

Commercial Vehicle Safety and Compliance

Presented by:

Colorado State Patrol

MCSAP



Motor Carrier



Safety Section

Course Objectives



Regulations and Authority



Carrier/Driver Liability



CDL info



Hours of Service



Pre-Trip/Post-Trip



Inspections



Distracted Driving



Impaired Driving



Safety Restraints



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Safety Section

Regulation and Authority

The Federal Motor Carrier Safety Administration (FMCSA) is responsible for the regulation of vehicles engaged in interstate commerce.

The Colorado State Patrol has adopted most of the federal regulations and has applied them to intrastate vehicles.

42-4-235(4)(a), C.R.S.

The regulations apply to all vehicles with an **individual or combined** GVWR 10,001 lbs (INTERstate) or 16,001 lbs (INTRAstater) and over used in commerce.

(there are some exemptions)



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Regulation and Authority

Again the definition of a Commercial Motor Vehicle does not necessarily mean that a CDL is required.

If your vehicles meet the definition of a CMV then your are subject to all of the DOT regulations, regardless of CDL requirements

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Safety Section

Regulation and Authority

The Colorado State Patrol (CSP) is the primary/lead commercial vehicle enforcement agency in Colorado.

The mission of reducing commercial motor vehicle collisions is accomplished through education and enforcement with carriers, drivers and the general public.

Duties of MCSAP Troopers:

Traffic stops/Roadside inspections

Compliance reviews-Remember this as we go thru the presentation

Safety Audits

Public/Carrier/Driver education and awareness

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Safety Section

VIN PLATE

MFD. BY FORD MOTOR CO.

DATE: 04/05	GVWR: 7200LB / 3265KG	
FRONT GAWR: 3750LB	REAR GAWR: 3850LB	
1700KG	WITH 1746KG	WITH
LT275/65R18	TIRES LT275/65R18	TIRES
18X7.5J	RIMS 18X7.5J	RIMS
AT 275 kPa/40	PSI COLD	AT 275 kPa/40
		PSI COLD

THIS VEHICLE CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.

VIN: 1FTPW14545FB03774
TYPE: TRUCK

F0066
T0519



EXT PNT:	YZ			RC: 48		DSO:	
WB	INT TR	TP/PS	R	AXLE	TR	SPR	5F613
139	HB		B	B6	B	UUMM EOA	
				2200504015958	UTC		205A-1520472-AA

VIN PLATE

MANUFACTURED BY/FABRIQUE PAR:

**VENTURE TRAILERS
5301 NORTH POINT BLVD.
BALTIMORE, MD 21219**

DATE: Feb 7, 2008

GVWR / PNBV

6634 **KG(** 14625 **LB)**

MAX GVCC 5727 **KG(** 12625 **LB)**

GAWR (EACH AXLE)/PNBE (CHAQUE ESSIEU)

2359 **KG(** 5200 **LB)**

TIRE/PNEU ST225/75D15LRD **RIM/JANTE** 15X6.0

COLD INFL.PRESS./PRESS. DE GONFL. A FROID

29 **KPA(** 65

PSI) SINGLE

THIS VEHICLE CONFORMS TO ALL APPLICABLE U.S. FEDERAL MOTOR VEHICLE SAFETY STANDARDS IN EFFECT ON THE DATE OF MANUFACTURE SHOWN ABOVE.

THIS VEHICLE CONFORMS TO ALL APPLICABLE STANDARDS PRESCRIBED UNDER THE CANADIAN MOTOR VEHICLE SAFETY REGULATIONS IN EFFECT ON THE DATE OF MANUFACTURE. - CE VEHICULE EST CONFORME A TOUTES LES NORMES QUI LUI SONT APPLICABLES EN VERTU DU REGLEMENT SUR LA SECURITE DES VEHICULES AUTOMOBILES DU CANADA EN VIGUEUR A LA DATE DE SA FABRICATION.

