



# Specialized Transportation Regulatory Update

CHRIS NELSON

# Specialized Transportation Program



***Chris Nelson –  
Program Manager, Specialized Trans. Program***

Chris is the Program Manager for Specialized Transportation at NBIS with over 20 years of experience in Transportation operations, safety/regulatory management, leadership and product development. Chris is an active member of the Specialized Carriers & Rigging Association (SC&RA), and serves on several committees and is also on the Board of Directors for the Trucking Industry Defense Association (TIDA).

# Industry Issue Rankings



Table 3: Top Industry Issue Rankings, 2009 – 2018

	Issue Rank									
	1	2	3	4	5	6	7	8	9	10
2018	Driver Shortage	Hours-of-Service	Driver Retention	ELD Mandate	Truck Parking	CSA	Driver Distraction	Infrastr./ Congestion/ Funding	Driver Health/ Wellness	Economy
2017	Driver Shortage	ELD Mandate	Hours-of-Service	Truck Parking	Driver Retention	CSA	Cumulative Impacts of Regs.	Driver Distraction	Infrastr./ Congestion/ Funding	Driver Health/ Wellness
2016	ELD Mandate	Hours-of-Service	Cumulative Impacts of Regs.	Truck Parking	Economy	CSA	Driver Shortage	Driver Retention	Infrastr./ Congestion/ Funding	Driver Distraction
2015	Hours-of-Service	CSA	Driver Shortage	Driver Retention	Truck Parking	ELD Mandate	Driver Health/ Wellness	Economy	Infrastr./ Congestion/ Funding	Driver Distraction
2014	Hours-of-Service	Driver Shortage	CSA	Driver Retention	ELD Mandate	Truck Parking	Infrastr./ Congestion/ Funding	Driver Health/ Wellness	Economy	<b>Driver Distraction</b>
2013	Hours-of-Service	CSA	Driver Shortage	Economy	ELD Mandate	Truck Parking	Driver Retention	Fuel Supply/ Fuel Prices	Infrastr./ Congestion/ Funding	Driver Health/ Wellness
2012	CSA	Hours-of-Service	Economy	Driver Shortage	Fuel Supply/ Fuel Prices	<b>ELD Mandate</b>	Driver Retention	<b>Truck Parking</b>	<b>Driver Health/ Wellness</b>	Congestion/ Truck Bottlenecks
2011	Economy	Hours-of-Service	Driver Shortage	CSA	Fuel Issues	Congestion	Transportation Funding	Tort Reform	Onboard Truck Technology	Truck Size and Weight
2010	Economy	CSA	Government Regulation	Hours-of-Service	Driver Shortage	Fuel Issues	Transportation Funding/ Infrastr.	Onboard Truck Technology	Environmental Issues	Truck Size and Weight
2009	Economy	Government Regulation	Fuel Issues	Congestion/ Highway Infrastr.	Hours-of-Service	Commercial Driver Issues	Environmental Issues	Tolls/ Highway Funding	<b>Truck Size and Weight</b>	Onboard Truck Technology

Note: **Bold** indicates first year in top ten.



# Pending HOS Changes

The four specific areas under consideration for revision are:

- Expanding the current 100 air-mile “short-haul” exemption from 12 hours on-duty to 14 hours on-duty, in order to be consistent with the rules for long-haul truck drivers;
- Extending the current 14-hour on-duty limitation by up to two hours when a truck driver encounters adverse driving conditions;
- Revising the current mandatory 30-minute break for truck drivers after 8-hours of continuous driving; and
- Reinstating the option for splitting up the required 10-hour off-duty rest break for drivers operating trucks that are equipped with a sleeper-berth compartment.

