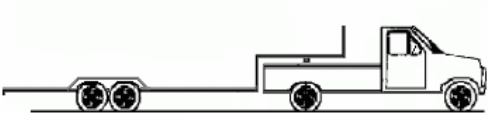


What Every CMV Driver Needs To Know



V1.1 Sept. 2007

Purpose

The purpose of this report is to raise awareness of some of the rules and regulations in operating a CMV as well as the responsibilities of the driver and/or vehicle owner. BEWARE: Rules and regulations change daily and may vary state by state or even city by city.

CONTENTS

Purpose	2
Introduction	4
DOT Definition of a CMV	5
Examples of CMVs	6
When is a Commercial Drivers' License (CDL) Required?	9
Do these CMVs require a CDL?	10
Other CMV Facts	11
Employee's Vehicle as a CMV.....	11
Interstate Commerce.....	11
CMV Driver Qualifications	12
Hazardous Materials.....	13
Driving Dos and Don'ts	14
Drive Defensively.....	14
Stopping at Intersections.....	16
CMV Under ride Collisions.....	17
Vehicle Inspection	20
Batteries.....	20
Backing.....	21
Vehicle Entry/Exit.....	22
Bad Weather.....	22
Rail Way Crossings	23
Hours of Service	24
Accident Procedures	25
CMV Training Requirements	26
CMV Dos and Don'ts	27
Cell Phones.....	28
Dump only from flat ground.....	28
Working Near Power Lines.....	28
CMV Maintenance	29
Flat Tires.....	29
Working Under Raised Dump.....	30
Passenger Safety.....	31
Hand signals	32

Introduction

Congratulations. You are now a Commercial Motor Vehicle (CMV) Driver. According to the Department of Labor 1 in 5 workers is a CMV driver or operates a CMV as part of his or her job.

What is a CMV driver?

What is a Commercial Motor Vehicle? A simple definition of a CMV is any **vehicle used on a road commercially**.

A pickup or a small truck used in a business may be a CMV, and of course a tractor-trailer is a CMV if used in business. The same tractor pulling an RV on a camping trip that is not a business trip or part of a business would not be a CMV (but your state may require a **non-commercial CDL**).

Some states simply define a CMV as a “qualified registered motor vehicle.”

DOT Definition of a CMV

The U.S. Department of Transportation (DOT) defines a commercial motor vehicle (CMV) in its regulations (49 CFR Part 390.5). The DOT defines a CMV as any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property if the vehicle is:

- 1) 10,001 pounds (4,536 kg) or more in its rated weight, gross combination weight rating or its gross weight, whichever is greater; or
- 2) Designed or used to transport more than 8 passengers (including the driver) for compensation; or
- 3) Designed or used to transport more than 15 passengers including the driver and is not transporting passengers for compensation; or
- 4) Used to transport hazardous materials in a quantity requiring placarding.

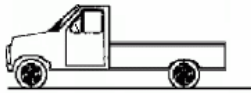
Examples of CMVs



1) Is this a CMV? Yes No

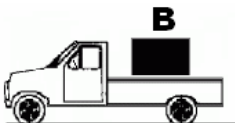
If the vehicle used to transport:

- Property
- Passengers
- Tools and/or supplies used in your trade
- **Any amount** of a hazardous material (gasoline, oxygen, acetylene, propane, paint, solvents, glues, fertilizer, etc.) – then it may be a CMV.



A

Under 10,001 Pounds GVWR or Actual (Gross) Weight (of A)	Over 10,001 pounds GVWR or Actual (Gross) Weight (of A)	H/M Placards Required
NOT CMV	CMV	NA



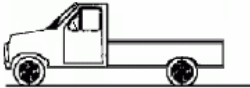
A

Under 10,001 Pounds GVWR and/or Actual (Gross) Weight (of A + B)	Over 10,001 pounds GVWR and/or Actual (Gross) Weight	H/M Placards Required
NOT CMV	CMV	CMV

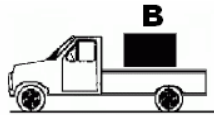


2) Is this a CMV? Yes No

If the combined gross weight **rating** (or Gross Combination Weight Rating – GCWR) of both pickup and trailer is 10,001 pounds or more (even if the truck and trailer **are both empty**) – it may be a CMV.

