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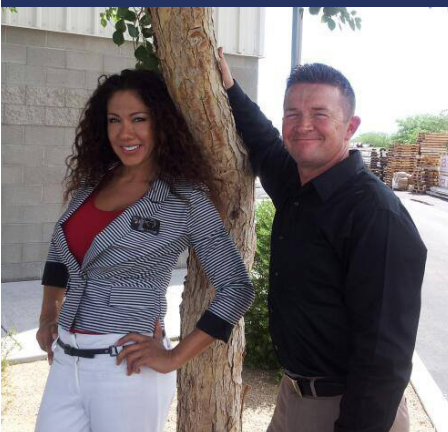
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Handling and reporting accidents

Accidents can be costly — for drivers, for their families and employers, and for society as a whole. Of the approximately 415,000 police-reported crashes involving large trucks in 2015, there were 3,598 (1 percent) fatal crashes and 83,000 (20 percent) injury crashes.

The regulations

The laws and regulations governing accidents are dual dimensioned, requiring recordkeeping and/or reporting to agencies at the federal and state or local levels.

The accident recordkeeping requirements at the federal level are contained within Title 49, Code of Federal Regulations, with the requirements in Part 390 of the Federal Motor Carrier Safety Regulations, and a secondary set of requirements directed specifically at hazardous materials incident reporting in the Hazardous Materials Regulations.

What is an accident?

Motor carriers must maintain a register of all occurrences meeting the definition of an "accident." An accident is defined in Sec. 390.5 as an occurrence involving a commercial motor vehicle on a highway in interstate or intrastate commerce which results in:

1. A fatality;
2. Injury to a person requiring immediate treatment away from the scene of the accident; or



3. Disabling damage to a vehicle requiring it to be towed from the scene.

A "highway" is defined as any road or street — whether public or private — that is open to public travel. This includes parking lots and roads providing access to shopping malls, stadiums, etc.

A "fatality" is any injury which results in the death of a person at the time of the accident or within 30 days of the accident.

"Disabling damage" means damage which prevents a motor vehicle from leaving the scene of the accident in its usual manner, in daylight, after simple repairs. It includes vehicles that could have been driven, but would have been further damaged if so driven.

Disabling damage does NOT include:

- Damage which can be remedied temporarily at the scene without special tools or parts;
- Tire disablement without other damage (even if no spare is available);

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- Headlamp or taillight damage; and
- Damage to turn signals, horn, or windshield wipers which makes them inoperative.

What isn't considered an accident?

The term "accident" does NOT include an occurrence:

- Which involves only boarding or entering or existing from a stationary vehicle;
- Which involves only the loading or unloading of a vehicle's cargo; or
- In which a commercial vehicle does not leave the roadway or strike another vehicle, person, or object.

Accident reporting

Federal regulations used to require the reporting of accidents — especially fatal accidents — to the U.S. Department of Transportation. Those requirements were removed in 1993. However, there are a few accident reporting requirements to be aware of. The regulations of each state and some local governments contain specific accident reporting requirements. Generally, an accident involving death or injury to any person will be a reportable accident. Total property damage is also a factor; however, the minimum amount varies from state to state.

Under the provisions of Part 171, any unintentional release of hazardous materials must be reported, including incidents that occur during loading, unloading, or temporary storage.

Post-accident alcohol/drug testing

Under the requirements of Part 382, a driver must undergo post-accident alcohol and drug testing if there was a fatality. In addition, if the accident resulted in personal injury or a vehicle being towed from the scene and the driver received a citation for a moving violation in connection with the accident, then:

- An alcohol test is required if the citation was received within eight hours of the accident; and
- A drug test is required if the citation was received within 32 hours of the accident.



Alcohol test — An alcohol test is to be administered within two hours after an accident. If the driver has not submitted to an alcohol test within two hours, the employer must prepare and maintain on file a record stating the reason a test was not promptly administered.

The driver must remain readily available for testing, and refrain from consuming alcohol for eight hours following a crash in case circumstances change (such as someone dies as a result of the crash or the driver receives a traffic ticket).

If the driver has not submitted to an alcohol test within eight hours, the employer is to cease attempts to administer the test and must prepare and maintain the record described above.

Drug test — Drug testing should take place within 32 hours after an accident. If a driver has not submitted to a drug test within 32 hours, the employer must cease attempts to administer the test, and prepare and maintain a record stating why.

Accident records and reports

The driver involved in an accident should be attuned to an established accident procedure — a guideline to assist him or her in acting promptly and in a manner which is designed to minimize the carrier's losses. A properly trained driver can help the carrier in meeting compliance requirements under the regulations in Parts 390 and 171, as well as individual state accident reporting requirements.

Accident kits

Motor carrier requirements include the need for specific details about the accident, including such items as exact location (street or highway), the time the accident occurred, the action taken by each vehicle during the mishap, etc. It is the driver of the vehicle who is in the best position to record the accident details at the scene.

Thus, it is in the best interests of the carrier to equip each driver with the best possible means to report the occurrence — an accident report kit.

Driver accident kits are designed with an underlying system of accurate and timely reporting and recording. As a minimum, the following items should be included in the driver accident report kit:

- A reporting envelope;
- A driver's report form for recording information at the scene;
- Accident notification cards;
- Witness cards; and
- Exoneration cards.