# CSA Timeline



# CSA Current Model



5 Safety Event Groups

CSA BASIC MEASURE

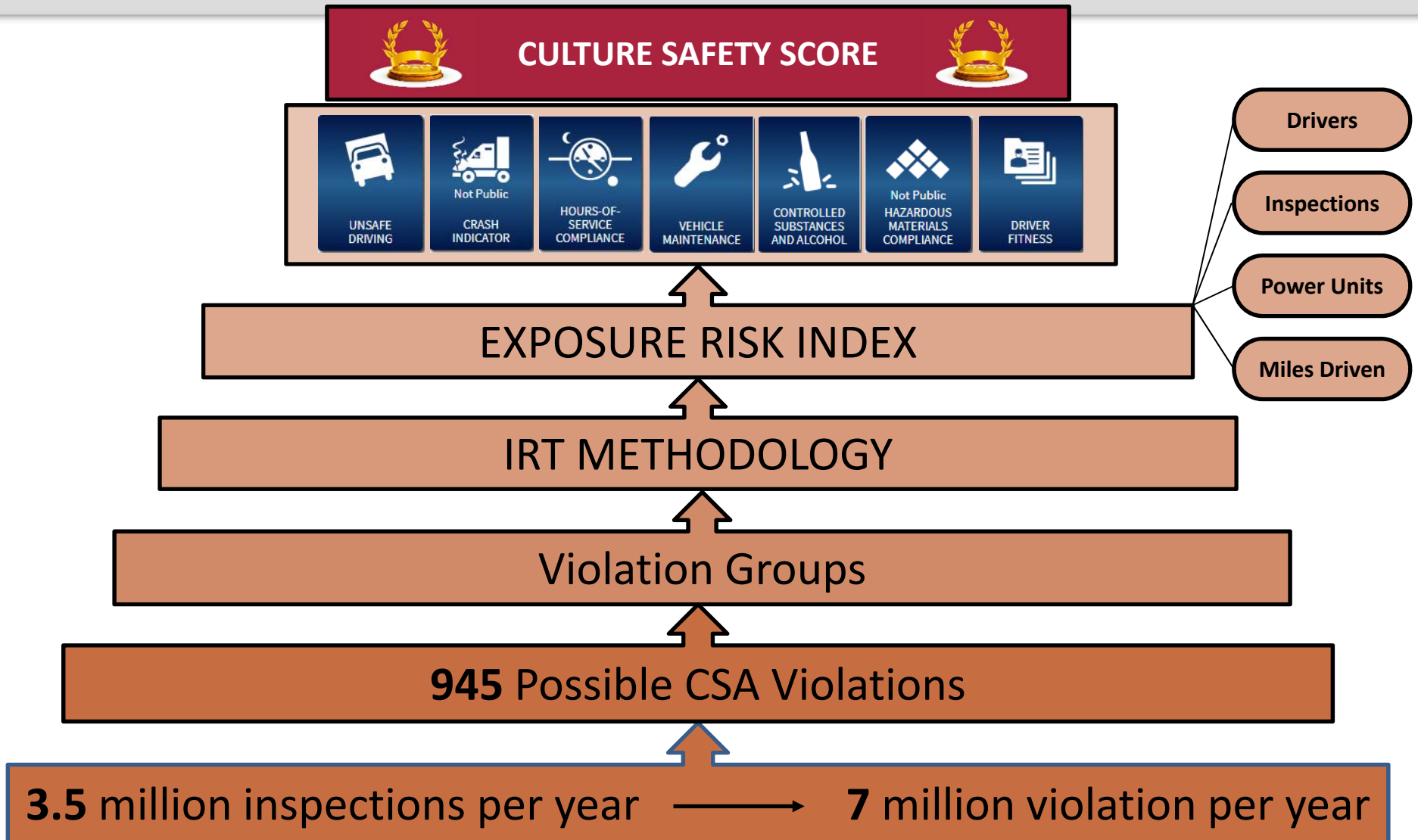
~ **43,399,937** CSA Points in the last 24 months

Severity (1-10) + OOS (2) x Time (1, 2, 3)

**945** Possible CSA Violations

**3.5** million inspections per year → **7** million violation per year

# CSA/IRT Future Model



# Personal Conveyance

Here are five changes, in no particular order, you should be aware of:

1. The movement from a shipper or receiver to the nearest safe resting area may be identified as personal conveyance, regardless of whether the driver exhausted his or her HOS, as long as the CMV is being moved solely to enable the driver to obtain the required rest at a safe location.
2. Personal conveyance is an off-duty status. Therefore, there are no impacts to the 11- or 14-hour limitations for truck drivers, the 10- or 15-hour limitations for bus drivers, the 60/70-hour limitations, the 34-hour restart provisions, or any other on-duty status.
3. If a Federal, State or local law enforcement official requires a driver to relocate the CMV during the 10-hour break period for truck drivers or the 8-hour break period for bus drivers, personal conveyance may be used to document the movement
4. The driver is not required to return to the previous on-duty location. A driver may resume on-duty status immediately after an off-duty status regardless of the location of the CMV.
5. Enhancing operational readiness (which is prohibited under personal conveyance) includes on-duty movement of a CMV that provides a commercial benefit to the motor carrier. For example, if the movement places the load closer to the destination, it may not be considered personal conveyance, except under circumstances outlined specifically in the examples provided in the guidance.





