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Live! Mock DOT Audit

**Presented by Richard Bates of the Federal Motor
Carrier Safety Administration (FMCSA)**

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Coffee Sponsor





Federal Motor Carrier Safety Regulations

Apply to a Commercial Motor Vehicle operating in interstate commerce that:

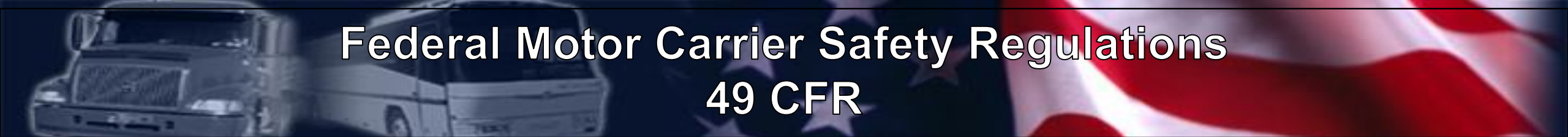
- (1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- (2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- (3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- (4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

Applicability of Regulations is based on commerce and size of vehicle, not how a vehicle is registered: farm, dealer, special plates, passenger (PAN), livery



Interventions

- New Entrant Safety Audit – for all companies first operating in interstate commerce
- Warning letter
- Performance – Safety Management System
- MAP-21 – Every three years for companies operating motorcoaches
- Crash
- Complaint
- Notice of Violation or Notice of Claim

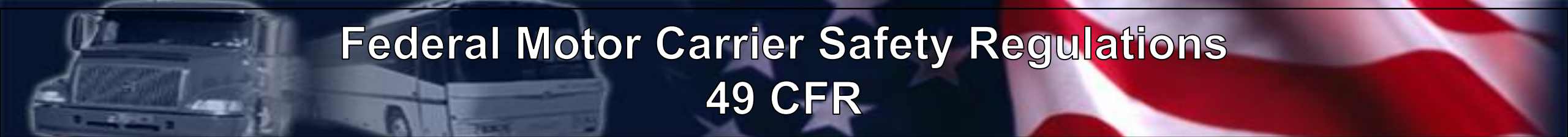


Federal Motor Carrier Safety Regulations

49 CFR

Apply to Commercial Motor Vehicles operating in interstate commerce:

- Part 390—General Applicability
 - ⑩ Definitions, emergency declarations, accident recording
- Part 391—Qualification of Drivers
 - ⑩ Age, medical standards/card, valid license
- Part 392—Driving of Commercial Motor Vehicles
 - ⑩ On-road operation, pre-trip vehicle inspection
- Part 393—Parts and Accessories Necessary for Safe Operation of a CMV
 - ⑩ Vehicle components, load securement, emergency equipment
- Part 395—Hours-of-Service of Drivers
 - ⑩ Maximum driving hours, recordkeeping, Record of Duty Status (RODS/logs), time cards, ELDs



Federal Motor Carrier Safety Regulations

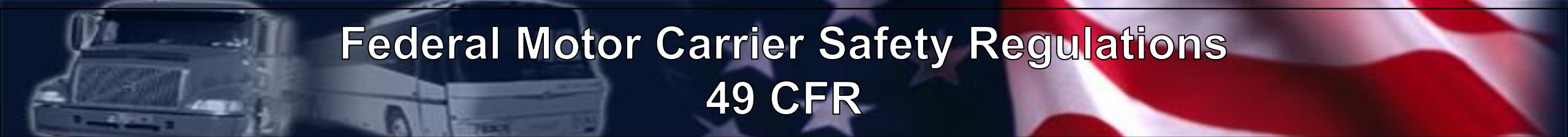
49 CFR

Apply to Commercial Motor Vehicles operating in interstate commerce:

- Part 396—Inspection, Repair, and Maintenance
 - ⑩ Annual vehicle inspection, post-trip inspection, recordkeeping requirements
- Part 397—Hazardous Materials Driving and Parking
 - ⑩ HM routing, attendance

Apply to Commercial Motor Vehicles in interstate or intrastate commerce:

- Part 382—Drug and alcohol testing for CDL vehicles greater than 26,001lbs or passenger capacity
- Part 383—CDL license requirements greater than 26,001lbs or passenger capacity
- Part 387—Insurance depends on operation, size of vehicle, and commodity transported
- Parts 100-180—Hazardous Material Regulations



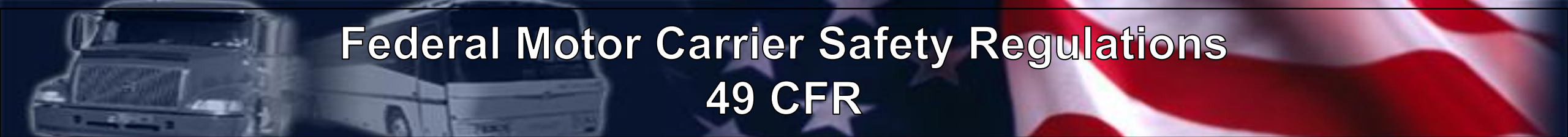
Federal Motor Carrier Safety Regulations 49 CFR