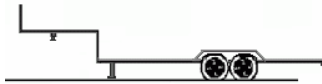


A



A

Adding a trailer to a pickup:



C

Under 10,001 Pounds GCWR or Actual (Gross) Weight (A+C are less than 10,001 pounds)	Over 10,001 pounds GCWR and/or Actual (Gross) Weight (A or C is RATED over 10,001 pounds)	H/M Placards Required
NOT CMV	CMV	NA

Adding cargo:



C

Under 10,001 Pounds GCWR or Actual (Gross) Weight (A+B+C+D are less than 10,001 pounds)	Over 10,001 pounds GCWR and/or Actual (Gross) Weight (A+B+C+D are less than 10,001 pounds)	H/M Placards Required
NOT CMV	CMV	CMV



3) Is this a CMV? Yes No

If **designed** or used to transport:

- 8 people including the driver (for compensated travel)
- 15 people including the driver (non-compensated or non-profit travel) then it may be a CMV (even if no passengers are present except for the driver). GVW does not matter, but type of driver's license may matter.

This also brings up the concept of “**intent.**” Whether or not a trip is legal is determined on a trip by trip basis. For example, if a pickup or truck is modified and used to haul passengers, then the “intent” is to operate the vehicle like a mini-bus or bus and all of the passenger rules and regulations would apply. On the other hand a bus may have all its seats removed and be modified with the intent to haul only property so only those rules pertaining to the vehicle's size and use would apply.

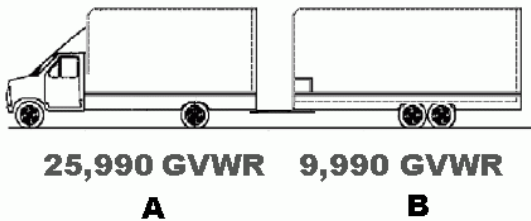
When is a Commercial Drivers' License (CDL) Required?

The regulations in 49 CFR Part 383 apply to all CMV drivers of vehicles "used in commerce" and specify who must have a Commercial Drivers License (CDL).

A CMV under Part 383 is motor vehicle or combination of motor vehicles (tractor trailer, semi-trailer, truck and trailer or even pickup and trailer) transporting passengers or property if:

- a) the gross combination weight rating is 26,001 pounds (1,794 kilograms) or more including a trailer with a gross vehicle weight rating of **more** than 10,000 pounds;
- b) the gross vehicle weight rating is 26,001 pounds (11,794 kilograms); or
- c) it is **designed** to transport 16 or more passengers including the driver; or
- d) the vehicle is any size and is used to transport hazardous materials requiring placards under Part 172 or any quantity of a select agent or toxin under Part 73.

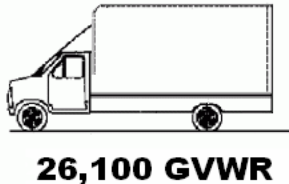
Do these CMVs require a CDL?



1) CDL required Yes No

While the gross weight is over 26,001 pounds, the trailer weight is less than 10,001 pounds – so no CDL is required.

If the GCWR is 26,001 or more including a towed unit(s) **with** a GVWR of **more than** 10,000 pounds, then a CDL is required.



2) CDL required Yes No

If the GVWR is 26,001 or more then a CDL is required.



6,795 GVWR
20 Passenger

3) CDL required Yes No

If the vehicle is **designed** to transport 16 or more passengers, then a CDL is required. GVWR does not apply.

Other CMV Facts

Employee's Vehicle as a CMV

An employee offering use of his or her 10,001 GVW truck to the employer may be unknowingly be driving a CMV and subject to any rules and regulations for that type of CMV. For example – even if not paid – the time driving would be considered “on-duty” for Hours of Service purposes.

On the other hand, an unladen CMV may be used as a personal conveyance to drive to a hotel or restaurant.

Interstate Commerce

One does not have to cross state borders to engage in “interstate commerce.” A continuation of an “interstate trip” may constitute interstate commerce. Examples: 1) Picking up passengers from an airport that flew in from another state, or 2) picking up a commodity dumped on a dock, as coal from another state, province or country, or 3) moving a trailer that crossed state lines – may be examples of engaging in “interstate commerce” without leaving your home state.

CMV Driver Qualifications

A CMV driver must be **qualified** to drive a CMV.

