

# GUARDIAN

A Publication of the Commercial Vehicle Safety Alliance

Volume 22, Issue 3  
3rd Quarter 2015



**Ross Reynolds  
of Con-way Freight  
is CVSA's  
First International  
Driver Excellence  
Award Winner**

## CVSA Releases Results from Unannounced One-Day **Brake Safety Event**

**Plus...**

.....  
**CVSA Releases its First  
Annual Report**  
.....

**CVSA Announces  
2015 Academic  
Scholarship Recipients**

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#### GUARDIAN

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Guardian is published quarterly by the Commercial Vehicle Safety Alliance with support from the Federal Motor Carrier Safety Administration. CVSA and FMCSA are dedicated to government and industry working together to promote commercial vehicle safety on North American highways.

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# PRESIDENT'S MESSAGE

## A Very Busy Year

By Maj. William "Bill" Reese, Idaho State Police

As my term as CVSA president comes to a close, I reflect on this past year and the many changes that have occurred. It has been a very busy year. As I ponder what we've been able to accomplish as an Alliance on each of the core goals that made up my platform, we have made progress:

**Ensure new regulations are easily understood, based on credible data and enforceable at the roadside.** We continue the quest to improve our data. Good data is a core element of any enforcement program. As the Federal Motor Carrier Safety Administration (FMCSA) rolls out new rules and regulations, it is our hope that the input we've provided as stakeholders has a positive impact on the applicability and enforceability at the roadside.

**Use our influence and credibility as an Alliance to have a positive impact on new legislation that affects highway safety and interstate commerce.** The Alliance was given the opportunity to comment on proposed rules and legislation throughout the year. We sent a letter to FMCSA requesting they remove the Compliance, Safety, Accountability (CSA) scores from public view, and we support legislation that calls for the removal of these scores from public display. I stand by that decision today. It is simply in the best interest of our members, both enforcement and industry.

**Reduce the number of deaths and injuries on our highways.** Over the last decade, the number of deaths and injuries on our highways has decreased. However, in recent years, we've seen an increase in commercial motor vehicle (CMV) fatalities. While we are waiting for complete data, we, as individual members, need to look at our operations and determine what we can do to address this important issue.

Recently, I met with FMCSA and we collectively came up with a list of crash data parameters to

review that may help us determine why we've had the recent increase.

In Idaho, my home state, we are in the midst of the "100 Deadliest Days" of the year. These are the 100 days when most of our fatal crashes occur. We are working diligently on many fronts to reduce these fatalities to zero. All of us want to keep families whole and stop these needless deaths. Together, we can continue to make a difference.

**Move freight more efficiently between our states and countries.** We continue to move freight across North America. While we continue to do our best to help this process, industry faces a driver shortage. The increasing demand leads to more drivers that are inexperienced on our roadways and presents new challenges for the industry and enforcement.

One of the areas I wanted to address related to freight movement is the regional differences in size and weight. This continues to be a divisive issue. The Federal Highway Administration (FHWA) recently released the MAP-21 Comprehensive Truck Size and Weight Limits Study. There are also three different increased size and weight proposals that have some traction.

For CVSA, the bottom-line must be safety. As an Alliance, I don't see us taking a position for or against these proposals. Regardless of what Congress ultimately decides, all CMVs must be operated in a safe manner. Any increases in size and weight must include increased safety provisions. Without additional safety requirements, it is unlikely these proposals will receive the broad support they need to pass.

**Build stronger relationships, so we can have a synergistic effect in the legislative and rulemaking arena.** On April 29, 2015, I testified on behalf of CVSA in front of the Highways and Transit Subcommittee of the House Transportation and Infrastructure

Committee on "The Future of Commercial Motor Vehicle Safety: Technology, Safety Initiatives, and the Role of Federal Regulation." Several representatives from the industry also presented testimony. While we have our differences, we agree on issues and challenges more than we disagree. When we work together and find common ground on current and future legislation and rule making, we collectively make a bigger impact on highway safety. This year, we worked with FMCSA to find common ground for the next highway/MCSAP reauthorization bill. We know this approach didn't please everyone, but we, at least, have a starting point that will lay the groundwork for compromise and a final bill that will be better for all stakeholders.