Exception to FMCSRs 390-397:

- Transportation by government entity
- School bus transportation home to school, school to home
- Emergency vehicles

Other exceptions can be found in regulations: farmers, emergency declarations, smaller passenger carrying vehicles

Still subject to CDL and D&A, even if government entity or school bus

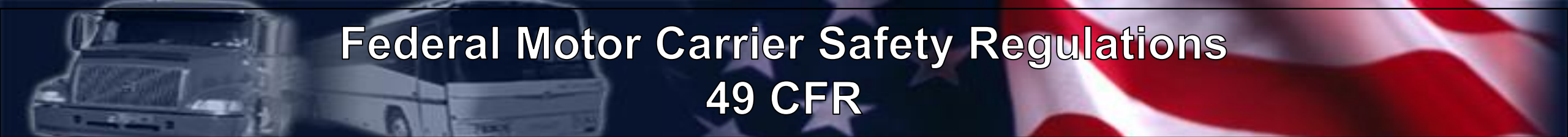


Federal Motor Carrier Safety Regulations

49 CFR

PART 382

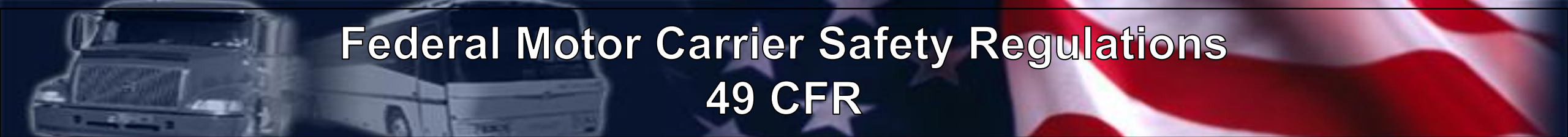
- Pre-employment testing
- Post-accident testing
- Random testing—10% alcohol and 25% drugs
- Reasonable suspicion testing
- Return to duty testing
- Follow-up testing



Federal Motor Carrier Safety Regulations 49 CFR

PART 383

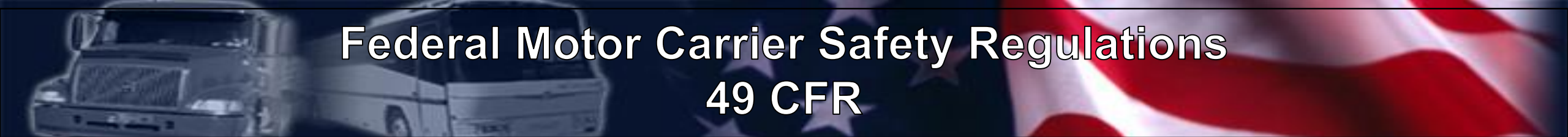
- Valid license
- Proper CDL class for vehicle operated
 - Class A, B, or C
- Proper endorsements



Federal Motor Carrier Safety Regulations 49 CFR

PART 387

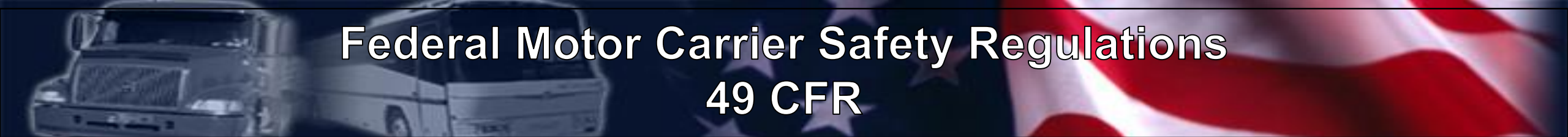
- MCS-90 Insurance Form–For-Hire Motor Carriers
 - 16 passengers or more - \$5,000,000
 - 15 passengers or fewer- \$1,500,000



Federal Motor Carrier Safety Regulations 49 CFR

PART 390

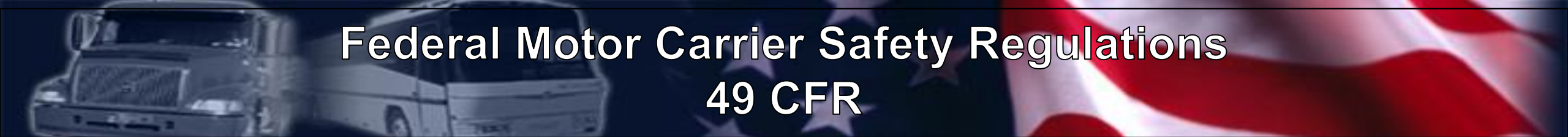
- Active and updated USDOT for type of operation
- Records are maintained at principal place of business
- Accident register