Some of the qualifications include:

- Proper license and vehicle endorsements
- A Valid Medical Examiner's card
- Remaining medically fit to drive
- Not using or possessing disqualifying medications
- Be at least age 21 for interstate commerce
- Not be disqualified to drive under Parts 391, 383
- Ability to safely operate the type of CMV based on training and/or experience
- Pass a road test (if required)
- Agree to a background investigation
- Consent to substance abuse testing (if required)
- Not possess more than one drivers license
- Good attitude toward safety

Hazardous Materials

“The current law does not require training for carriers that do not carry hazardous materials or cause the transportation of hazardous materials. However, if a carrier does not train its employees to reject hazardous materials, it unwittingly becomes a carrier of hazmat and subject to the training rules.” PHMSA

For more information on hazardous materials see the publication “How to Use the Hazardous Materials Regulations (HMR)” at:

<http://hazmat.dot.gov/training/HowToUse.pdf>

or in Spanish:

http://hazmat.dot.gov/training/how2use_sp_05.pdf

Hazmat training must include:

- general awareness/familiarization;
- function-specific;
- safety;
- security awareness;
- In-depth security training, if a security plan is required; and
- driver training (for each hazmat employee who will operate a motor vehicle).

A violation of any hazardous materials regulation, including training, may result in a civil penalty of up to \$32,500 for each violation and, in certain cases, criminal penalties of up to \$500,000 and imprisonment of up to 5 years. See 49 CFR §107.329 and §107.333.

Driving Dos and Don'ts

Drive Defensively



Defensive driving means different things to different drivers. To the CMV driver defensive driving is essential as it has been estimated that one out of three CMVs is involved in a collision every year. Commercial driving is one of the leading occupations for on the job fatalities and injuries.

Awareness is the number one factor in defensive driving. Awareness means being constantly **alert** for anything unusual in a 360 degree pattern.

The aware defensive driver knows his or her own limitations, the capability of the vehicle driven and the characteristics of the road and the ability to **Recognize Dangerous Situations**.

The defensive driver looks for every opportunity to enhance his or her skills and capabilities with the aim of continuous development.

The ultimate goal of the defensive driver is personal security and collision free driving.



Intersection Defensive Driving



It has been estimated by traffic safety experts that over 90 percent of collisions could be avoided if the driver involved had ONE extra second of time.

There are several ways a CMV driver may gain that extra second:

1) Cover Your Brake

Cover your brake means to take the foot from the accelerator and place it over the brake. Do not touch the brake pedal with your foot but hover over the brake pedal in readiness.

Many CMVs have air (or air over hydraulic) brakes which are known for “brake lag.” Covering your brake helps to make up for brake lag in stopping.

Most CMVs have Event Data Recorders (EDR) or may have a trip-recorder built into the Engine Control Module (ECM). Covering your brake helps to establish an electronic record of defensive driving.

Covering your brake is an essential CMV driving skill.

2) Scan the Intersection

Look left, look right and left again.

Scan the intersection for possible hazards, e.g., right turns on red and vehicles traveling too fast, and do not rely on traffic control devices (stop signs or traffic lights) to stop opposing or side traffic.

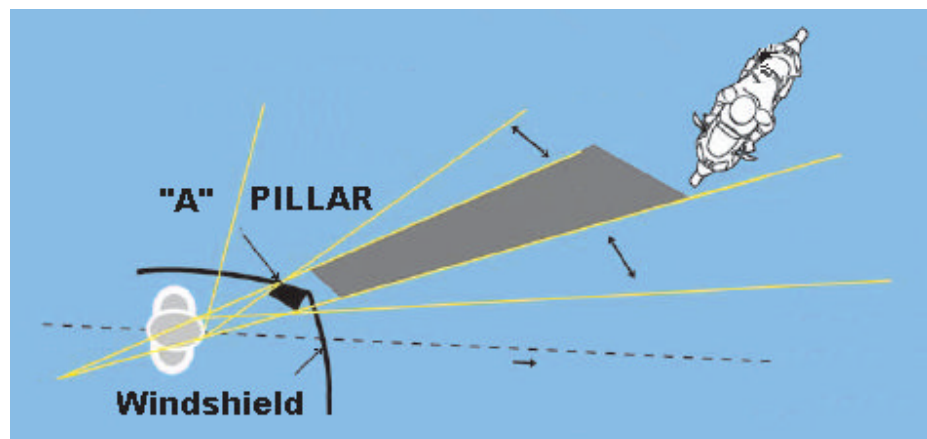
Begin to cover the brake and scan well before reaching the intersection and continuing to scan in all directions. Account for traffic one lane at a time, treating each lane as a separate intersection.

