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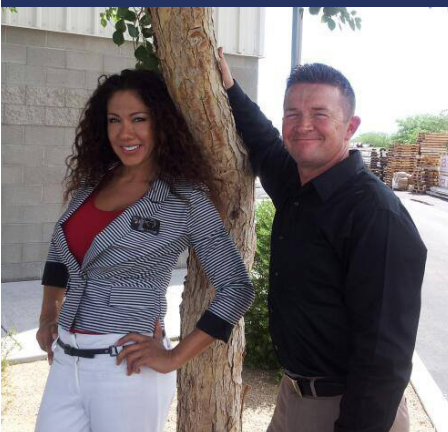
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CDL disqualification

A driver who holds a commercial driver's license (CDL) can be disqualified from driving a commercial motor vehicle (CMV) if convicted of certain violations while driving any type of vehicle. This includes violations committed in a personal vehicle on personal time.

It is important for your drivers to understand that certain actions and choices, whether on or off the job, can have an impact on their driving career.

Major offenses

A driver is disqualified from operating a CMV if he/she is convicted of any of the following major offenses while driving any type of vehicle:

- Being under the influence of alcohol as prescribed by state law;
- Being under the influence of a controlled substance;
- Refusing to take an alcohol test as requested by a state or jurisdiction under its implied consent laws or regulations;
- Leaving the scene of an accident;
- Using a vehicle to commit a felony; or

- Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance.

A driver is disqualified from operating a CMV if he/she is convicted of any of the following major offenses while driving a CMV:

- Having an alcohol concentration of 0.04 or greater;
- Driving a CMV when, as a result of prior violations committed operating a CMV, the driver's CDL is revoked, suspended, or cancelled, or he/she is disqualified from operating a CMV; or
- Causing a fatality through the negligent operation of a CMV.

The disqualification period for a first conviction (with the exception of using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance) is 1 year, provided the driver is not transporting hazardous materials. If he/she is transporting hazardous materials, the disqualification period for a first conviction is 3 years.

The disqualification period for a second conviction is life.

If a driver is convicted of using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a



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CDL Disqualification *(continued from page 1)*

controlled substance, he/she is disqualified for life and is not eligible for reinstatement.

Serious traffic violations

A driver is disqualified from operating a CMV if convicted of any combination of two or more of the following serious traffic violations while operating a CMV or non-CMV:

- Excessive speeding, 15 mph or more above the posted speed limit;
- Reckless driving;
- Making improper or erratic lane changes;
- Following the vehicle ahead too closely; or
- Violating a state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

A driver is disqualified from operating a CMV if convicted of any combination of two or more of the following serious traffic violations while operating a CMV:

- Driving a CMV without obtaining a CDL;
- Driving a CMV without a CDL in the driver's possession;
- Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
- Violating a state or local law or ordinance on motor vehicle traffic control prohibiting texting while driving; or

- Violating a state or local law or ordinance on motor vehicle traffic control restricting or prohibiting the use of a hand-held mobile telephone while driving.

A driver who is convicted of two serious traffic violations in separate incidents during any three-year period is disqualified for 60 days.

A driver who is convicted of three serious traffic violations in separate incidents during any three-year period is disqualified for 120 days.

Note: A driver convicted of two or more serious traffic violations while operating a non-CMV is disqualified only if the convictions result in the revocation, cancellation, or suspension of the driver's license or driving privileges.

Out-of-service violations

If during a trip, a driver is placed out of service by a law enforcement officer for a certain period of time or until a problem has been corrected, he/she may not violate the officer's order. If the driver does violate that order and is convicted of this violation, he/she faces a disqualification period of 180 days to 5 years.

Railroad-highway grade crossing offenses

A driver is disqualified if he/she is convicted of operating a CMV in violation of a federal, state, or local law or regulation pertaining to any of six railroad-highway grade crossing requirements listed in Sec. 383.51(d) of the FMCSRs. The disqualification period ranges from 60 days to one year.

At a glance

Major offenses	Disqualification Period	
Driving under the influence of alcohol	First offense (not transporting hazardous materials)	1 year
Driving under the influence of drugs		
Refusing an alcohol test	First offense (transporting hazardous materials)	3 years
Leaving the scene of an accident		
Using a vehicle to commit a felony	First offense (using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of drugs)	Life
Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of drugs		
Having an alcohol concentration of 0.04 or greater*	Second offense	Life
Driving a CMV, when the driver's CDL is revoked, suspended, cancelled or driver is disqualified from operating a CMV*	Violations committed in any type of vehicle (professional or personal)	Instant disqualification
Causing a fatality through negligent operation of a CMV*		

*Only applies to a conviction for an offense while driving a CMV

Safety focus: The unseen injuries of a crash

Many commercial drivers will experience some sort of a motor vehicle accident over the course of their careers.

Motor carriers — as they work with insurance claims — know first-hand the price tag associated with a single crash. But has the company ever considered the cost of a major accident (e.g., serious injuries or death of a third party) on the emotional health of the driver?