Federal Motor Carrier Safety Regulations 49 CFR

PART 391

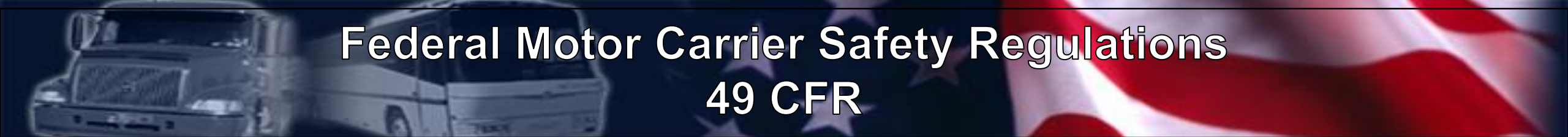
- 21 years of age
- Valid license to operate
- Physically qualified—Medical Examiner's Certificate
- Driver's application
- Previous employer
- State Motor Vehicle record
- Annual Driver's Certificate of Violations



Federal Motor Carrier Safety Regulations 49 CFR

PART 392

- Operation of CMV in compliance with state/local laws (speed)
- Alcohol and drug prohibitions
- Pre-trip inspection
- Operating authority

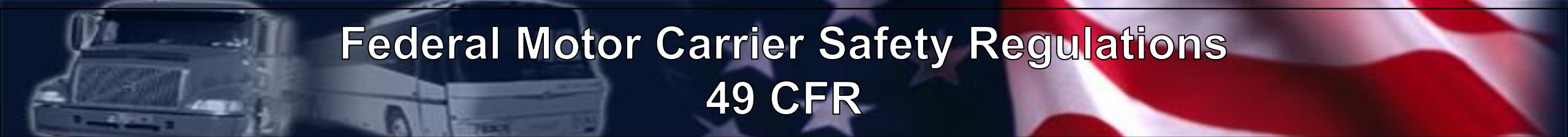


Federal Motor Carrier Safety Regulations 49 CFR

PART 393

Cited during roadside and/or terminal inspections

- Brakes
- Steering
- Suspension
- Lights

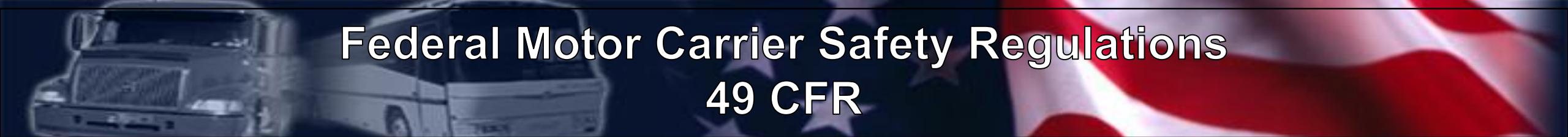


Federal Motor Carrier Safety Regulations

49 CFR

PART 395

- 10 hour driving limit following 8 hours off duty
- 15 hour on duty following 8 hours off duty
- 60/70 hours in 7/8 days
- Recorded on:
 - Electronic Logging Device (ELD)
 - Automatic On-Board Recording Devices (AOBRD)
 - Record of Duty Status (RODS)
 - Time record, if conditions are met



Federal Motor Carrier Safety Regulations

49 CFR

PART 396

- Vehicle has to be systematically maintained
 - Emergency exits inspected every 90 days
- Roadside inspection reports returned and maintained
- Driver Vehicle Inspection Reports (DVIRs)
- Periodic/annual inspection (state inspection)
- Qualification of brake inspectors



Drug & Alcohol Clearinghouse

- Mandated by Congress (MAP-21, Section 32402)
- Published December 5, 2016
- Established requirements for the Clearinghouse
- Identified **January 6, 2020** as the Clearinghouse implementation date

Read the Clearinghouse final rule at:

[fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse](https://www.fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse)



Drug & Alcohol Clearinghouse

Who will be required to use the Clearinghouse?

- Drivers who hold commercial driver's licenses (CDLs) or commercial learner's permits (CLPs)
- Employers of CDL drivers who operate commercial motor vehicles (CMVs)
- Consortia/Third-Party Administrations (C/TPAs)
- Medical Review Officers (MROs)
- Substance Abuse Professionals (SAPs)
- State Drivers Licensing Agencies (SDLAs)



FMCSA
Federal Motor Carrier Safety Administration

ETA: The Motor Carrier Safety Planner

HOME CHAPTERS RESOURCES & FORMS MY SAFETY PLANNER HELP

CSA NEW ENTRANT FMCSA

LOGIN

The Motor Carrier Safety Planner

This online guide provides simple explanations and templates to help companies that operate CMVs understand and comply with Federal safety regulations.

