



HOURS OF SERVICE CHANGES

There have been significant changes to the hours-of-service rules that would increase truck drivers' flexibility while on duty. Among these are five key changes on how drivers could use the 30-minute rest break rule and the ability to split the 10-hour required off-duty time into two periods. Also includes, expanding the short-haul air-mile radius from 100 to 150 air miles, extending the short-haul duty period from 12 to 14 hours, modifying the 30-minute rest break to only apply after 8 hours of driving, the creation of an "adverse driving" provision, the ability to stop the 14-hour clock, and options for drivers to split their time, commonly referred to as a split-sleeper-berth provision.



Bob Esposito
Sr. VP of Risk
Management

The five changes are:

1. Flexibility for the 30-minute break rule
2. Changing to the short-haul exception
3. Modifying the sleeper-berth exception
4. Allowing one off-duty break of at least 30 minutes
5. Modifying the adverse driving conditions exception

OPERATION SAFE DRIVER WEEK

On September 2, 2020, CVSA released the results of the 2020 Operation Safe Driver week. Law enforcement observed 66,421 drivers engaging in unsafe driver behaviors on roadways from July 12 -18, 2020. 71,343 warning and citations were issued in a driver-focused safety initiative aimed at curbing dangerous driver behaviors through interactions with law enforcement.

Traffic enforcement violations include unsafe driving behaviors such as speeding, distracted driving, following too closely, improper lane change, failure to wear a seat belt, etc.

Enforcement officials interacted with 29,921 commercial motor vehicle drivers and 36,500 passenger vehicle drivers during the Operation Safe Driver Week.

Commercial motor vehicle drivers were issued 6,077 warnings and 4,659 citations. The top five traffic enforcement citations given to commercial motor vehicle drivers were:

- Speeding – 3,423 warnings and 2,339 citations
- Failure to use a seat belt while operating a commercial motor vehicle
- Failure to obey a traffic control device
- Using a hand-held phone / texting
- Improper lane change

Analyzing the comparative data, passenger vehicle drivers received nearly three times as many warning and citations as commercial motor vehicle drivers.

Speed-related offenses was the top traffic enforcement violation for both type of drivers however the passenger vehicle drivers were cited for speeding more than six times as much as commercial motor vehicle drivers.



Sally Butcher
Safety Consultant

Information provided is advisory in nature. Final decisions regarding policy changes or risk strategies must be made using trusted and various sources.



Sean Alexander
Risk Manager

DOT AUDIT / INTERVENTION SELECTION

CSA Scores – It is believed that 90% of all DOT audits and interventions are due to high CSA scores. More specifically, two or more alerts in the SMS (Safety Measurement System). These scores are updated on a monthly basis, so it is imperative that carriers have someone assigned to monitor these scores and be prepared to address any upward trend that may be noticed. Keep in mind that the number of qualified officers certified to perform these audits is far outnumbered by the number of registered carriers. So, just because you have two or more alerts doesn't necessarily mean an audit is imminent. However, you must be prepared at all times.

Fatal Accidents – If one of your vehicles is involved in a crash resulting in a fatality you may be subject to an audit. Remember, fault does not usually matter in these cases. Be prepared for a complete audit not just an intervention. You must have procedures in place for fatality accidents as they may occur at anytime. Failure to do so may catch your company off-guard resulting in serious fines and a decrease in your safety rating.

Legitimate Complaints – There are a number of complaints that are received from a number of sources. These complaints are reviewed and analyzed for accuracy. If a complaint on your company is determined to be legitimate, the auditor may call upon you. More than likely only the nature of the complaint will be the focus of the audit. However, this is not always the case as other items may be discovered and reviewed during this audit.

Update – The agency in May issued a pandemic-related regulatory guidance that allows offsite audits to determine carriers' safety rating – Satisfactory, Conditional or Unsatisfactory. Previously, regulations required FMCSA to conduct an onsite compliance review to issue and Unsatisfactory rating. That change has allowed the agency to conduct comprehensive safety review of fleets remotely instead of in-person, leading to a spike in offsite audits. *Source: Commercial Carrier Journal (CCJ)*

AP TRANSPORTATION WEBINARS

Nuclear Verdicts:
A look from every angle -
featuring Doug Marcello
10/13/20 1pm EST

APT hosts LegalShield:
Introduction of the
Commercial Driver Legal Plan
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SAFETY
NEWSLETTER

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