VIN/NIV: 47GAA39388B000146

TYPE/T*PE: TRAILER TRA/REM **A** **MODEL:** VATB-12625

VT600



PICKUP $\frac{3}{4}$ TON 8900-10000 LBS GVWR

2 AXLE TRAILER AVG. 9000-14000 LBS GVWR



Truck Size	GVWR (in Tons)
10 Ft	8,600 lbs (4.3 tons)
12 Ft	9,900 lbs - 10,050 lbs (5 tons)
15 Ft	14,500 lbs (7.25 tons)
16 Ft	12,500 lbs (6.25 tons)
20 Ft	14,500 lbs (7.25 tons)
22 Ft	17,000 lbs (8.5 tons)
26 Ft	26,000 lbs (13 tons)



12500-16000 LBS GVWR



AVERAGE GVWR 48000-56000 LBS.

Carrier & Driver Liability

Big Trucks = Big Money\$\$\$

Your DOT # and Name is on the truck

Driver liable as well and sometimes even more than the company

Fault vs. contributing factors



Motor Carrier



Safety Section

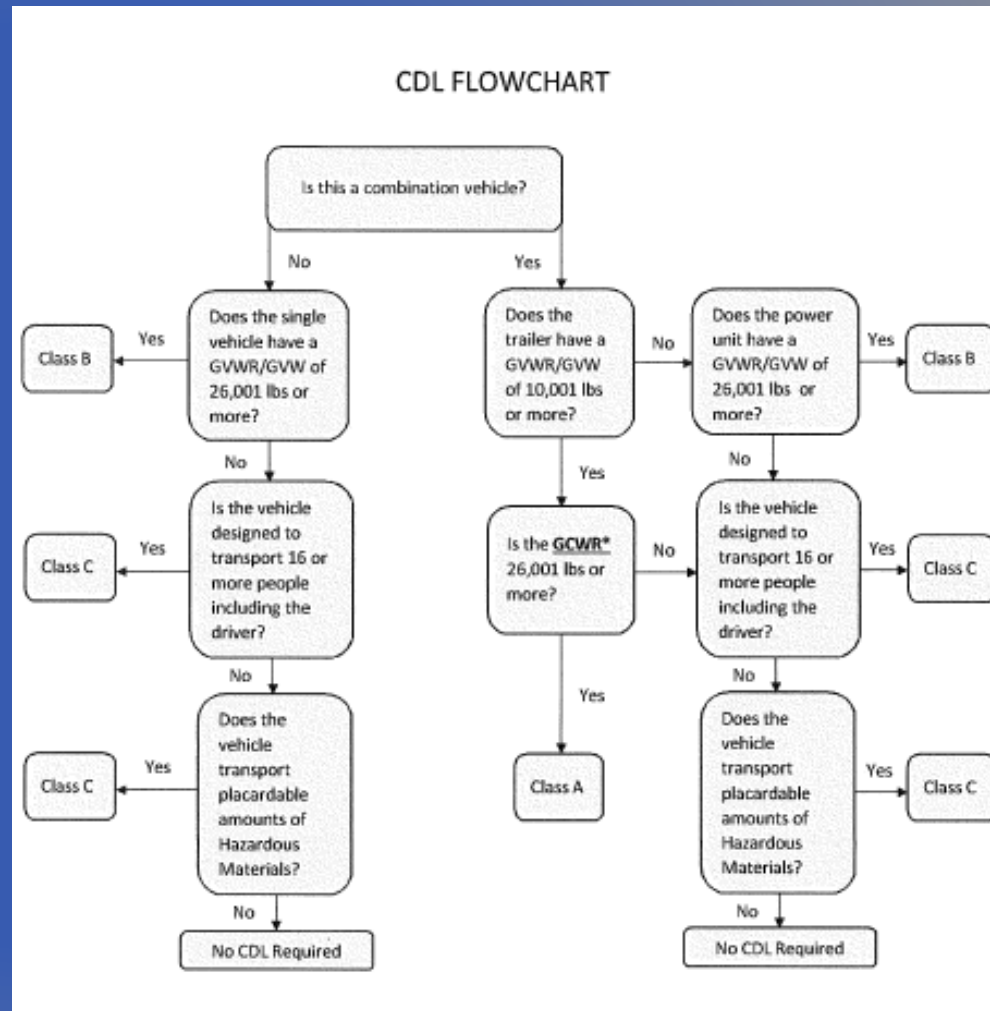
2.4 MILLION
REASONS TO CALL FRANK AZAR



CDL Licensing

A CDL license is required when:

