



“Safety & Compliance are Never a Compromise”

Keep it moving!

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Alcohol and drug testing

The regulations state that if you are a driver who operates a CMV (in either interstate or intrastate commerce) that requires you to possess a commercial driver’s license (CDL), you are subject to alcohol and drug testing requirements. The purpose of the regulations is to prevent vehicle accidents and injuries that are the result of misuse of alcohol and/or abuse of drugs.

your performance of safety-sensitive functions is prohibited.

Alcohol prohibitions include:

- Use while performing a safety sensitive function;
- Use during the 4 hours before performing a safety-sensitive function;
- Reporting for duty or remaining on duty to perform a safety-sensitive function with an alcohol concentration of 0.04 or greater;
- Use during the 8 hours following an accident, or until the driver takes a post-accident test; or
- Refusing to take a required test.

Controlled substance prohibitions include:

- Use of any drug, except by doctor’s prescription, and then only if the doctor has advised you that the drug will not adversely affect your ability to safely operate a commercial motor vehicle;
- Testing positive for drugs;
- Having an adulterated or substituted drug test result; or
- Refusing to take a required test.

Safety-sensitive function

A safety-sensitive function is defined as all time from the time you begin work or are required to be ready for work until the time you are relieved from all work and all responsibilities for performing work. This includes:

- Waiting to be dispatched;
- Inspecting, servicing, or conditioning a CMV;
- Time at the controls of a CMV;
- Time in or on a CMV except sleeper-berth time;
- Loading, unloading or attending to a CMV being loaded/unloaded, remaining ready to operate a CMV, giving/receiving receipts; and
- Repairing, obtaining assistance, or in attendance of a disabled CMV.

Types of tests

There are six types of alcohol and drug tests that are required in the regulations.

Pre-employment. A pre-employment drug test is given before you perform

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Prohibitions

Misuse of alcohol or use of a controlled substance that could affect



Alcohol and Drug Testing *(continued from page 1)*

any safety-sensitive functions for a motor carrier. The motor carrier must receive a negative result before allowing you to drive or perform other safety-sensitive functions.

A pre-employment alcohol test is not required, but could be conducted if the motor carrier meets certain criteria.

Post-accident. A post-accident alcohol test is required if you are involved in an accident while driving a CMV and:

- Any person in the accident dies;
- You receive a citation within 8 hours of the accident for a moving traffic violation and any person involved in the accident is injured and immediately taken away from the scene for medical treatment; or
- You receive a citation within 8 hours of the accident for a moving traffic violation and one more of the vehicles involved has been towed away from the scene.

A post-accident drug test is required if:

- Any person in the accident dies;
- You receive a citation within 32 hours of the accident for a moving traffic violation and any person involved in the accident is injured and immediately taken away from the scene for medical treatment; or
- You receive a citation within 32 hours of the accident for a moving traffic violation and one or more of the vehicles involved has been towed away from the scene.

After an accident, you must remain available for testing. If you are not available for testing, this could be considered a refusal to submit to testing. A refusal to submit to testing is treated the same way as failing an alcohol or drug test.

Note that the urgency to perform the test should not prevent your driver from working with law enforcement at the scene or seeking his or her own medical treatment.

DOT post-accident testing rules do not apply if the vehicle involved does not require a CDL to drive. The license of the driver is not the determining factor.

Random. Random testing by your motor carrier for alcohol will be done just before, during, or just after you perform a safety-sensitive function. Random testing for drugs may be done anytime you are at work.

Once you are notified of a random test, you must proceed immediately to the testing site. Failure to do so is considered a refusal to test, which is treated the same way as failing an alcohol or drug test.



Reasonable suspicion. A reasonable suspicion test may be required if your motor carrier has reason to believe that your appearance or behavior may indicate drug or alcohol use.

Observations for alcohol testing must be made by your motor carrier just before, during, or after you perform a safety-sensitive function. Observations for drug testing may be made any time you are at work.

This determination of reasonable suspicion will be made by a trained supervisor. The supervisor will state his/her observations concerning your appearance, behavior, speech, or body odor.

Return-to-duty. Return-to-duty testing is required before returning to duty after testing positive for drugs, failing an alcohol test, or refusing to take a drug or alcohol test.

Follow-up. Follow-up testing is required after returning to duty. The regulations require a minimum of six tests in the first year after returning to a safety-sensitive function. Follow-up testing can go on for a total of five years.

Return-to-duty process

Testing positive for drugs, failing an alcohol test, or refusing a drug or alcohol test, will lead to a series of consequences. If any of these occur, you will be removed from all safety-sensitive functions, including driving a CMV, and may not return until you have completed the return-to-duty process.