**Continue the work started by prior CVSA presidents.** In the past, work started by CVSA presidents was sometimes dropped as soon as a new president took office. We didn't have a formal process to track and continue some of the work that was a priority for past presidents. It was my pledge to continue the work past presidents started and it's my challenge to all future presidents.

One of the priorities for Past President Mark Savage was strategic planning. He started this process more than two years ago. I'm happy to report that we've continued working on our strategic plan and hope to have an updated plan published by the end of the year. We all work in a dynamic industry and we must constantly look at the changes we face and update our strategic plans accordingly. It is an important part of our path forward.

I've enjoyed my year as president. It's been challenging but also rewarding. I look forward to seeing all of you in Boise at the CVSA Annual Conference & Exhibition in September. Thanks for your support as our journey continues. We ARE making a difference. ■





# EXECUTIVE DIRECTOR'S MESSAGE

## Training and Education in Focus

By **Stephen A. Keppler**, Executive Director, Commercial Vehicle Safety Alliance

Over the last several years, hopefully, you have noticed the changes we have been making at CVSA to allocate more resources to provide learning and educational opportunities for you and those you work with. It has been a multi-pronged approach geared toward offering a variety of tools of various media and length, while minimizing costs to the Alliance and to you.

As we continue to build on these various tools and platforms, if you have not already done so, I encourage you to engage in these opportunities and provide your feedback as to how we can enhance these tools in the future.

Here are some examples of what we've recently accomplished related to training and education:

### Improved the electronic newsletter, *Safety Exchange*.

Until this past year, *Safety Exchange* was sent once per month. Now, we are delivering it to you twice per month. We are using a sophisticated news service to assist in identifying content to feed this publication. We are also using metrics to evaluate what you are reading in order to provide information that is relevant and useful to you.

### Launched our webinar program.

Several years ago, we started with a podcast program that was entirely audio-based. From that, we transitioned to a webinar program. When we started, we had approximately 20 to 50 members participating on each webinar. Now, we have 300 to 500 members participating on each of our webinars.

### Offer biweekly legislative and regulatory updates.

While not specifically training-focused, these updates certainly inform each of your organizations and help you educate and prepare your workforce for pending changes. We have heard from a number of you that this alone is worth your annual membership fee.

**Expanded use of social media platform.** CVSA now is on LinkedIn, Facebook, YouTube, Instagram and Twitter. This has enabled us to engender more activity and interaction, promote key messages, programs, events, and it facilitates discussion on current topics and issues.

**Enhancement of *Guardian*.** We are continuing to evolve *Guardian* to become more of a knowledge-based publication and not just a "reporting of the news" publication. We are adding features, columns and articles that share the extraordinary knowledge and best practices developed and delivered by the members.

**Increased outreach through media, trade shows and speaking engagements.** Through our varied communications and programs, we are growing our reach with our target audiences to educate those who impact our mission, both directly and indirectly.

### Continued educational content delivery through our programs.

Each of CVSA's programs has education as a core component. Hopefully, many of you have taken advantage of the educational resources developed and offered through our programs. These materials and resources add value and help deliver on our mission.

### Increased activity by the Training Committee.

The committee has been working with the National Training Center (NTC) and Region V's Education Quality Assurance Team (EQAT), and has developed products for members, such as Inspection Bulletins, webinars, etc.

### Enhanced training and educational sessions at CVSA events.

With our four primary events: Cooperative Hazardous Materials Enforcement Development (COHMED) Conference, the CVSA Workshop, the North American Inspectors Championship (NAIC) and our Annual Conference & Exhibition, we have increased

educational and training sessions, both in quantity and quality. We also have partnered with other organizations, in some cases, to deliver these sessions. Last year, we added a fifth event, the IT Users Workshop, which is specifically focused on training related to information systems and data quality. We hope to continue to offer this training in the future.

### Hired a director of education and training.

This year, as we continue to build the organization's educational and training capacity, we hired a full-time director to focus on this area and support the Training Committee. One of the initial outcomes of this new position has been the creation of a brand-new devoted training area within each member's online CVSA account.