- ❖ Class A - A vehicle combination has a gross combination weight rating of 26,001 pounds or more, with a towed unit(s) with a gross vehicle weight rating of more than 10,000 pounds, or
- ❖ Class B - Single unit has a gross vehicle weight rating of 26,001 pounds or more.
- ❖ Class C - Transports 16 or more passengers or a placarded amount of hazardous materials



CDL

- Proper License/Endorsements
 - Passenger, Hazmat, Tanker, Doubles, Triples
- Medical Card
 - Medical Card – As of June 22nd 2018 no longer required to carry on person.....However....
 - Current Medical Card on file with DMV DOR Form 2904
 - Can be Faxed to : 303-205-5709
 - Can be Mailed to: Colorado Department of Revenue
 - ATTN: CDL Unit Room 154
 - 1881 Pierce St.
 - Lakewood, CO 80214
 - Can be taken to DOR in Person
- DOR WILL CANCEL ALL YOUR LICENSES IF YOUR MED CARD EXPIRES!
- Responsibility of the Medical Provider, SDLA and also the DRIVER

Drug and Alcohol Clearinghouse

A secure, online database that gives employers and other authorized users real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.


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)



Frequently Asked Questions

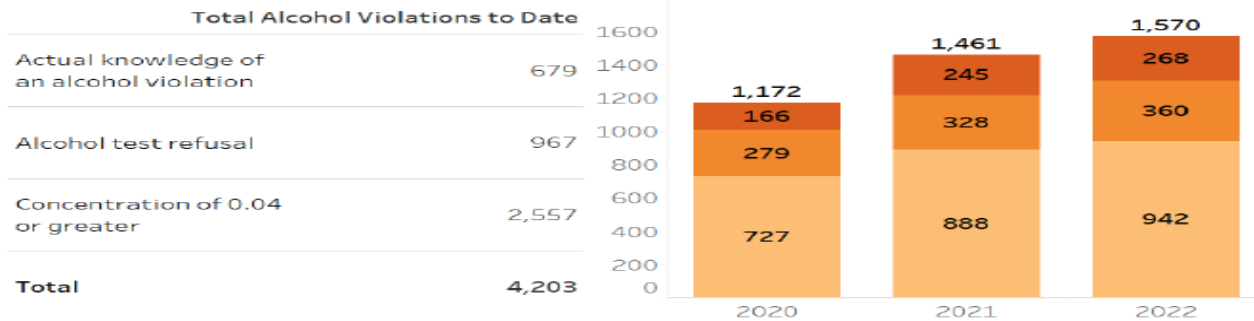
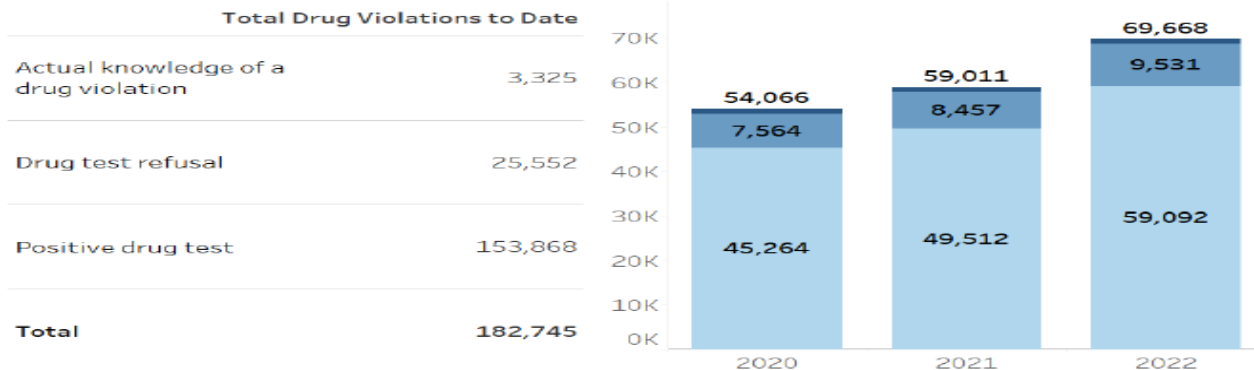
What information is the employer required to report?

