

# EIGHT COMMON MISTAKES – DEADLY TO YOUR COMPANY

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## 1) IGNORING GOVERNMENT REQUEST AND DEADLINES.

If you get an official notice or a notice from an official, then deal with it. Immediately. Wait until the last day and you are asking for trouble. Once the deadline passes, if you were facing a fine or other sanctions, you may lose all rights to an appeal. Don't wait until the end of the day: the "business day" legally ends at 5 PM not midnight.



## 2) FILL OUT ANY REQUIRED FORMS – COMPLETELY.

An incomplete form or unsigned form may be taken for a missing form and incur a \$1,000 fine. Per day. If the correct response is "NONE" then write "NONE" not "n/a." Don't accept "bad paperwork" from employees.

## 3) READ, CHECK, AND VERIFY ALL INCOMING PAPERWORK.

Ask yourself "Why?" Why does the driver's medical card contain a certain check box? Why don't the supporting documents match the logbook? You are responsible for every piece of paper crossing your desk. Make every day your why day.



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### 4) READ THE REGS.

For example, 49 C.F.R. Part 390.3(e) **Knowledge of and compliance with the regulations** says in (1) “**Every employer** shall be knowledgeable of and comply with **ALL** regulations contained in this subchapter which are applicable to that motor carrier’s operations.”

(Emphasis added).



### 5) DO NOT STOP READING.



The same section goes on to say in (2) “**Every driver** and employee shall be instructed regarding, and comply with, all applicable regulations contained in this subchapter.” If you are the employer and driver, then all the regulations apply. There is a tendency to stop reading when we reach the point that the regulations meet our predisposed expectations. Keep reading and reading and reading those regs.

### 6) SET UP A “TICKLER FILE.”

A tickler file is a term used by office professionals to remind and keep track of upcoming events. For example: vehicle maintenance and inspections, annual inspections, driver’s annual review, driver’s license, medical examiner’s card, FORM MCS150, etc. etc, all have due dates or renew dates. Fines may occur to both driver/employer if any driving takes place after the due date. Know what and when records may be disposed of without problems.



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### 7) DO YOUR HOMEWORK

In business it's called "due diligence." There is no requirement for the government to inform you of your responsibilities. Transportation laws may vary from state to state and even city to city. Bridge laws and seasonal load restrictions may restrict when and how much you may carry. Know what you are allowed to do or not do. Get any special permits, if necessary. Crossing jurisdictions may require among other things: apportioned plates, fuel permits, trip permits, at least a 21 year old driver and the new Unified Carrier Registration.

### 8) HONESTY IS THE ONLY POLICY

Conspire to break the driver's hours of service rules? That's up to a \$250,000 fine and five years in federal prison. As it's a federal violation there's no parole – and no discharge by bankruptcy. Threaten or force an employee to engage in an unsafe act? Unwise. Recent changes in public interest disclosure (whistleblower) laws call for **punitive damages** up to \$250,000.

Avoiding the above mistakes will help eliminate "management by crisis," unnecessary fines or sanctions and give you a leg up on the competition.

For additional regulatory compliance guidance see:

**The Safety Audit Guide** - - order no. SAG101

**Transportation Administration** (available soon) order no. TA201

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