### Offer training videos and educational materials for CVSA members.

One of the visions I have had for CVSA is the creation of a "one-stop shop" for members for everything training-related. A few months ago, we added a number of training videos and webinars accessible exclusively by our members. As we gather feedback on content and usability, we will enhance this resource as another asset in our education and training arsenal. You can view the training videos and webinar archives by logging into your account at [www.cvsa.org](http://www.cvsa.org). Once logged in, click on the "My Video & Webinar Library" tab at the top of the page.

As you can see, we have quite a bit going on in this area, and I appreciate all of the member engagement and staff support in helping to bring these activities to reality. Just about all of these changes and advancements have come about with no added expense to you. We have been working hard to keep our costs down and to continue to enhance what we offer you as part of your CVSA experience.

It is important as we move forward that we hear from you so we can continue to build on these services and platforms to ensure we are delivering information that is timely, relevant and useful for you. ■

# LETTERS TO THE EDITOR

## Thank You

By **Shari Leichter**, Administrative Analyst II, Bureau of Trucking/Freight Services, New Jersey Department of Transportation



I don't even know how to begin. My husband's passing has been a heart break for all of us in the Leichter family. I can't thank you enough for all your cards, texts, e-mails, messages, phone calls, kind words in general and on the funeral announcement page, flowers sent to the funeral home and to our house, baskets, dinner and breakfast platters, donations for the International Center of Photography – Allen Leichter Memorial and to those who came to the funeral or back to our house. This has meant so much to the Leichter family.

My husband was a legend in life and in the camera world. More than 550 people attended the funeral. Some couldn't even get in, which I feel bad about. I heard they watched the service in the lobby on monitors.

Allen, my husband, was a kind, considerate, fair, modest, loving, friendly, generous and beautiful person. We met almost 20 years ago at the gym after being introduced by a mutual friend, Sandi. We would have been married 15 years on November 5th.

Allen was a self-made businessman. After having a high school co-op job at a camera store for six years, he knew that was the business he wanted. When he was 23 years old, he took his life savings, which was only \$2,000, and went into business for himself. He handed out flyers to get the word out and went from a one-man shop to a successful business owner with several employees. For 38 years, Allen's Camera shop has been a fixture in Levittown, Pennsylvania. Now, Brandon, Allen's youngest son and my stepson, will carry on the legacy of his father's business, and make his Dad proud. Aaron, my oldest stepson, is an assistant film editor (his major was film directing) in Los Angeles, California. The apple doesn't fall far from the tree. Allen was very proud of both his sons.

I can't even tell you the stories people are writing about Allen. The stories are so nice to read and are helping us cope with this great loss. On Allen's webpage, people wrote in from as far as the UK, Africa and Australia. He probably never met them but spoke to them on the phone or by email and shipped packages to them.

Allen's Camera shop was voted "best of" Bucks and Philadelphia for a few years in a row. He said to me, "I didn't even know I was nominated." He was very humble and a modest man. If someone would ask him what he did, he would simply say, "I work in a camera store." Never did he say he was the owner or how well he was known all over the world. Customers

came there for him because he was fair and honest, and he always treated everyone equally.

So many people who came through the line at the funeral told me that they had been a customer of Allen's since the 70s and not just a customer, but a lifelong friend. *Sports Illustrated* was there, Marc Howard from ABC News came, several people from Associated Press were there; all were customers of Allen's Camera and friends of Allen. My husband was not one to brag and didn't like being center of attention. I am only telling you this because I am proud of what he accomplished for himself. He did it on his own, with no help and ran it the old school way. He was a mentor to me and the kids.

I am just glad we got to travel to Italy last August and to Hawaii this past March. Hawaii was a trip he won for Nikon sales. He won the same trip two years ago; only this year, they raised the bar and made it harder. Yet, Allen still made it and was the only Nikon dealer from Pennsylvania this year. He would not want me to tell you that because, like I said before, he was not one to brag. But I am telling you because I was proud for him.

I can go on and on, but I just wanted you to know that Aaron, Brandon, myself and the Leichter family appreciate all your kind words at this time of sorrow. I can't even tell you how many friends from CVSA, FMCSA (both in Washington, DC, and New Jersey), NJMVC, NJDOT, MDSP and NJSP, even people who retired, reached out to me and my family. This has meant so much to all of us. Your cards and kind words have given us strength to move ahead. Although I know it is going to be hard, it is nice to know I have friends like all of you to help me out at this difficult time.