	INFORMATION TO BE REPORTED TO CLEARINGHOUSE
 <p>Prospective/Current Employer of CDL Driver</p>	An alcohol confirmation test with a concentration of 0.04% or higher.
	Refusal to test (alcohol) as specified in 49 CFR 40.261 .
	Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191 .
	Actual knowledge, as defined in 49 CFR 382.107 , that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
	Negative RTD test results (drug and alcohol testing, as applicable)
	Completion of follow-up testing.

VIOLATIONS NATIONWIDE SINCE 2020

Violations

- Actual knowledge of a drug violation
- Drug test refusal
- Positive drug test



	Overall Violations
2020	55,238
2021	60,472
2022	71,238
Total	186,948

Violations reported through December 2022, as of January 4, 2023.

Drug and Alcohol Clearinghouse

In Colorado we have about 2600 prohibited drivers in the clearinghouse

Using prohibited drivers and drug and alcohol testing program violations are the highest fine amounts that are cited during a compliance review

Drug and Alcohol Clearinghouse

November 18, 2024 the second part of the rule goes into effect.

- Requires state CDL issuing agencies to conduct queries in the clearinghouse for issuing, renewing or upgrading CDLs.
- Requires states to downgrade CDLs when a clearinghouse violation is reported

Hours of Service

150 Air-Mile Radius Exemption (non-CDL) - A driver is exempt from maintaining a logbook if all of the following conditions are met:

- ❖ The driver operates within a 150 air-mile radius of the Principle Place of Business (PPOB),
- ❖ The driver starts and ends their duty day from the same location ,
- ❖ The driver does not work a maximum of 14 hours, 5 days a week of any period of 7 consecutive days, or a maximum of 16 hours, 2 days a week of any period of 7 consecutive days.
- ❖ The driver does not exceed a maximum of 11 hours driving time following 10 consecutive hours off duty,
- ❖ The employer maintains and retains for 6 months, accurate and true time records that show:
 - Time the driver reports for duty each day,
 - Time the driver is released from duty each day,
 - Total number of hours the driver is on duty each day and,
 - Total time for the preceding seven days for first-time or intermittent drivers.

Hours of Service

150 Air-Mile Radius Exemption (CDL) - A driver is exempt from maintaining a logbook if all of the following conditions are met:

- ❖ The driver operates within a 150 air-mile radius of the normal work reporting location,
- ❖ The driver starts and ends their duty day from the same location ,
- ❖ The driver does not exceed a maximum duty period of 14 hours,
- ❖ Have at least 10 hours off between duty periods,
- ❖ The driver does not exceed a maximum of 11 hours driving time following 10 consecutive hours off duty,
- ❖ The employer maintains and retains for 6 months, accurate and true time records that show:
 - Time the driver reports for duty each day,
 - Time the driver is released from duty each day,
 - Total number of hours the driver is on duty each day and,
 - Total time for the preceding seven days for first-time or intermittent drivers.

Pre Trip Inspection

Regulations require that, before driving a motor vehicle, a driver will

- (a) Be satisfied that the motor vehicle is in safe operating condition, and
- (b) Review the last driver vehicle inspection report, signing the report if defects were listed/corrected on the previous report

The procedure and equipment for the Pre-Trip inspection is specified in FMCSR 392.7 and FMCSR 396.13. The post trip inspection report is required to address certain minimum items. FMCSR 396.11

If the vehicle is not in safe working condition, **don't drive it.** It is the driver's responsibility to ensure the vehicle is safe to drive. The driver will be held accountable during the roadside inspection if the vehicle is found to be in an unsafe operating condition.



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Safety Section

Post Trip Inspection Report

Regulations require a post-trip inspection report to be completed by the driver.

The report must include at a minimum:

- | | |
|---|--|
|  service brake/trailer brake |  Coupling Devices |
|  parking brake |  Wheels/Rims |
|  Steering |  tires |
|  Lights, devices, reflectors |  wipers |
|  emergency equipment |  horn |

Make sure you include all problems DISCOVERED BY YOU and REPORTED TO YOU during the trip.

FMCSR 396.11

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Safety Section

Roadside Inspections

Finishing the inspection:

1. Inspection with no violations.
2. Inspection with violations – not Out of Service
3. Inspection with Out of Service violations on the driver or vehicle.

Be sure to submit all inspection reports to the carrier. They are required to return and retain these documents.

Be sure to take care of any ticket you may receive personally. It is separate from the inspection report.

