

BULLETIN

(May 8, 2012)

CHANGES PROPOSED TO CSA SCORING - FMCSA (The Federal Motor Carrier Safety Administration) has announced changes to the way motor carriers and their drivers are scored in the CSA program. Among the changes:

- (1) Cargo-securement violations will be moved from the Cargo-Related BASIC to the Vehicle Maintenance BASIC, and the Cargo-Related BASIC will become the "HM BASIC";
- (2) Vehicle violations found during driver-only inspections will be removed from the scoring process; and
- (3) The terms "Insufficient Data" and "Inconclusive" will be replaced with fact-based descriptions such as "less than 5 inspections" or "no violations within 1 year."

The FMCSA has also announced one anticipated (and personally hoped for) change that will *not* be made at this time: determining whether crashes were preventable, and therefore affect safety rating scoring in a compliance review

The FMCSA also has plans to change how carriers are classified as hazmat carriers. It is proposed that a carrier will be classified as a hazmat carrier if:

- (a) It has had at least 2 inspections on a placarded vehicle within the past 24 months, including one inspection within the past 12 months, and making up at least 5 percent of the motor carrier's total inspections; or
- (b) It has a hazmat safety permit or has been identified as a carrier of placarded quantities of hazmat from an investigation in the last 24 months.

Driver/Vehicle-Only Inspections: The FMCSA is removing vehicle violations found during driver-only inspections and driver violations found during vehicle-only inspections to remove bias that occurs in the scoring process. The bias is created by the fact that driver-only inspections count against the Vehicle Maintenance BASIC when vehicle violations are documented but do not count as a clean inspection when vehicle violations are not noted.

The FMCSA is accepting public comments on the above changes until May 29, 2012.

ROADCHECK JUNE 5TH - This summer's edition of the annual 72-hour roadside inspection event known as Roadcheck is scheduled to begin on June 5th.

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Approximately 10,000 certified local, state, provincial, and federal inspectors at 1,500 locations across North America perform the truck and bus inspections.

TRUCKING COMPANY FACING CRIMINAL CHARGES - Criminal charges have been leveled against a Lancaster, PA, motor carrier and its owner for allegedly encouraging commercial drivers to falsify their logs.

Government prosecutors allege that the owner directed at least 10 of the company's commercial truck drivers to knowingly falsify their logs between January 2007 and November 2009.

According to filings in the case, the defendants "routinely" disregarded federal hours-of-service rules and instructed drivers to prepare two sets of logs, one of which was false and intended for government inspectors, to conceal violations.

The defendants also allegedly dispatched company drivers on trips they knew required excessive hours of driving and on-duty time without allowing time for adequate rest.

During the execution of a search warrant of the company, federal agents seized numerous business records including an extensive collection of logbooks and documents marked "Not For DOT."

Feel free to contact me if you should have any questions regarding the above or other safety related matters.

Larry Dannemiller

DANNEMILLER ASSOCIATES, INC.
7792 Olentangy River Road - Suite #2
Columbus, Ohio 43235
ph - 614-431-8740
fx - 614-431-8742
Website: <http://Dannemiller.us/>