Allen was a beloved father, husband, son, uncle, son-in-law, brother, brother-in-law, cousin, nephew, boss, businessman and good friend who will be deeply missed but never forgotten. His memories will live on through all our hearts and prayers.

I think he is probably opening a Rita's Water Ice up in heaven. He always wanted to do that and I am sure that is a lot less stressful than his camera business. In fact, when he proposed to me, he put my ring in a Rita's gellati with a note asking me to marry him.

Thank you again to all of you from the bottom of our hearts.

Love always,  
Shari, Aaron, Brandon, our puppy Brooklyn, and the entire Leichter family ■

# LETTERS TO THE EDITOR

## Keeping Up with the Speed of Technical Growth

By J.A. Clark, President, SafetyWatch Technologies, Inc.



When you're evaluating the use of new reporting platforms, evaluate the deliverables of these platforms in terms of their completeness and your need.

The Jetsons – that fabulous and futuristic cartoon family of the early 60s – have indeed arrived. And they're bringing with them more transportation technology than we could ever have imagined only 20 years ago.

But are we prepared to understand, participate in and manage all of the innovative technology touted out there? Can new technology help or be a pain? Will the information it delivers contribute to safety, help the driver, create a safer truck on the highway or help you in a court of law? Maybe the following information will help you evaluate and make good decisions about the transportation technology that's now in front of us.

There I stood, at the microphone at the CVSA Annual Conference in New Orleans many years ago, referencing the fact that The Jetsons lifestyle wasn't here yet, and we weren't quite living in a perfect world. As I recall, the discussion was on developing breathalyzers that could detect if a driver had too much alcohol and, if so, the truck's engine wouldn't start when the driver attempted to drive it.

I have no idea if that technology ever saw the light of day, but the thinking was considered advanced for the time and simple to do, or so they thought. They were going to get this technology out there "now" and solve this industry problem "now." It had, however, been my experience in those days that to reach those lofty goals, there was a process to get there and, if the process wasn't undertaken, success seldom was achieved.

### Technical Growth at the Speed of Light

So here we are today with a bazillion new technologies, including personal computers, smart/dumb phones, self-parking automobiles, SUVs with cameras on their back-ends, and the list of technologies that we're now taking for granted goes on and on. Some technologies are quite useful; others, not so much.

Have you ever asked yourself why technical growth is now happening at the speed of light? How many of you really have a love affair with your smart/dumb phone now that the novelty of having one has worn off? We're admitting to each other that we really aren't thrilled with their performance. At first, our

disdain of them was shared in whispers. Now, we out and out agree with one another; the dang thing really needs overhauling. But I'm thinking it's too late. They seem to be here to stay.

### The Exponential Growth of Apps

Now, a word about apps. Are so many of them really necessary? It takes a while to find the one you're really looking for, doesn't it? Consider being a truck driver and trying to find the app that tells you if your engine is idling at the correct RPMs? While some hold information close to the chest, Americans can't share enough information; particularly through the use of apps. And these apps seem to be multiplying exponentially, along with the evolution of platforms on an almost daily basis.

### How We Got to Now

By now, you must be asking, why? Why is all of this happening now? Steven Johnson's "How We Got to Now" weaves together a narrative that demonstrates that innovation rarely proceeds in a linear fashion. It originates in some of the oddest places, and creates obscure chains of causality that shape our world. Johnson refers to six innovations that made the modern world: glass, cold, sound, cleanliness, time and light. All of these are natural phenomena that have spawned new and unknown technologies. For the last three plus decades, I've tracked the development, growth and implementation of an enormous variety of technologies and must agree with Johnson that the growth path of innovation isn't a linear event.

### Usability and the Adoption of Technology

Regardless of the size of your fleet or even if you just run a single truck, it's time to get directly involved. Participate. Kick the high tech tires and see if they fit your needs. If you don't, we will end up with something that isn't quite as great as we thought it would be – a smart phone with five axles. So how do we get our arms around all the sensors, apps and information platforms? The following advice comes from Chuck Williams, associate vice president for innovation at the University of Oregon.

"Usability is key to the adoption of technology. Industry is crying out for help in this arena. The transportation industry is now, after 20+ years, reaching a stage of

\*The Jetsons is based on the Hanna Barbera cartoon series that originated in 1962. Image taken from deadline.com.