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Safety Section

COLORADO TOP VIOLATIONS

Enforcement Programs

Roadside Inspection Violations

Shows all roadside inspection violations and can be filtered by fiscal or calendar year, carrier domicile, vehicle type, and geographic area. Displays data on inspection violations in the last 5 years.

FMCSA's Motor Carrier Management Information System (MCMIS) data snapshot as of 12/29/2023, including current year-to-date information for CY 2023. The data presented above are accurate as of this date but are subject to updates as new or additional information may be reported to MCMIS following the snapshot date.

Domicile - All, Vehicle Type - All, Report Focus - Colorado, Violation Type - All, Time Period - Calendar, Year - 2023

Inspections: 40,880 Total number of Violations: 69,203 Total number of Out-of-Service (OOS) Violations: 11,320

Violation Code	Type	Violation Description	# of Inspections	# of Violations	% of Total Violations	# of OOS Violations	OOS Per
17C	Vehicle	Operating a CMV without proof of a periodic inspection	5326	7021	19.96%	1	
18E	Driver	False report of drivers record of duty status	1180	2321	8.98%	834	3
2MI	Driver	Miscellaneous Traffic Law Violation	2197	2288	8.86%	4	
9	Vehicle	Inoperable Required Lamp	1788	2122	6.03%	60	
24C2III	Driver	Driver failed to manually add shipping document number	1776	1955	7.57%	1	
2RG	Other	State vehicle registration or License Plate violation	1390	1569	20.19%	1	
95A	Vehicle	No/discharged/unsecured fire extinguisher	1466	1467	4.17%	0	
47E	Vehicle	Clamp or Roto type brake out-of-adjustment	938	1456	4.14%	0	
24C2II	Driver	Driver failed to manually add the trailer number	1062	1212	4.69%	0	
30B1	Driver	Driver failed to certify the accuracy of the information gathered by the ELD	940	1181	4.57%	0	
8	Driver	Record of Duty Status violation (general/form and manner)	811	1134	4.39%	0	
2IRP	Other	IRP Apportioned Tag or Registration Violation	1074	1126	14.49%	0	
9TS	Vehicle	Inoperative turn signal	938	1075	3.06%	411	3
21TB	Other	Carrier name and/or USDOT Number not displayed as required	1064	1067	13.73%	0	
32B	Driver	Driver failed to assume or decline unassigned driving time	643	1060	4.1%	0	
23A2	Driver	Operating a CMV without a CDL	1044	1044	4.04%	1031	9
95F	Vehicle	No / insufficient warning devices	951	952	2.71%	0	
78	Vehicle	Windshield wipers inoperative/defective	892	892	2.54%	6	
16	Driver	Failing to use seat belt while operating a CMV	851	856	3.31%	1	
53B	Vehicle	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear	770	812	2.31%	0	
75C	Vehicle	Tire-other tread depth less than 2/32 of inch measured in a major tread groove	547	751	2.14%	11	
43	Vehicle	No/improper breakaway or emergency braking	727	737	2.1%	711	9
8E1PC	Driver	False Record of Duty Status - Improper use of Personal Conveyance Exception	471	719	2.78%	175	2
11	Vehicle	No or defective lighting devices or reflective material as required	611	704	2%	14	
8AELD	Driver	ELD - No record of duty status (ELD Required)	694	699	2.71%	626	8
2SLLS2	Driver	State/Local Laws - Speeding 6-10 miles per hour over the speed limit.	685	685	2.65%	0	