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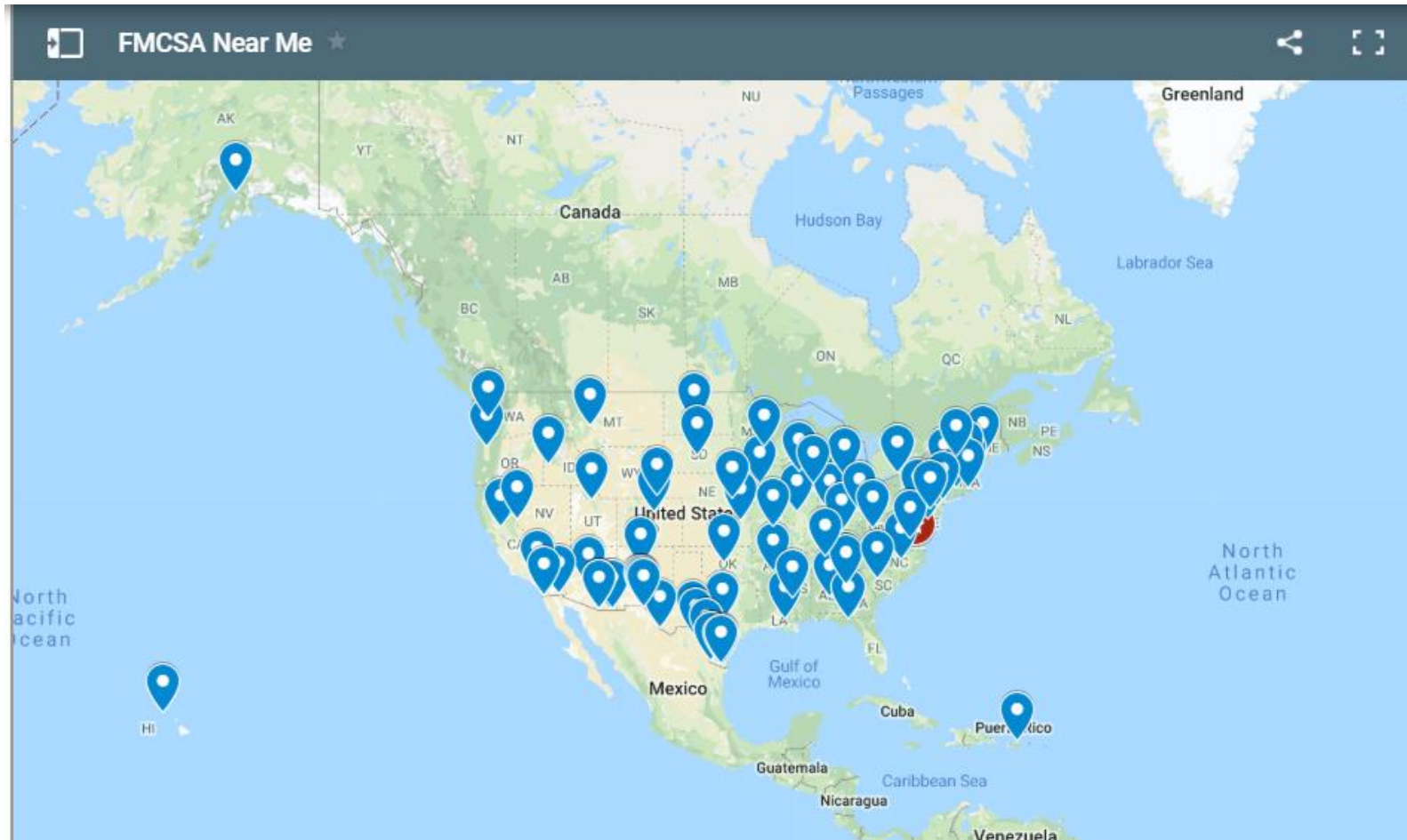


FMCSA websites

- ▶ [fmcsa.dot.gov](https://www.fmcsa.dot.gov)
- ▶ clearinghouse.fmcsa.dot.gov/
- ▶ [fmcsa.dot.gov/hours-service/elds/electronic-logging-devices](https://www.fmcsa.dot.gov/hours-service/elds/electronic-logging-devices)
- ▶ [fmcsa.dot.gov/safety/carrier-safety/motor-carrier-safety-planner](https://www.fmcsa.dot.gov/safety/carrier-safety/motor-carrier-safety-planner)

FMCSA Field Offices

[fmcsa.dot.gov/mission/field-offices/fmcsa-near-me](https://www.fmcsa.dot.gov/mission/field-offices/fmcsa-near-me)





Thank you for joining us!

**The show floor is open until 3 p.m.,
so take advantage of show-exclusive
deals while you still can—and don't
forget that lunch is served at noon!**