## We solve one technical issue and perhaps then we can tackle the creation of new technology that will save fuel costs, maintenance time and inspection time.

attempting to develop robust sensor-driven platforms, reporting and communicating critical tractor-trailer and driver information. The question for you is how to sort out the pretenders from the real solutions. Too much information can blur that which is important for a truck and driver's safety and can also cause driver distraction. Even though adoption of new technology can be difficult, ultimately, real-time sensors will improve our lives and safety on our highways," says Williams.

What has currently been really pushing such an abundance of apps and sensor-based platforms? Sensors and computer programs are cheap, according to those in the digital industry. Where's the expense? Hardware development. Perhaps this is the area where current transportation technology fails? Those on the development side don't want to get into the expense of hardware development. Too often technologies of benefit to transportation might just need added engineered hardware, an investment and perhaps an added expense.

### Get Involved

When you're evaluating the use of new reporting platforms, evaluate the deliverables of these platforms in terms of their completeness and your need. Do these platforms need additional hardware for completion? If so, speak up. If the software needs modification, say so; unless you want another dumb/smart phone on your hands. If a company is presenting a platform you would find really useful but it doesn't have the modifications you'd like then say so and actively participate in the modification(s) process. Don't just say no because you don't want to work with the technology or don't want to take the time. This is exactly how you end up with mediocrity. The dumb/smart phone comes to mind. Remember this: Cheap ain't always the right way to get the product you really need from the digital industry.

### Brakes and Pushrod Readings

The technology is here to take pushrod readings, but is it important? When asking fleet maintenance managers why it's important to know pushrod readings, I get answers from

across the board. Some intend their comments to be laughed at; others are dumbfounded that I even asked the question (ergo I couldn't possibly have any credibility in the transportation industry); and others don't want to offer answers to the question – their prerogative. As an FYI, it was a trick question, because the question was rather absurd in and of itself. If you drive, maintain or own trucks, the answer is the same: Without knowing your vehicle's pushrod measurements, you could be driving a truck that's absolutely unsafe because it doesn't have adequate stopping power. And disc brakes aren't the answer to safe stopping but balanced brakes are, regardless of whether or not you're using drum or disc brakes.

Bob Phipps, maintenance supervisor for Bettendorf Trucking, says checking brake pushrod travel is as basic as it gets for checking brakes and braking status to make sure you're driving a safe truck. Regulations require drivers to be satisfied their vehicle parts and accessories, including brakes, are in good working order. Major manufacturers of today's air brake systems will tell you that braking function and performance are critically dependent upon proper installation, initial adjustment and monitoring of brake stroke to ensure the automatically adjusting brakes are compensating for wear. Furthermore, there are additional safety technologies dependent upon the foundation brakes being in proper adjustment. Knowing pushrod readings is the only way to know if a truck's brakes are at maximum stopping capacity with all of the layers functioning properly.

The reality is that there are big differences between manual slack adjusters and automatic slacks. With manual slack adjusters, the brakes must be periodically checked and adjusted, if necessary, by a qualified individual. Phipps explains that with automatic slacks only a mechanic fixes them. In a drop and hook situation, the driver could be trading out a trailer having manual slacks for one with automatic slacks and vice-versa. Regardless of the type of slack adjusters, they still need checking.

Regardless of the type of brake, explains Phipps, knowing pushrod travel is the key to safe brakes and braking. Any truck driving school telling its students that they don't need to worry about brakes because of automatic slacks is putting those students in jeopardy because it simply isn't true.

Tyler Watson, operations manager for West Point Transport (fuel haulers), says this about the importance of knowing pushrod measurements: "Without knowing the pushrod reading, you can't know the condition of your brakes. Without knowing the condition of your brakes, you may or may not stop that truck efficiently or at all."

As you ponder this issue, make sure you are getting under those trucks and checking your pushrod readings. It's critically important to your safety and the safety of others on our highways.

### In Closing

I now trust that the reader can see just why proper pushrod adjustment and knowing the pushrods readings are the basis for the overall health of a truck's brakes. Healthy brakes reduce stopping distances, accidents, loss of life and payloads, to name a few important implications.