Stopping at Intersections



Stopping at an intersection requires awareness of your vehicle's blind spots at the "A" pillars and mirrors. This blind spot sometimes called the "killer pillar" can hide a pedestrian in the crosswalk, motorcycle or even blend in to hide a tractor-trailer.

- Always make a **complete stop** (three full seconds in some states).
- Double check for anything hidden behind the A Pillar and the mirrors (after stopping)



Example of the reduced visibility of the A Pillar blind spot.

CMV Under ride Collisions

There are two types of CMV or truck under ride collisions: side under ride and rear under ride.

Side under ride collision usually happens at night or during **low sun-angle** conditions. The collision usually occurs when a CMV driver either is attempting to cross or turn onto a street or highway, or attempting a U-turn, or is trying to back across traffic. CMV drivers may assume that on-coming drivers can see them crossing the road; however, on-coming drivers often do not see a truck crossing their path until it's too late.

The most common misconception is that CMVs large size by itself makes them seen by the other drivers. However, size is only one of the factors that create **contrast** between the CMV and its background. The assumption that this one factor in itself – size alone – will make the truck conspicuous and in turn allow approaching drivers to see the truck is often a fatal mistake.

Generally under ride accidents occur at night. Factors include:

- inoperative or dirty lights on the trailer's side,
- bright lights and/or bright sign-boards from a fuel station or truck stop near the side of the road.
- a very slow-moving CMV or truck,
- a truck is making a left turn or backing across traffic



Contributors that can cause **rear under ride** are:

- inoperative, dirty, or dim taillights;
- taillights placed very close together;
- failure to properly use **reflective triangles** when parked or broken down on or near the road; and
- a failure to use emergency flashers when entering or exiting the highway at slow speeds.

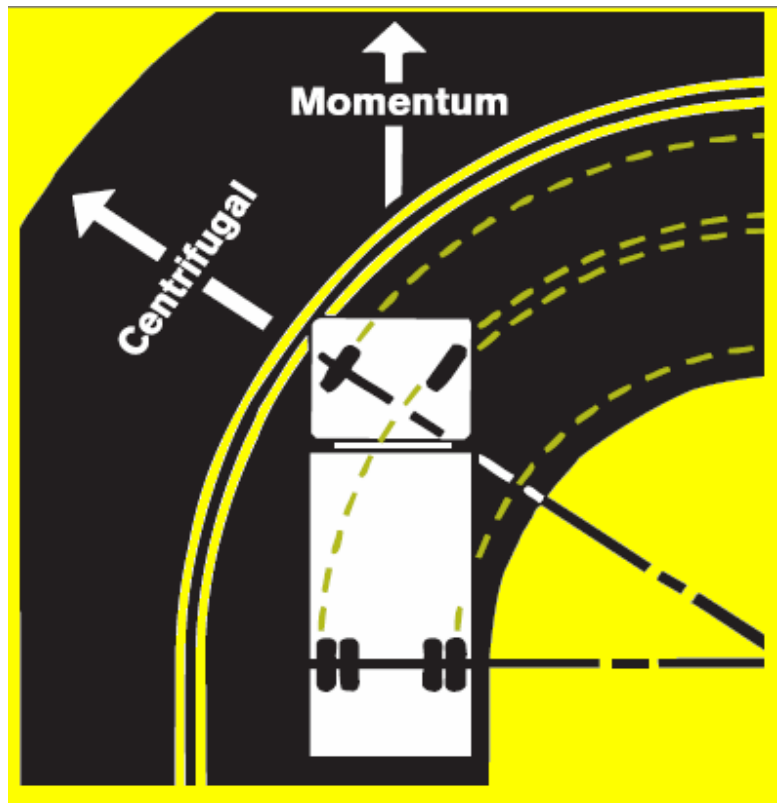
As a result of trailer under ride collisions, the U.S. Department of Transportation has mandated new conspicuity markings for trailers, which originally had to be installed **on all trailers** made after December 1, 1993. These markings are now required on all trailers.

Dr. John C. Glennon johncglennon.com

CMVs and Curves



Slow down *BEFORE* the curve or turn.
Keep at least **10 miles under the posted speed**.
The posted curve speed is for cars not CMVs.