# FMCSA CDL Drug and Alcohol Clearinghouse

United States Department of Transportation

About DOT | Our Activities | Areas of Focus

**FMCSA**  
Federal Motor Carrier Safety Administration

**DRUG & ALCOHOL  
CLEARINGHOUSE**

## COMING SOON

### Commercial Driver's License Drug and Alcohol Clearinghouse

The Clearinghouse will improve highway safety by helping employers, FMCSA, State Driver Licensing Agencies, and State law enforcement to quickly and efficiently identify drivers who are not legally permitted to operate commercial motor vehicles (CMVs) due to drug and alcohol program violations. This secure online database will provide access to real-time information, ensuring that drivers committing these violations complete the necessary steps before getting back behind the wheel, or performing any other safety-sensitive function.

**Get News and Updates about the Clearinghouse**  
Subscribe here to receive emails from FMCSA with news, updates, and information to help you prepare to use the Clearinghouse.

Subscribe

Visit <https://clearinghouse.fmcsa.dot.gov> to learn more and to subscribe to receive email updates about the Clearinghouse from FMCSA, including when registration opens later this year.

# DOT-Specific Employment Application

**DRIVER'S APPLICATION FOR EMPLOYMENT**

Applicant Name (print) \_\_\_\_\_ Date of Application \_\_\_\_\_  
Company \_\_\_\_\_ State \_\_\_\_\_ To \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_

In compliance with Federal and State equal employment opportunity laws, qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, age, marital status, veteran status, non-pa related disability, or any other protected group status.

**TO BE READ AND SIGNED BY APPLICANT**

I understand that information I provide regarding current and/or previous employers may be used, and those employer(s) will be contacted, for the purpose of investigating my ability performance history as required by 49 CFR 391.23(d) and (e). I understand that I have the right to:

- Review information provided by previous employers.
- Have errors in the information corrected by previous employer and corrected information to the prospective employer.
- Have a rebuttal statement attached to the alleged erroneous information, if the previous employer(s) and I cannot agree on the accuracy of the information.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**FOR COMPANY USE**

APPLICANT HIRED \_\_\_\_\_ REJECTED \_\_\_\_\_  
DATE EMPLOYED \_\_\_\_\_ POINT EMPLOYED \_\_\_\_\_  
DEPARTMENT OF RECORDS, SUMMARY REPORT OF REASONS SHOULD BE PLACED IN FILE \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_  
SIGNATURE OF INTERVIEWING OFFICER \_\_\_\_\_

<https://www.regulations.gov/comment?D=FMCSA-2018-0247-0001>

# Drug & Alcohol Testing

A4

Friday, March 1, 2019

## Opinion

Kathy Springberg, general manager

Dan Kitkowski, editor

EagleHerald  
www.ehextra.com

### An opening to legalize medical marijuana

The use of medical marijuana — marijuana prescribed by a physician — has been shown to have substantial benefit for patients with cancer, glaucoma, Alzheimer's disease, epilepsy and multiple sclerosis, among other conditions.

Gov. Tony Evers is proposing to legalize medical marijuana in his budget proposal, the Wisconsin State Journal reported Feb. 17. Evers, the former state schools chief, also wants to decriminalize possessing, manufacturing or distributing of up to 25 grams of recreational pot for personal use.

Evers argues it's time for Wisconsin to join more than 30 other states — including neighboring Michigan, Minnesota and Illinois — in legalizing medical mari-

#### GUEST OPINION The Journal Times Racine, Wisconsin

juana. Wisconsin voters in 16 counties and two cities voted in November to approve non-binding referendums in favor of medical marijuana, the Associated Press reported Thursday.

But Assembly Speaker Robin Vos, R-Rochester, called the Evers proposal a "very difficult sell." He said a medical marijuana legalization plan had about a 40 percent chance of passing, but that he thought he could get it to 50 percent. The plan Evers put forward only has a 10 percent chance with skeptical Republicans, Vos said.

The issue would appear to

be linking medical marijuana with recreational marijuana.

"There is no chance Republicans are going to go to recreational marijuana," Vos said Thursday at the WisPolitics.com luncheon in Madison. "They're not going to decriminalize it so people can carry around bags of weed all over the state."

Vos called that idea "so preposterous, because that is so far out of the mainstream, it makes the entire proposal not serious."

We're not as sure it's that far out of the mainstream, given the support shown for medical marijuana (84.8 percent in Racine County, 87.7 percent in the City of Racine) and recreational marijuana (59.4 percent in the county, 66.3 percent in the city) in the Nov. 6 local advisory referendums.