2024 Annual Report - Commercial Vehicle Safety Statistics								
Rank	Violation Information			Inspection Data		Compliance Metrics		
	Violation Code	Type	Violation Description	# of Inspections	# of Violations	% of Total Violations	# of OOS Violations	OOS Percent
Total number of Inspections: 40,880 Total number of Violations: 69,203 Total number of Out-of-Service (OOS) Violations: 11,320								
1	396.17C	Vehicle	Operating a CMV without proof of a periodic inspection	5326	7021	19.96%	1	0.01%
2	395.8E	Driver	False report of drivers record of duty status	1180	2321	8.98%	834	35.93%
3	392.2MI	Driver	Miscellaneous Traffic Law Violation	2197	2288	8.86%	4	0.17%
4	393.9	Vehicle	Inoperable Required Lamp	1788	2122	6.03%	60	2.83%
5	395.24C2III	Driver	Driver failed to manually add shipping document number	1776	1955	7.57%	1	0.05%
6	392.2RG	Other	State vehicle registration or License Plate violation	1390	1569	20.19%	1	0.06%
7	393.95A	Vehicle	No/discharged/unsecured fire extinguisher	1466	1467	4.17%	0	0%
8	393.47E	Vehicle	Clamp or Roto type brake out-of-adjustment	938	1456	4.14%	0	0%
9	395.24C2II	Driver	Driver failed to manually add the trailer number	1062	1212	4.69%	0	0%
10	395.30B1	Driver	Driver failed to certify the accuracy of the information gathered by the ELD	940	1181	4.57%	0	0%
11	395.8	Driver	Record of Duty Status violation (general/form and manner)	811	1134	4.39%	0	0%
12	392.2IRP	Other	IRP Apportioned Tag or Registration Violation	1074	1126	14.49%	0	0%
13	393.9TS	Vehicle	Inoperative turn signal	938	1075	3.06%	411	38.23%
14	390.21TB	Other	Carrier name and/or USDOT Number not displayed as required	1064	1067	13.73%	0	0%
15	395.32B	Driver	Driver failed to assume or decline unassigned driving time	643	1060	4.1%	0	0%
16	383.23A2	Driver	Operating a CMV without a CDL	1044	1044	4.04%	1031	98.75%
17	393.95F	Vehicle	No / insufficient warning devices	951	952	2.71%	0	0%
18	393.78	Vehicle	Windshield wipers inoperative/defective	892	892	2.54%	6	0.67%
19	392.16	Driver	Failing to use seat belt while operating a CMV	851	856	3.31%	1	0.12%
20	393.53B	Vehicle	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear	770	812	2.31%	0	0%

Roadside Inspections

-Company safety scores and driver (PSP) safety scores are based on Roadside Inspections.

-These scores dictate insurance costs, likelihood of being the subject of a Compliance Review and could affect vehicle registration, business license and more.

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Safety Section

How to Avoid Top Violations

Annual Inspection violation

Ensure every vehicle that meets the definition of a CMV (in combination) even trailers have an annual inspection

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control.

Recordkeeping requirements

Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Identifying information, including company number, make, serial number, year, and tire size
- A schedule of inspections to be performed, including type and due date

Motor Carrier



Safety Section

How to Avoid Top Violations

False Record of Duty Status

Know the HOS rules and educate your drivers on the application of those.

Personal Conveyance:

Try to avoid as this is the biggest reason for false log violations

A driver may record time operating a CMV for personal conveyance (i.e., for personal use or reasons) as off-duty only when the driver is relieved from work and all responsibility for performing work by the motor carrier.

Take home vehicles

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Safety Section

How to Avoid Top Violations

Inoperable required lamp

Good thorough pre-trip and post-trip inspections

Educating your drivers on the proper inspection methods

Require drivers to prepare Driver Vehicle Inspection Reports (DVIR) per regulations

Evidence of these inspections will be used during Compliance Reviews and civil litigation (Mr. Azar)

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Safety Section

How do Violations affect Safety Score:

- Roadside inspections stay on carrier profile for 2 years.
- Roadside inspections stay on driver profile for 3 years.
- Violations are assessed points that affect a carriers BASICS.
- All BASIC's have threshold alerts!



Controlled Substances/Alcohol

10-Point Violations

- Driver uses or is in possession of drugs—392.4(a)



5-Point Violations

- Driver consuming an intoxicating beverage within 4 hours before operating a motor vehicle—392.5(a)

3-Point Violations

- Driver having possession of alcohol while on duty, or operating, or in physical control of a CMV—392.5A2-POS

Critical

- Using a driver before the motor carrier has received a negative pre-employment controlled substance test result—382.301(a)



• Vehicle Maintenance

8-Point Violations

- Flat tire or fabric exposed—393.75(a)

6-Point Violations

- Inoperative turn signal—393.9TS
- Inoperable tail lamp—393.9T
- Operating CMV with lamps/reflectors obscured—392.33

3-Point Violations

- No or defective lighting devices or reflective material as required—393.11

1-Point Violations

- Passengers not protected from falling baggage (bus)—392.62(c)(3)

Critical

- Failing to keep minimum records of inspection and vehicle maintenance—396.9(c)(2)



Really....