Slowing down before the turn well below the posted speed lowers the chance of tip over, rollover or a skid.

Vehicle Inspection

The purpose of the vehicle inspection is twofold: 1) safe vehicle operation and 2) putting safety in the forefront.

A proper CMV inspection is required by law, as well as an enroute inspection and end of trip written inspection form.

The CMV is made up of systems. Checking and testing each system (which, at a minimum, should include tires, brakes, warning lights and devices, headlights and clearance lights, windshield wipers, and mirrors) every trip is an essential skill.

If your vehicle is equipped with air brakes, doing the air brake tests in the CDL manual will ensure the slack adjusters are in proper adjustment.

Batteries

WEAR PROPER EYE PROTECTION AROUND BATTERIES.

Use Eye Goggles at all times when the cover is off batteries or the hood is open.

Batteries may EXPLODE at any time.

Flush eyes with any drinkable fluid.

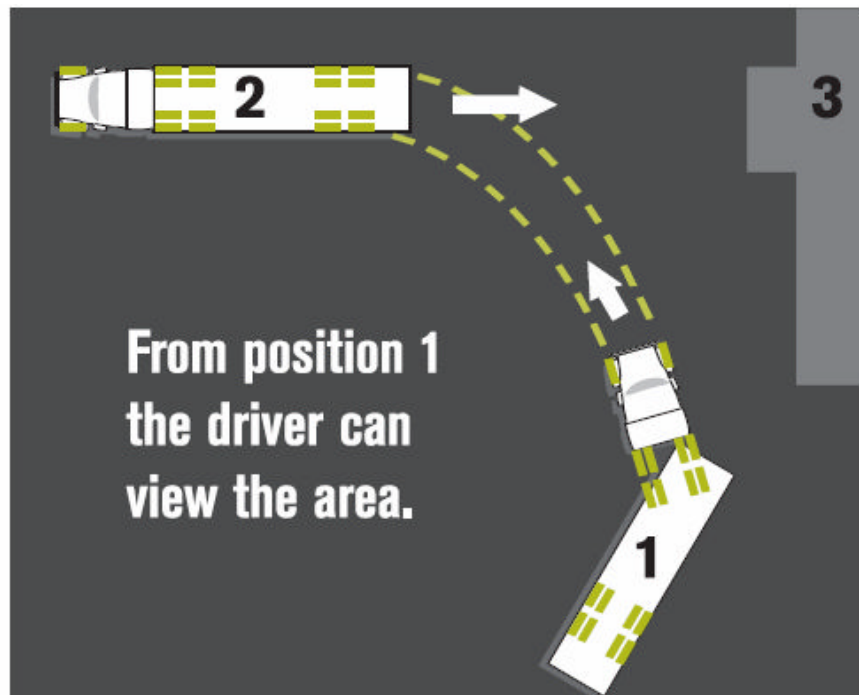
Flush eyes with water for twenty minutes.

Backing

Always use Four-Ways and tap horn twice each time before backing.

STOP backing if you do not see your spotter.

Remember **GOAL: Get Out And LOOK** before backing: **walk the path.**



CLEARANCE 12' 8"

Most backing vehicle damage is at the rear top of the vehicle.

Vehicle Entry/Exit

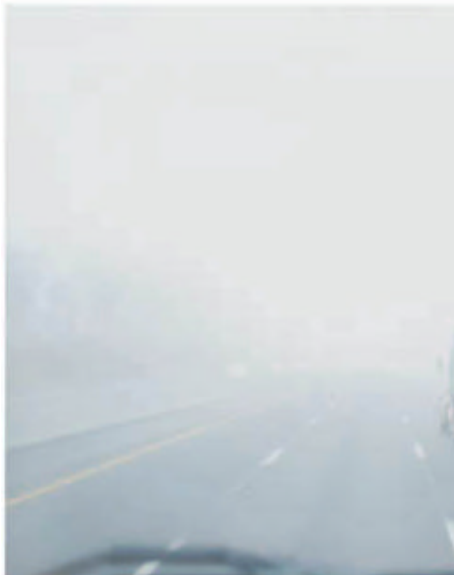
Do not jump off vehicle.

Do not “walk off” vehicle: back out facing the vehicle.

Use the “three points of contact method” to get on/off the vehicle. At all times have both hands and one foot or both feet and one hand on the vehicle if climbing in or out.

Bad Weather

Maintain at least a **six second** following distance behind other vehicles. Increase your following distance in fog, rain, or other adverse conditions.



