

Truckers

Safety Doesn't Mean a Loss of Independence

by Pete Hanley

It takes a certain type of person to be a long-haul truck driver: someone who enjoys working independently, who doesn't mind long, lonely stretches of highway...someone with great problem-solving skills. Unfortunately, when creative problem solving involves breaking the rules of the road, the trucking industry must take steps to bring the mavericks into line.





Here a license, there a license

Before 1986, a trend developed among truckers who had accumulated multiple tickets and violations. Any person who was licensed to drive an automobile could also apply for a truck or bus license—and there were no limits on the number of state licenses a person could hold. Drivers with numerous infractions simply applied for licenses in several states and spread the violations among the licenses, thus assuring that the point limit on any one license was never reached. By doing this, a driver appeared to be operating within the standards enforced by his/her trucking company. The truth, however, was another story. Many operators had insufficient training, had not been tested and were not qualified to drive.

Only one per person

The Commercial Motor Vehicle Safety Act (CMVSA) was enacted in 1986 to address the issue of highway safety among drivers of large trucks and buses. A newly created Commercial Driver's License Information System (CDLIS) mandated uniform licensing practices among states and, backed by the CMVSA legislation, attempted to regulate drivers by removing unfit operators from the road and making it illegal to hold more than one license. The Act also gave states the power to mandate testing and licensing standards for truck and bus drivers and assure that large vehicles were driven safely by those who had appropriate training and ability.

Since April 1992, all commercial drivers have been required to carry a commercial driver's license that meets the standards of the Federal Highway Administration. States are required to test potential drivers on both knowledge and skill related directly to the type of vehicle that will be operated. Licenses are strictly regulated and fall within the following categories:

Class A - Any combination of vehicles with a gross vehicle weight rating (GVWR) of 26,001 or more pounds provided the GVWR of the vehicle(s) being towed is in excess of 10,000 pounds

Class B - Any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR

Class C - Any single vehicle, or combination of vehicles, that does not meet the definition of Class A or Class B, but is either designed to transport 16 or more passengers, including the driver, or is placarded for hazardous materials

CDLIS advantages

Drivers are required to report violations to employers within thirty days, but it is estimated that 50-80% fail to comply with

that regulation. Compounding the problem for employers is the fact that it can take 3-12 months for a conviction to be posted to a driver's history. With the support of CDLIS, the new CMVSA licensing regulations make it possible for employers to be notified of driver violations more quickly than before. Employer notification systems allow motor carriers to access real-time information about drivers and take immediate action to protect drivers, customers and their organizations.

CMVSA also ended the era of provisional licensing. If a person lost the right to drive a personal vehicle as a result of a serious violation, it was still possible to drive a company vehicle by applying for a provisional license. Thanks to a tightening of the rules, that illogical loophole was closed and provisional licenses for commercial drivers are no longer in use.

One more reminder about CSA2010

My Fall 2009 *SilverLink* article, "Danger on the Highway—Could CSA 2010 be the Answer?," explored CSA2010, the Comprehensive Safety Analysis instituted by the Federal Motor Carrier Safety Administration, which was designed to identify high-risk behaviors, increase communication and promote greater safety throughout the trucking industry.

One feature of CSA2010 legislation involves driver monitoring, which supports the efforts of CMVSA and works with CDLIS to promote better, safer driving and more efficient methods to identify operators who may be a danger to themselves and others on the road, as well as carriers whose risk management strategies fail to promote a culture of safety.

CSA2010 is scheduled to begin on July 1, 2010. At that time, drivers will be "scored" on a scale of 1-100, with a lower score indicative of a good driving record. The higher the score, the less likely a driver is to remain employed or be hired by another carrier. Driving violations will be reviewed on a rolling, three-year period; the beginning score will be determined by a look-back date of July 1, 2007 for a driver's record.

Insurance companies are certain to access these scores when it comes time to review risk exposures and assign premiums. Drivers need to be aware that their actions on the road could seriously impact themselves and their employers.

The bottom line is safety. A driver doesn't have to give up independence to adhere to industry rules and regulations. On the contrary, true independence is achieved when one does the best job possible within the boundaries of safety. The people you share the road with are counting on you.