- **Over 700 people died in car accidents in**
- **Colorado in 2023, a slight decrease increase from the previous year.**
- **There were 42 CMV involved fatalities in 2023. A decrease from the previous 2 years.**
- **Of those 42, 20 of those crashes the CMV was listed as the vehicle at “fault”. That is an increase over the last 2 years.**

The casual factors of all CMV involved crashes, where the CMV was at “fault”, were:

Lane violations

Speeding

Inattentive to driving

Distracted Driving

All CMV drivers are prohibited from texting or operating a hand held mobile telephone while operating a CMV

FMCSR 392.80 and 392.82

You will lose your commercial license (CDL)!



2nd offense in a commercial motor vehicle in 3 years = 60 days

3rd offense in a commercial motor vehicle in 3 years = 120 days

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Safety Section

Violation Point Assessment:



- Each violation adds anywhere from 1-10 points based on severity. Of course you want to keep your points as low as possible, but there's no minimum point total that determines when the FMCSA will take action.

• Driver Violations:

10-Point Violations

- Using a hand-held mobile telephone while operating a CMV—393.82(a)(1)
- Texting While Operating a CMV—390.33-XS
- State/Local Laws—Operating a CMV while texting—392.2-SLLS2
- Reckless driving—392.2R
- Speeding 15 or more mph—392.2
- Speeding in construction zones—392.2-SLLS4 (State and Local Laws)

**HANDS-FREE
WHILE DRIVING
IT'S THE LAW.**

Violation Point Assessment:



- Each violation adds anywhere from 1-10 points based on severity. Of course you want to keep your points as low as possible, but there's no minimum point total that determines when the FMCSA will take action.

• Driver Violations:

10-Point Violations

- Using a hand-held mobile telephone while operating a CMV—393.82(a)(1)
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- Speeding in construction zones—392.2-SLLS4 (State and Local Laws)

**HANDS-FREE
WHILE DRIVING
IT'S THE LAW.**

Impaired Driving

392.5 Alcohol prohibition.

No driver shall—

Use alcohol, or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of, a commercial motor vehicle; or

Use alcohol, be under the influence of alcohol, or have **any measured alcohol concentration or detected presence of alcohol**, while on duty, or operating, or in physical control of a commercial motor vehicle; or

Be on duty or operate a commercial motor vehicle while the driver possesses wine, beer, or distilled spirits



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Safety Section

Impaired Driving

So what about Colorado?

Federal Regulation and State Constitution

Commercial Vehicles and Other Vehicles

Employer Drug Testing

Denver: Where you can start at a
Mile High and go up from there!



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Safety Section

Impaired Driving

392.4 Drugs and other substances.

(a) No driver shall be on duty and possess, be under the influence of, or use, any of the following drugs or other substances:

Schedule I substance

An amphetamine or any formulation thereof

A narcotic drug or any derivative thereof

Any other substance, to a degree which renders the driver incapable of safely operating a motor vehicle.

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Safety Section

Seatbelt Use

FEDERAL REGULATION

A commercial motor vehicle which has a seat belt assembly installed at the driver's seat **SHALL NOT BE DRIVEN** unless the driver has properly restrained himself/herself with the seat belt assembly.

FMCSR 392.16

COLORADO STATE LAW

Everyone in the front seat must be wearing a seat belt

Anyone under 18 years of age must be wearing a seat belt

42-4-237 C.R.S.

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Safety Section

CHAIN LAW

- **What are the requirements for large vehicles traveling along the I-70 mountain corridor?**
- All motor vehicles with a GCWR/GVWR of 16,001 pounds or more are required to carry tire chains from September 1st through May 31st when traveling on any portion of I-70 between mile point 259 (Morrison) and mile point 133 (Dotsero). The vehicle must be equipped with enough chains or alternate traction devices (ATDs) to be able to comply with the Commercial Vehicle Chain Law if it is put into effect.
- **This requirement applies to any commercial or private vehicles with a GVWR/GCWR of 16,001 pounds or more (i.e. recreational vehicles, smaller box trucks).**



Colorado State Patrol

Motor Carrier Safety Section

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Golden, CO 80401

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www.twitter.com/CSP_MCSAP

Motor Carrier



SGT.

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Safety Section