Safety focus: Performing proper vehicle inspections

How well a motor carrier's maintenance program is managed will be tested at a roadside inspection. This is where the carrier will have an enforcement officer judging the condition of the carrier's vehicle. If the preventive maintenance program and the driver inspection program are both up to task, the vehicle should score well. If not, the carrier's score in the Vehicle Maintenance BASIC will take a hit, which could lead to additional roadside inspections, more high scores, and the possibility of an intervention from the Federal Motor Carrier Safety Administration (FMCSA).

The pre-trip inspection

As a driver, you are responsible for performing a pre-trip inspection. The pre-trip inspection does not need to be documented. Before operating your vehicle you must:

1. Be satisfied that the motor vehicle is in safe operating condition;
2. Review the last driver vehicle inspection report (DVIR); and
3. Sign the report, only if defects or deficiencies were noted by the driver who prepared the report, to acknowledge that you have reviewed it and that there is a certification that the required repairs have been performed.

Make sure your vehicle is in good condition by performing a proper pre-trip inspection:

- Check for broken, missing, or damaged parts and make sure they are repaired or replaced.
- Check the tires for any cuts and bulges. Are tire treads showing uneven wear? This could indicate improper alignment or the need for new tires.
- Check tire pressure. Properly inflated tires will travel more smoothly and increase fuel efficiency.
- Check to be sure both the service brakes and the parking brakes are working properly.
- Check the hydraulic system and under your vehicle to be sure there no leaks.
- Check the engine oil to be sure it is at the correct level. Inspect plugs and filter caps for possible leaks.
- Check the coolant level. Be aware that this level might fluctuate depending on whether the engine is hot or cold
- Check the belts and hoses for damage, looseness, and excessive wear.



- Check the suspension, including springs, hangars, and U-bolts. Improper suspension can increase wear and tear on your vehicle.
- Check the parking brake to be sure it works.

If you find that any of these items are defective, you are required to have the defect repaired before operating the vehicle. Vehicles should be on a routine preventive maintenance schedule for servicing and checking of safety-related equipment. Regular maintenance should be done at specific mileage intervals consistent with the manufacturer's recommendations. A mechanic should do a thorough inspection of each vehicle at least annually with documented results placed in the vehicle's file.

Cargo securement

You must stop within 50 miles of loading and inspect the securement of the cargo you are carrying. After this initial inspection you must stop and re-inspect the securement at every duty change, and every 3 hours or 150 miles of driving, whichever comes first. Of course, if any of the inspections detect loosening of the securement, the driver is required to tighten or adjust the securement system. The exception to this rule is if the cargo is in an enclosed unit that has been sealed.

The post-trip inspection and the DVIR

As a driver, you must complete a post-trip inspection at the end of your shift. Drivers of commercial vehicles must prepare a DVIR whenever a defect is discovered by or reported to the driver or when company policies

otherwise require it. You are required to file a report with the carrier covering the condition of the service brakes (including trailer brake connections), parking brake, steering mechanism, lighting devices and reflectors, tires, horn, windshield wipers, rear view mirrors, coupling devices, wheels and rims, and emergency equipment at the completion of the work day. Note any defects on the DVIR, and follow through to make sure these defects are corrected if you drive the vehicle again.

Your company must make sure that there are three signatures on the DVIR if a defect is noted: the driver reporting the defect, the carrier official or mechanic that ensures the defect is corrected, and the next driver to pretrip the vehicle. Your company must also retain all completed DVIRs for three months.

Performing proper inspections is part of your responsibility as a driver. Take the time to do them right!



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Are you a worrier?

*"Most folks are
as happy as
they make up
their minds to
be."*

Abraham Lincoln



Are you a worrier?

Good mental and emotional health isn't just the absence of a serious condition — it also has to do with a person's ability to enjoy life. People who are emotionally and mentally healthy generally feel content and are able to relax and have fun. But if you're a regular worrier, these concepts may not be familiar to you. Why? Because constant worrying takes energy and time that you could be using in a more positive way.

In some cases, brief bouts of worrying can be productive — especially if it prompts you to address a manageable problem. But if you're worrying about something that could happen over which you have no real influence, worrying isn't likely to be constructive at all.

People who are chronic worriers often have a difficult time dealing with uncertainty in their lives. They want to know the outcome of every action or event. They feel that they are better prepared if they worry about what will happen and won't be surprised. Habitual worriers may think that the practice will help them find a solution to a problem or be prepared for any outcome.

In fact, they often feel that pouring over what might happen will protect them in some way. But most of the time, worrying just creates unnecessary stress and takes away from the time individuals have to enjoy what's going on around them.

If worrying is negatively affecting you, step back and think about whether or not it's truly



doing you any good. Could you be using your time more wisely? Do you have the ability to deal with a negative situation even if you hadn't anticipated it? Is there a more realistic, balanced way of looking at the situation? Can you accept the fact that you can't know all the answers now and worrying won't provide you with the answers that you want?

It's tough for chronic worriers to stop worrying altogether, but this type of behavior won't keep bad things from happening. If you recognize the need to reduce this kind of angst in your life, start by limiting the amount of time you allow yourself to worry. Take note of what you're gaining by limiting this time. What you notice may make it easier to continue to worry less in the future.