If you can not see the road due to smoke, fog, heavy rain, snow, etc., then you should not be driving at all.

Rail Way Crossings



Some of the issues a driver must contend with are:

- Sight-restricted crossing;
- Uncontrolled crossings.

While the number of train and CMV collisions is going down each year – the severity of the collisions with trains is increasing. Each week nine or more CMVs are in a collision with a train – including two CMVs every week that are hauling hazardous materials. Factors include:

- Poor visibility of the train at night;
- Lack of preview of crossing;
- Rough crossing and/or steep crossing approaches.
- **Distractions:** construction zones, emergency vehicles, radios and CBs, passengers, bad weather, fatigue, etc.

Hours of Service

Whether you use an exemption sheet (time card) or log book (Record of Duty Status – RODS) is determined by:

- type of CMV driven: CDL or Non-CDL
- how many miles driven;
- how many hours worked in a day;
- crossing state borders (interstate) versus staying in the same state (intrastate) driving.

Take a training class if it has been some time since you used a log book or if you have never had to fill out a log book or Record of duty Status. You may be fined and the company may later face huge fines (\$1,000s per error).

Rules differ for drivers carrying passengers versus carry property.

Once you become a CMV driver, you must account for 24/7/365 of your time to the DOT.

Some states allow “tolerance” or special rules for intrastate drivers.

Certain industries have their own exemptions: agriculture, utilities, well drilling, etc.

On the first day of a new job, always fill out a “data sheet” showing what hours/times you have worked in the seven days before you start driving.

Always fill out a **vehicle inspection report** at the end of the day for each vehicle (CMV or trailer) driven.

Accident Procedures

CDL Driver Post-accident drug and alcohol testing is required under Part 382.303 if: the accident involved the loss of life (a fatality) or the driver was cited within eight hours, if the accident involved bodily injury that required treatment or one or more vehicles sustained disabling damage that required towing:

- a.)** as soon as practicable for alcohol testing and
 - 1.) must be completed in two hours after the accident,
 - 2.) or must document why it was not done in 2 hours
 - 3.) or must cease attempts to administer a test after eight hours and file a record why it was not done
- b.)** as soon as practicable for controlled substance testing and:
 - 1.) must be completed in 32 hours post-accident, or
 - 2.) must document why it was not done in 32 hours
 - 3.) or must cease attempts to administer a test after thirty-two hours and file a record why it was not done.

Every CMV drivers should have an accident reporting kit, including a camera, witness cards, insurance information, etc.

NOTE: Emergency warning devices (as reflective triangles – required on all CMVs) need to be set up at proper distance from the scene as soon as practical.

CMV Training Requirements

In additional to Hours of Service Training, a CMV driver may need training in:

- Load Securement and Security Training
- 49 CFR Part 380 (E) Entry Level Training for new CDL Drivers
- Hazardous Materials Training
- Hazardous Materials Security Training
- Introductory or Refresher Training for specific CMV configurations
- Hazard Awareness Training
- Safety Training
- Company Policy and Procedures
- Accident Procedures
- Collision Prevention

CMV Dos and Don'ts

No Riders!



Never ride or transport passengers in the bed of a pickup.

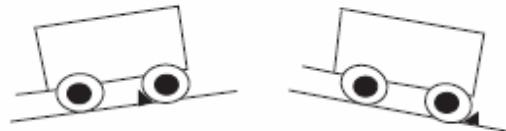
Pickups are designed for hauling cargo, not people.

NO RIDERS ON CMV STEP.

Do not move a CMV with riders on the step outside the cab.

Passengers as hitchhikers are not permitted under DOT rules. All passengers must have explicit written permission from the company to be on-board a CMV.

Chock the Wheels



Block in the direction the trailer is most likely to roll. If in doubt, block both wheels.

Chock wheels when parking your vehicle or trailer.

Every day in the U.S. two dozen CMVs roll away causing injuries and fatalities.

Learn to properly secure your vehicle when parking.

Always use the parking brake and double check position of the valves when setting airbrakes.

Cell Phones

**ENGINE ON.
HANDS OFF.**

Never use a cell phone while the engine is running.

Dump only from flat ground.



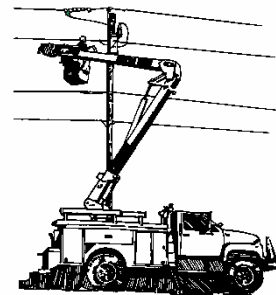
Dump only from flat ground.