This return-to duty process includes being evaluated by a substance abuse professional (SAP), completing the educational and/or treatment program prescribed by the SAP, and passing a return-to-duty drug and/or alcohol test.

You will then be subject to a minimum of six follow-up tests in the first year after returning to duty. Follow-up testing can go on for up to five years.



Safety Focus: Cargo securement Q & A's

Whether your job involves preparing shipments, loading products for shipment, or transporting cargo, it is essential that cargo being transported on public roads remains secured on or within your vehicle. Proper load securement prevents cargo from shifting, leaking, spilling, blowing, or falling from the vehicle. Here are some answers to questions about cargo securement.

When must a load be secured?

Under the Federal Motor Carrier Safety Regulations (FMCSR), a load must remain secured:

- Under all conditions that could reasonably be expected to occur in normal driving; and
- When a driver is responding to an emergency situation (except when there is a crash).



A load that has shifted during transport may cause the driver of a vehicle to overly compensate in order to avoid an accident and jeopardize the safety of any nearby motorists. The same outcome may be true with cargo that has fallen from a vehicle while in transit or a shipment of hazardous material leaking its contents. All of these occurrences, along with more than 300 other

equally serious violations, break the fundamental rules for load securement.

What cargo do the rules apply to?

In general, the minimum requirements for securing cargo while in transit apply to all types of cargo, except commodities in bulk such as liquids, gases, or grains. The following requirements apply to commercial motor vehicles, but they should be considered whenever a load is being moved on a public road:

- A vehicle is not to be driven unless the load is properly distributed, adequately secured, and does not obscure the driver's view.
- Cargo must be firmly secured using vehicle structures, dunnage, shoring bars, tiedowns, or a combination of these.
- Cargo that is likely to roll must be restrained by chocks, wedges, a cradle, or their equivalent.

What does a securement system include?

A securement system uses one or a combination of the following elements:

1. Vehicle structure, such as anchor points and headerboards;
2. Securing devices, such as steel straps, wires, chains, rope, and ratchets; and/or
3. Blocking and bracing equipment.

The securement system chosen must be appropriate for the cargo's size, shape, and strength. The articles of cargo should have sufficient structural integrity to withstand the forces of loading, securement, and transportation. This includes packaged articles, unitized articles, and articles stacked one on the other.

Are there any rules regarding blocking materials?

Blocking materials and timbers should be large and strong enough to support the load safely. Do not use materials with cracks, rounded corners, splintered pieces, or dry rot. Be sure to use caution when placing blocks under a raised load to ensure that the load is not released before removing your hands from under the load.

Are there extra precautions drivers should follow?

If you are a driver, there are some basic precautions to take to be sure your load is secure:

1. Make sure that your cargo stays secure during the transportation process. Check securement systems periodically to make sure they have not loosened.
2. Make sure all tools are secured either in the cab or in a cabinet. In a crash, loose tools could become airborne and injure you or be thrown off the back of the vehicle onto the roadway.
3. Know your route and the safest way to get to your destination, especially if it is not an area you are familiar with. Stay alert to your surroundings and be wary of any suspicious activity.





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Is exercise on your list of resolutions?

When it comes to exercise, we all probably have excuses on why we can't do it. Resolve to overcome your exercise excuses by trying the solutions offered below.

"Lack of activity destroys the good condition of every human being, while movement and methodical physical exercise save it and preserve it."

~ By
Plato



Resolve to exercise this year.

Excuse	Solution
"I don't have time."	Plan time for exercise by getting up 30 minutes earlier or going for a walk at lunchtime or after work. The fact is, we all have 24 hours a day to do everything we need to do. It comes down to prioritizing.
"I'm tired."	Exercise can actually give you more energy because it increases circulation. It may even make you feel good afterwards.
"I will get hurt."	Talk to a health professional about appropriate exercise for your age, fitness level, and health status. A personal trainer can show you how to exercise appropriately.
"I'm not coordinated enough."	Choose activities you are comfortable with, such as walking, bicycling, or swimming.
"I travel for work—it's impossible to exercise."	Use hotel swimming pools and fitness facilities. Go for a walk after your workday.
"I have to care for my children."	Include your children in family bike rides or walks. Take turns watching the kids with your spouse or a friend.
"I don't enjoy exercise."	Find an activity you enjoy doing where exercise is a by-product (biking, swimming, tennis, cross-country skiing).
"I will start tomorrow."	Tomorrow never comes. Buddy-up with a friend, coworker, or your spouse and hold each other accountable. The sooner you start, the sooner you will see results.