But one of the reasons Vos keeps getting elected Assembly speaker, we presume, is that he knows how to read the room. In his case, the room is the Assembly chamber, and if he says there is "no chance" the Republican majority will go for recreational marijuana, we're inclined to agree with his assessment.

There is, however, an opportunity for legalization of medical marijuana. Republican legislators were clearly moved by the story of Lydia Schaeffer, the little Burlington girl who suffered from severe seizures which were reduced in severity by cannabidiol, also known as CBD oil, which is derived from marijuana. Gov. Scott Walker signed a bill legalizing CBD oil in 2014. So it's not as if Republicans in the Legislature are immovable on medical uses for marijuana.

We're in favor of the legalization of medical marijuana, provided there are strict guidelines for physicians with regard to prescribing it. Unless recreational marijuana is legalized, we don't want to see recreational users attempting an end run around a medical-marijuana law by seeking a doctor's help. You shouldn't be able to get a doctor to prescribe medical marijuana for a stubbed toe; if there aren't going to be strict guidelines for medical prescriptions, marijuana may as well be legalized entirely.

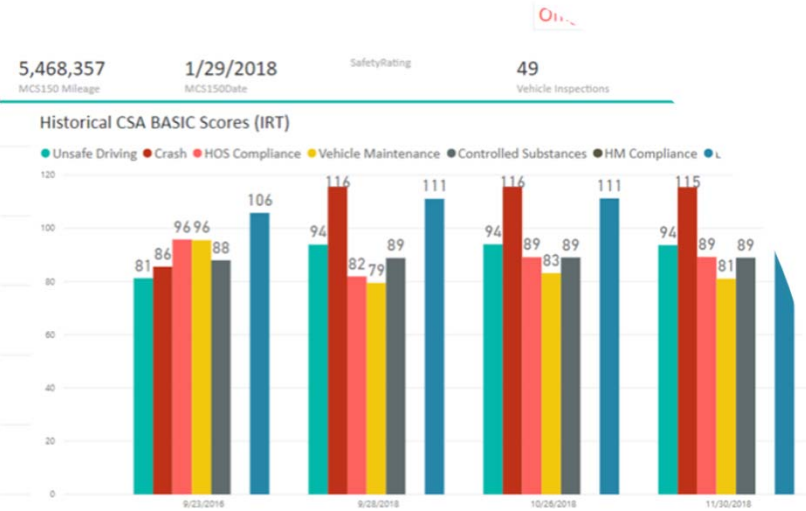
The political climate in Madison isn't right for recreational marijuana, but there appears to be an opening to make medical marijuana legal in Wisconsin. We'd like to see the chemo patients and those with chronic pain get help first.

<https://www.fmcsa.dot.gov/faq/does-legalization-use-and-possession-marijuana-state-or-other-country-has-d>



NationsBuilders Insurance Services

# Closing



## So what's next?

- Stay informed
- NBIS Policyholders can access their complimentary IRT Scorecard from SambaSafety, and
- NBIS Policyholders will receive a discount for enrolling in SambaSafety services, to include a deeper dive into their new IRT Scorecard performance

Violation Group	Vehicle Maintenance	Violation Group	Controlled Substances	Violation Group	Driver Fitness
Windshield/ Glass/ Mark...	<input type="radio"/>	Drugs	<input type="radio"/>	Physical	<input type="radio"/>
Wheels, Studs, Clamps, ...	<input type="radio"/>	Alcohol Possession	<input type="radio"/>	Medical Certificate	<input type="radio"/>
Warning Flags	<input type="radio"/>	Alcohol Jumping OOS	<input type="radio"/>	License-related: Medium	<input type="radio"/>
Vehicle Jumping OOS	<input type="radio"/>	Alcohol	<input type="radio"/>	License-related: Low	<input type="radio"/>
Towing Loaded Bus	<input type="radio"/>			License-related: High	<input type="radio"/>
Tires	<input type="radio"/>			General Driver Qualification	<input type="radio"/>
Tire vs. Load	<input type="radio"/>			Fraud	<input type="radio"/>
Tiedown	<input type="radio"/>				
Suspension	<input type="radio"/>				
Steering Mechanism	<input type="radio"/>				
Securement Device	<input type="radio"/>				
Reflective Sheeting	<input type="radio"/>				
Other Vehicle Defect	<input type="radio"/>				
Lighting	<input type="radio"/>				
Inspection Reports	<input type="radio"/>				
Other Load Securement	<input type="radio"/>				
Securement	<input type="radio"/>				