It takes a village and we all have to work together to ensure safer highways. We solve one technical issue and perhaps then we can tackle the creation of new technology that will save fuel costs, maintenance time and inspection time; who knows what useable creations might befall the trucking industry. I want to sincerely thank those who contributed to this piece. Your efforts were appreciated.

I've tried to explain how technology gets here, how you work with those from the digital industries, and assure you that it's ok to say no. Now, get involved or you too will end up with the equivalent of a smart/dumb phone, continually asking "What did you say? I can't understand you." ■



# KNOWLEDGE MATTERS

## Along for the Ride

*DMVs are on the front lines in a movement to regulate transportation network companies*

By **Matt Alderton**

**O**n the morning of Oct. 28, 2014, taxicabs were scarce in Washington, D.C. Whether you were a senator on Capitol Hill, a student in Georgetown, a commuter in Adams Morgan or a tourist in Foggy Bottom, you were hard-pressed to hail a ride. If you happened to walk down Pennsylvania Avenue at 11:00 am, you saw – and likely heard – the reason why: For the third time in a matter of months, more than 100 taxis were circling Freedom Plaza in downtown DC, zealously honking their horns in protest of transportation network companies like Uber, Lyft and Sidecar.

Cabbies, who have staged similar protests in cities such as Boston, Chicago and San Francisco, say transportation network companies – also known as TNCs – are infringing unfairly on their business. “Unfairly” because while public vehicles for hire (e.g., taxicabs and limousines) are strictly regulated by state and local government, TNCs are not.

“There’s still a significant amount of rides taken by public vehicles for hire in the District; however, that number is down from around 22 million in 2013 to just over 20 million in 2014,” explains Neville Waters, public information officer for the District of Columbia Taxicab Commission. “It’s hard to say what the direct correlation is to [TNCs] – there are many other issues that have impacted drivers, including the fact that more people are turning to bikes, carpooling, public transportation and walking – but there are definitely fewer people riding in public vehicles for hire, and drivers are certainly feeling some competitive pressures as a result.”

In response to those competitive pressures, along with questions regarding the safety and security of ride-sharing, jurisdictions nationwide are asking themselves whether they should regulate TNCs in the same manner that they have long regulated taxis and limos. On the same day as the capital’s taxicab protest, its city council answered a resounding “yes” by casting a near-unanimous vote in favor of the Transportation Network Services Innovation Act of 2014, which establishes new regulatory requirements for TNCs operating in Washington, D.C.

As lawmakers elsewhere consider similar measures, American Association of Motor



Vehicle Administrators (AAMVA) jurisdictions with regulatory authority over taxis and TNCs are in a unique position to serve as arbiters brokering a critical compromise between them, the result of which can be increased safety, competition and innovation. “The competition is between public vehicles and private vehicles,” Waters says. “As regulators, we are the referees on the sideline.”

### Transportation Meets Technology

The California Public Utilities Commission – which in 2013 became the first state body to regulate ride-sharing services – coined the term “transportation network company” to describe a company that provides transportation services using an online-enabled platform to connect passengers with drivers using their personal vehicles.

The world’s largest TNC, Uber, launched in 2009 and currently operates in more than 290 cities in 55 countries, including the United States and Canada. It was followed by Lyft and Sidecar in 2012, which operate in 65 and 10 U.S. cities, respectively. All three services allow consumers to use an app on their smartphone or tablet to hail a ride from a nearby driver who is transporting passengers using his or her personal vehicle. Drivers and passengers can use the app to rate one another, and to pay for their ride using a stored credit card.

“Lyft is a people-powered movement driven by drivers and passengers,” explains Lyft spokesperson Chelsea Wilson. “We’re not looking to build a better taxi service; rather, we’re combining technology and humanity to create an enjoyable, affordable and safe ride experience while also fundamentally changing the way people get around.”

Their contention that they are technology companies – not transportation providers – is central to TNCs’ business model and, by extension, to their position in regulatory debates. “At its core, Uber is a smartphone app that connects riders and drivers, and connects riders with a safe, reliable and seamless ride,” says Uber spokesperson Lauren Altmin. “I think that’s the most important thing to remember: Uber is a technology company.”