Aggregate may get stuck in the nose and cause tip over of the dump.

Working Near Power Lines

Never work near power lines.

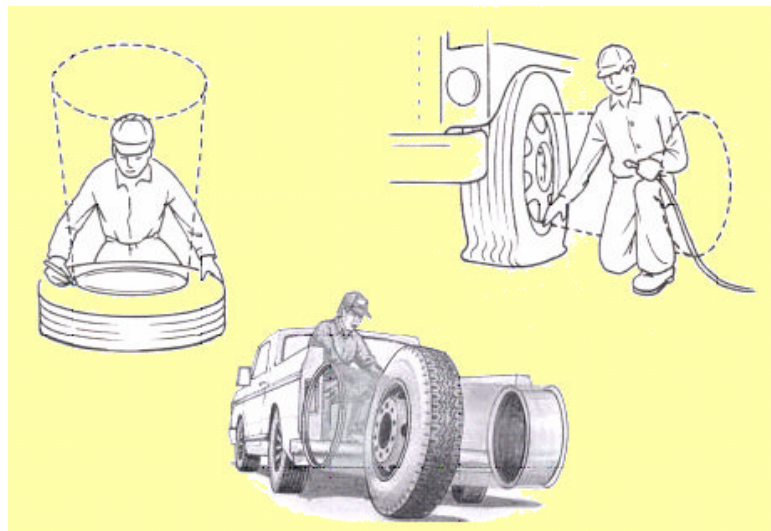
Working near power lines requires special training and precautions.



CMV Maintenance

Flat Tires

WARNING: At all times stay out of trajectory area working around tires.



Flat tires are any tires *under 20% of proper inflation*. DO NOT re-inflate any flat tires unless you are a properly trained tire technician. Tires over 80 percent recommended pressure may be inflated on the vehicle if proper precautions are taken. Flats should be properly inspected to find the cause of the leak. **(See OSHA 29 CFR Part 1910.177)**

Working Under Raised Dump

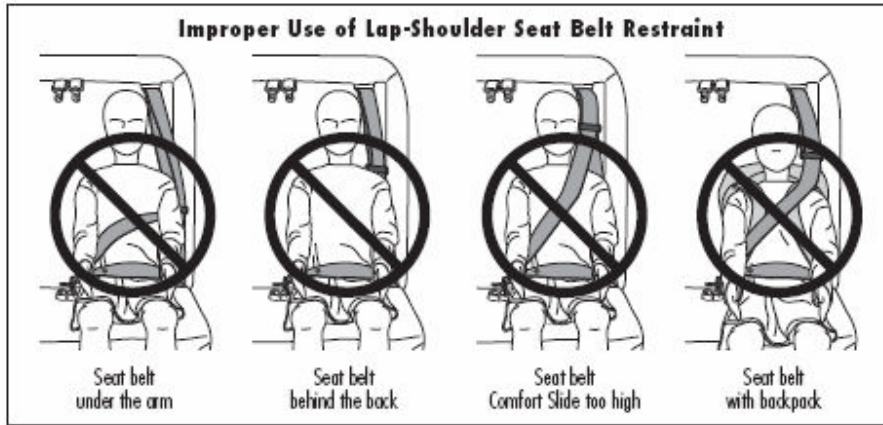


Never work under a raised bed without an approved lift support.















Always block the empty bed before inspection or maintenance.

Passenger Safety




Hand signals

EXCAVATOR HANDSIGNALS

			
Load Up	Load Down	Swing Left	Swing Right
			
Turn Left	Turn Right	Travel	This Far To Go
			
Everything Slow	Stop Engine	Stop	Emergency Stop

EXCAVATOR HANDSIGNALS

			
Boom Up	Boom Down	Telescope In	Telescope Out
			
Dipper In	Dipper Out	Counter Rotate	Counter Rotate
			NO RESPONSE SHOULD BE MADE TO UNCLEAR SIGNALS
Open Bucket	Close Bucket	Dog Everything	

For additional compliance materials visit:

www.part380.com

*Thank you for your time and attention.
All the best.*

*John E. Taratuta
President
Taratuta LLC
Grand Rapids, MI*

Email: admin@part380.com



"If you can't be a good example, then you'll have to be a horrible warning."