

Takin' A Load Off Your Mind

FLEET COMPLIANCE GROUP, LTD.

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HOURS OF SERVICE – FINAL RULE

The Federal Motor Carrier Safety Administration's (FMCSA) anticipated that the hours-of-service final rule would arrive at the White House Office of Management and Budget (OMB) for review. OMB review is required prior to publication of a final rule in the Federal Register. The review period can last for up to 90 days.

The November 1 arrival of this rulemaking is behind schedule. The October 28 deadline had been set for publication of a final rule as the result of the settlement of a lawsuit filed against FMCSA.

The proposed regulation, published in December 2010, included a potential reduction in driving time from 11 hours to 10 hours, mandatory break time within the 14-hour duty window, and significant changes to the 34-hour restart.

It is not known which proposed provisions may or may not be included in the final rule.

We will notify you when the final rules has been decided.

U.C.R. Registration

The 2012 Unified Carrier Registration Agreement (UCR) registration year began on October 1, 2011, with the fees remaining the same as 2011.

The UCR Board recommended that states begin enforcement for 2012 registration on February 1, 2012. However, each state may determine its own enforcement date.

The 2012 UCR Registration Form and Instructions are available at website at www.ucr.in.gov. They have added new forms (UCR-1 Form and UCR-2 Form).

The have established an audit program where states will be conducting audits to ensure accuracy of carrier filing and reporting.

Registrants will be required to maintain UCR records (annual applications and renewals) for three (3) years from the due date or filing date, whichever is later, plus any time period included as a result of state decisions or inquiries (current calendar year and two prior years).

Your "base state" will determine whether you can maintain these records on paper, microfilm, microfiche, or other computerized or condensed record storage systems.

"Get Laughing"

Studies show that having a good laugh lowers stress and strengthens the immune system. Six-year-olds laugh about 300 times a day, but adults on average laugh as little as 15 times a day.

Actual label on a child's "Superman" costume: "Wearing of this garment does not enable you to fly."

You know you are having a good day when you are driving to an early morning appointment and realize you are just "ahead" of the school bus.

Did you ever notice that the people who are late are often much happier than the people who have to wait for them?

Driver Safety Bulletin Subscription Service

F.C.G. is now providing a subscription service for Driver Safety Bulletins. The service is available either:

- **Monthly** (\$120.00/year),
- **Bi-monthly** (\$75.00/year), or
- **Quarterly** (\$60.00/year)

Contact our office for more details and information.

Distracted Drivers – Ban on Hand-Held Cell Phones

More than 5,000 people died and half a million injured in crashes involving a distracted drivers in 2009. According to the National Highway Traffic Safety Administration (NHTSA) research, 16 percent of overall traffic fatalities in 2009 were "distraction related".

Research has also shown that drivers searching and reaching for an object, such as a cell phone, are three times more likely to be involved in a crash or other dangerous event; and while dialing a hand-held cell phone they are six times more likely to be involved in a crash or safety incident

A final rule has been passed prohibiting interstate truck and bus drivers from using

Ban on Hand-Held Cell Phones (con't.)

hand-held cell phones while operating a CMV. The rule will be effective 12/23/11.

Drivers who violate this restriction will face federal civil penalties of up to \$2,750 for each offense and for multiple offenses - disqualification from operating a commercial motor vehicle. States can suspend the CDL after two or more serious traffic violations.

Companies that allow their drivers to use hand-held cell phones while driving will face a maximum penalty of \$11,000.

Approximately four million drivers could be affected by this rule.

Your first step to compliance with this law is to establish a policy and educate your drivers. If you have questions or want suggestions, please feel free to contact our office at 616-532-1444 or email driverservices@fleetcompliance.com.

New Program in Place for Fatigued Drivers – Washington State

The State of Washington has developed a new program in identifying fatigued drivers. Trucks passing through their weigh-stations are electronically screened for size, weight, registration and safety records. Twelve (12) automated license plate readers (APLR) have been installed at Ports of Entry and weigh stations throughout the state. They capture the license plate and a picture of the truck.

This system allows them to see how long the driver has been on the road that particular day and be used to check times the trucks have crossed any of the 12 locations. They will compare the times with the driver's logbook. This will assist them in getting irresponsible drivers off the road by then verifying their logbook entries as to accuracy.

The Washington State Police, in August 2011 cited 98 drivers for serious logbook violations over a 96 hour period using this new program at the Nisqually Truck Scale on Interstate 5. Drivers were cited for their violations and placed out of service.

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