Whatever you call these companies, consumers have wholeheartedly and irreversibly embraced them. “Ride-sharing is a completely new industry, but it’s caught on,” continues Altmin, who stresses the inherent benefits of ride-sharing, including flexible employment opportunities for drivers, increased transportation access for underserved neighborhoods and, because TNCs offer alternative transportation to impaired drivers, enhanced public safety. “We’re transforming the way people move around their cities, with millions of trips happening every week.”



We brokered a compromise and, at the end of the day, we had a bill that everyone – taxis, insurance companies, TNCs, law enforcement, airports – said they could support.

### The Case for Regulation

The fact that there are millions of trips happening every week is precisely why TNCs must be regulated, according to Richard Holcomb, commissioner of the Virginia Department of Motor Vehicles, which recently concluded its own legislative tango over TNCs.

“First of all, this is obviously a business model that offers a tremendous option to our citizens, and, therefore, should clearly be allowed to operate,” Holcomb says. “However, any time you’re moving a citizen, the state has an obligation and a duty to ensure that it’s being done safely.”

State and local governments want to ensure that drivers and vehicles are safe – and so do TNCs, which have a record of supporting regulations that reinforce policies they already have in place, such as criminal background checks for drivers, but opposing those regulations that place undue financial and administrative burdens on their drivers, such as those requiring drivers to pay for vehicle permits or full-time commercial insurance coverage.

“We’re very much in favor of comprehensive and smart regulation,” states Altmin, who says TNCs prefer that those regulations be unique to their business model, governing them as technology rather than transportation companies. “In the U.S. alone, over 20 [states or municipalities] have now adopted permanent regulatory frameworks for ride-sharing, a transportation alternative that didn’t even exist four years ago. This demonstrates a trend with momentum across the U.S. More and more cities and states are crafting new legislation specifically for ride-sharing options, rather than forcing old rules onto modern innovations.”

There’s the rub, according to AAMVA’s Director of Government Affairs Cian Cashin. When parties perform the same functions with different requirements, the potential exists for an unfair competitive advantage. “Oversight and taxation should be applied evenly to people – no matter how they fit into the regulatory structure – if they are performing the same tasks,” he says. “It’s a really difficult thing for jurisdictions. They don’t want to jeopardize or damage industries that have been doing their due diligence toward compliance, but neither do they want to stifle innovation in the transportation industry that provides benefits to their constituencies.”

### Destination: Compromise

Since 2013, eight states and the District of Columbia have adopted legislation investigating, authorizing or regulating TNCs, including Colorado, which in June 2014 became the first state to pass a ride-sharing law, and Illinois, which in January 2015 became one of the latest to do so. At least 34 more states have introduced legislation – and that’s to say nothing of the many municipalities that have likewise introduced and passed regulations, including Seattle, Chicago and San Francisco, just to name a few.

In some jurisdictions, TNC regulating authority falls to DMVs. In others, it’s taxicab commissions. And, in others, it’s public utilities commissions. While regulating frameworks differ, best practices remain the same, according to Holcomb, who holds up Virginia’s legislation – Senate bill 1025 and House bill 1662, administered by the Virginia DMV as of July 1, 2015 – as a model for compromise.

“Did everyone like every aspect of it? No. Did everyone hate every aspect of it? No. But we brokered a compromise and, at the end of the day, we had a bill that everyone – taxis, insurance companies, TNCs, law enforcement, airports – said they could support,” Holcomb says.

Signed on Feb. 17, 2015 by Gov. Terry McAuliffe, Virginia’s TNC law includes several key provisions that can serve as starting points for DMVs commencing the regulatory process:

- **Licensing:** A highlight of Virginia’s law is its licensure provision, which requires a TNC to pay the DMV an initial licensing fee of \$100,000, with annual renewals of \$60,000 thereafter. TNCs have generally avoided licensing by contending that they are technology, not transportation, companies; gaining an admission that they are, indeed, motor carriers is a major accomplishment, according to Holcomb, because it gives the DMV the funding it needs to administer the new regulations.
- **Driver Screening:** TNCs must ensure drivers are at least 21 years old and properly licensed to drive; conduct comprehensive criminal background checks and driving record checks on potential drivers; and automatically reject drivers with DUIs or violent crime convictions.

### WITH WHOM ARE YOU RIDING?

Within the last few years, a number of transportation network companies have begun operating in the United States and Canada. Here’s a look at six ride-sharing services that continue to grow in popularity among consumers.