A driver may experience post-traumatic stress disorder (PTSD) as a result of a serious crash. You may find one of two responses if someone is struggling with PTSD. The driver may:

- Become gun-shy, posing a safety risk on the road; and/or
- Call it quits and leave the industry entirely.

With the driver shortage as it is, you cannot afford to lose a good driver over a bad situation.

Reliving the event

Post-traumatic stress disorder takes place when a traumatic event is relived through memory flashbacks, based on some sort of stimuli.

A human memory, good or bad, is triggered by the senses. For instance, a driver who went through a serious crash might recall the event whenever he or she gets into a commercial truck. Stimuli that trigger the memory and painful emotions might include the smell, sight, or sound of the truck; traffic; time of day; stretch of road; time of year; temperature in the cab; song on the radio; or something surrounding the event.

Why is the memory so intense? During the actual incident, your driver's adrenaline was released. The more adrenaline associated with an event, the deeper the memory. The brain will access this memory, and the driver might suffer from anxiety attacks, insomnia, bad dreams, and/or uncontrolled thoughts about the event.

Usually, individuals experiencing traumatic events will get better within a month or so. But in the case of PTSD, individuals have difficulty adjusting, coping, and getting back to a normal routine.

Don't ignore the warning signs

If you find a driver who has experienced an accident exhibits any of the following signs, you may need to approach the driver in a diplomatic, private, and concerning manner:

- Has trouble getting back into his or her routine;
- Appears troubled or withdrawn;
- Is unable to concentrate;
- Suddenly experiences heightened emotions (irritability/anger, guilt/shame); and/or
- Is easily startled/frightened.

If a driver supervisor recognizes PTSD symptoms, he or she needs to remember that he or she does not have training to diagnose a driver's physical or emotional health.



Instead, if the supervisor sees warning signs, it is best to approach the driver in a caring, sympathetic manner, in order to encourage him or her. It is best to pose a question in a way that does not appear to diagnose PTSD. Perhaps, ask if there is anything you can do for the driver as he or she doesn't seem to be himself or herself. If the driver shares any details, remind him or her of any Employee Assistance Program (EAP) services your company offers.

PTSD left unchecked could result in depression, self-destructive behavior, substance or alcohol abuse, or even suicide. Emotional health has a direct correlation to physical health. Anxieties associated

with PTSD may result in cardiovascular disease, chronic pain, autoimmune disease, or musculoskeletal conditions.

Using an EAP for PTSD services

Someone who is suffering with PTSD should seek professional counseling as soon as it is evident that he or she is not moving on with life. If the individual waits, it may develop into a long-term PTSD.

If your organization offers an EAP, you need to ensure the staff of counselors can assist in PTSD. When contracting with an EAP, ask:

- Are PTSD support groups available?
- Is there someone the driver may contact outside of normal business hours when/if an anxiety attack should take place?
- Are services available for the family of the driver?

Your EAP also needs to be aware that drivers may experience different levels of PTSD following an accident depending on what they experienced.



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Allergies — watch out for pesky invaders

*"He who enjoys
good health is
rich, though he
knows it not."*

Italian Proverb



***Are you prepared for
allergy season?***

Tiny substances in our everyday environment, such as mold spores, might not wield much power over the human body, but to a person with allergies they can be debilitating invaders. Common allergens include mold, dust mites, pet dander, food, and insect stings.

An allergy is a specific reaction of the body's immune system to a normally harmless substance that doesn't bother most people. When an allergic person first comes into contact with an allergen, the immune system treats it as an invader and gets ready to attack by generating antibodies.

The antibodies signal the body to release chemicals that cause symptoms such as hives, itching, and watery eyes. More severe symptoms can include difficulty breathing or swallowing, dizziness, swelling, and unconsciousness.

A person's first reaction to an allergen is typically mild. Minor symptoms, such as rashes or itchiness, may be controlled with ice, an oatmeal bath, or hydrocortisone creams.

Subsequent reactions can, however, be more severe, and even life threatening. The most severe form, called anaphylaxis, can occur only seconds after exposure to a substance. Symptoms to watch for include



hives, persistent wheezing, or fainting.

A person with severe allergies may opt to wear a medical bracelet alerting others of a particular allergy, and carry an EpiPen.

While most reactions are mild and resolve without any

problems, it's important to watch for more serious symptoms. A severe reaction requires medical attention.

Pollen

Do you find that your eyes get itchy and your nose runs when you're outside on a windy day in the spring, summer, or fall? Pollen carried by the breeze may be the culprit.

A pollen allergy, also known as hay fever, is one of the most common allergies. Trees, weeds, and grasses all release pollen that can travel many miles, so it's almost impossible to avoid some of the most common allergens during the warmer seasons of the year. Relief can be found from certain prescription medicines or over-the-counter antihistamines.

In addition to medication, you can also reduce your exposure by staying inside when the pollen counts are at their highest, keeping windows in your home and car closed, and using an air conditioner with an air filter.