphon-fed fuel systems for auxiliary equipment that operates only when the CMV is parked would maintain a level of safety that is equivalent to, or greater than, the level that it would achieve without the requested exemption. The exemption would permit CMW and all other CMV operators to utilize auxiliary equipment with gravity fed fuel systems when the CMV is not operating on the highway.

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

### EPA Proposes Changes to RCRA Test Methods

On April 2, 2019 (84 FR 12539) the Environmental Protection Agency (EPA or the Agency) proposed to update the regulations for the identification of ignitable hazardous waste under the Resource Conservation and Recovery Act (RCRA) and to modernize the RCRA test methods that currently require the use of mercury thermometers. These proposed revisions would provide greater clarity to hazardous waste identification, provide flexibility in testing requirements, improve environmental compliance, and, thereby, enhance protection of human health and the environment.

### Renewal of ICR on Motor Carrier Identification

The Federal Motor Carrier Safety Administration (FMCSA) announced its plan on April 24, 2019 (84 FR 17232) to submit the Information Collection Request (ICR) described in 84 FR 17232 to the Office of Management and Budget (OMB) for its review and approval and invites public comment. FMCSA requested renewal of an ICR titled, "Motor Carrier Identification Report," which is used to identify FMCSA regulated entities, help prioritize the agency's activities, aid in assessing the safety outcomes of those activities, and for statistical purposes. On April 26, 2016, OMB approved a revision to this collection. As a

result of the revision, which is continued in this renewal, all entities needing to file registration and biennial update information to FMCSA will use Form MCS-150 or MCS-150B to submit their information. Form MCS-150 or MCS-150B will also be used by a small number of Mexico-domiciled carriers that seek authority to operate beyond the United States municipalities on the United States-Mexico border and their commercial zones. This ICR is necessary to ensure regulated entities are registered with the DOT.

### U.S. Transportation Secretary Elaine L. Chao Announces Advisory Committee on the Safe Transportation of Lithium Batteries



The U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) today announced that it is soliciting nominees for a new Lithium Battery Safety Advisory Committee, in accordance with Section 333(d) of the FAA Reauthorization Act of 2018.

"The Department is seeking experts from diverse technical and transportation backgrounds to evaluate safety improvements for the transportation of lithium batteries," said U.S. Secretary of Transportation Elaine L. Chao.

The Committee will provide a forum for the Department to solicit stakeholder input to continually strengthen the safety of multimodal lithium battery transportation. PHMSA is seeking nominations from across the transportation and manufacturing industries to participate.

Further, the Committee will advise the Department on developing policy positions for international forums and on how to increase awareness of the importance of lithium battery safety requirements. The Committee will submit their findings to both the Secretary and Congress.

## Class Schedule June 2019 – August 2019

Course	Date	Location
Advanced Mixed Waste Shipper Certification Training	June 3-6, 2019	Richland, WA
Hazardous Materials Drivers Training	June 4, 2019	Richland, WA
Hazardous Material General Awareness Transportation Training	June 6, 2019	Richland, WA
Federal Motor Carrier Safety Regulations for Managers & Supervisors	June 11-12, 2019	Richland, WA
Reasonable Suspicion Training for Supervisors	June 13, 2019	Richland, WA
Load Securement for Drivers and Traffic Personnel	June 19, 2019	Richland, WA
Hazardous Material General Awareness Transportation Training	June 26, 2019	Richland, WA
Federal Motor Carrier Safety Regulations for Drivers	June 27, 2019	Richland, WA
Load Securement for Drivers and Traffic Personnel	July 3, 2019	Richland, WA
Basic Level Transportation Training – Mod 1 – Basic Hazardous Material	July 8-9, 2019	Albuquerque, NM
Basic Level Transportation Training – Mod 2 – Basic Hazardous Waste	July 10, 2019	Albuquerque, NM
Basic Level Transportation Training – Mod 3 – Basic Radioactive Material	July 10-11, 2019	Albuquerque, NM
IATA: Transportation of Dangerous Goods by Air Shipper Cert. Training	July 9-11, 2019	Las Vegas, NV
Basic Level Transportation Training – Mod 1 – Basic Hazardous Material	July 15-16, 2019	Las Vegas, NV
Basic Level Transportation Training – Mod 2 – Basic Hazardous Waste	July 17, 2019	Las Vegas, NV
Basic Level Transportation Training – Mod 3 – Basic Radioactive Material	July 17-18, 2019	Las Vegas, NV
Basic Level Transportation Training – Mod 1 – Basic Hazardous Material	July 22-23, 2019	Richland, WA
Basic Level Transportation Training – Mod 2 – Basic Hazardous Waste	July 24, 2019	Richland, WA
Basic Level Transportation Training – Mod 3 – Basic Radioactive Material	July 24-25, 2019	Richland, WA
Advanced Radioactive Material Shipper Certification Training	July 30-Aug 1, 2019	Richland, WA
Federal Motor Carrier Safety Regulations for Drivers	August 6, 2019	Richland, WA
Advanced Hazardous Material Shipper Certification Training	August 6-7, 2019	Albuquerque, NM
Hazardous Materials Drivers Training	August 7, 2019	Richland, WA
Explosives Training for Shippers	August 8, 2019	Albuquerque, NM
Hazardous Material General Awareness Transportation Training	August 13, 2019	Richland, WA
Advanced Hazardous Material Shipper Certification Training	August 13-14, 2019	Richland, WA
Explosives Training for Shippers	August 15, 2019	Richland, WA
Advanced Hazardous Material Shipper Certification Training	August 20-21, 2019	Las Vegas, NV
Load Securement for Drivers and Traffic Personnel	August 21, 2019	Richland, WA
Explosives Training for Shippers	August 22, 2019	Las Vegas, NV
Federal Motor Carrier Safety Regulations for Drivers	August 28, 2019	Richland, WA

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

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