**Uber** – The largest TNC in the world, Uber classifies itself as a “technology company” that connects passengers to drivers through its mobile application.

**Lyft** – Lyft is Uber’s biggest rival in the U.S., operating in 65 cities across the country. Lyft drivers can be identified by a 5-inch-long pink “glowstache” on their dashboard.

**Sidecar** – Sidecar is a TNC that allows users to choose their driver based on ETA, vehicle or price; the price is set before the trip begins.

**Wingz** – A TNC exclusively for airport transportation, Wingz allows passengers to book their ride to or from the airport in advance. Prices are set before the trip.

**Carma** – Carma Carpooling enables people to find and connect with others nearby who are making a similar drive so they can share their commute.

**RelayRides** – In contrast to ride-sharing, RelayRides is a car-sharing service. It allows car owners to rent out their vehicles to others who want to use them.

*Continued on next page*

# KNOWLEDGE MATTERS

Continued from page 7

- **Vehicle Standards:** Drivers must use personal vehicles that meet state registration and safety inspection requirements. Additionally, vehicles have a maximum seating capacity; must be registered with the DMV for TNC use; and must display an identifying decal issued by the DMV, as well as one identifying the TNCs with which the vehicle is associated.
- **Insurance:** Insurance was one of the largest points of contention, according to Holcomb, who says some stakeholders wanted drivers to have 24/7 coverage while others wanted to mandate coverage only when drivers were carrying passengers. The final bill requires a minimum level of coverage – personal or commercial – when drivers have their app turned on, with additional coverage – greater than that required of a taxi – whenever they're carrying a passenger.
- **Operations:** Among other things, TNCs must display basic driver information to passengers via their app; give passengers an electronic receipt at the end of their trip; provide to DMV and law enforcement officers who request it information about individual trips arranged through the TNC; and adopt a policy of nondiscrimination on the basis of passengers' points of origin and destination. Additionally, TNCs are prohibited from accepting street hails.
- **Recordkeeping:** TNCs must maintain records for law enforcement on ride-specific data, and for regulators, records needed to demonstrate compliance with the law. They must retain records for three years.

## REGULATION NATION

**States that have passed legislation authorizing, investigating or regulating TNCs:** AR, CA, CO, CT, DC, ID, IL, KY, ND, NC, RI, VA, WI

**States that have introduced legislation authorizing, investigating or regulating TNCs:** AK, AZ, FL, GA, HI, IA, IN, KS, LA, MA, MD, ME, MI, MO, MN, MS, MT, NE, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TN, TX, UT, VT, WA, WV

**States with no legislation introduced around TNCs:** AL, DE, SD, WY

D.C.'s law includes many of the same provisions, according to Waters, who says highlights include an annual fee paid to the taxicab commission in lieu of the passenger surcharge collected and paid by taxicabs; criminal background checks on drivers; driver registration with the taxicab commission; annual safety inspections; a prohibition on street hails; and liability insurance covering drivers when they're en route to and carrying passengers.

"These are all things that we are very much in agreement with," Altman says of D.C.'s legislation, which Uber developed collaboratively with local lawmakers whom it spent \$314,074 lobbying in 2014, according to media reports. "We worked hand-in-hand with the city council to make sure the law worked for D.C., worked for us and, ultimately, worked for the community."

### DMVs: The Voice of Reason

In March, both Uber and Lyft promised to pull out of San Antonio, citing onerous and duplicative regulations passed by the city council. For the same reasons, Lyft likewise suspended operations in Columbus, Ohio, in January; while Uber ceased operations in Nevada in November 2014.

Jurisdictions that want to promote consumer choice, passenger safety and fair competition must take a balanced approach, TNCs and DMVs agree. "DMVs can play an important role in ensuring that a regulatory framework prioritizes public safety while still allowing people to take advantage of new economic opportunities," says Lyft's Wilson.

To accomplish exactly that, consider the following lessons learned by Holcomb during his TNC exercise:

- **Engage, then unite, stakeholders.** "We met in small groups, soliciting input from each group individually before we brought everyone together as a group," explains Holcomb, who says individual attention allowed each stakeholder group to feel heard and represented, which ultimately fostered compromise.
- **Leverage lobbyists.** When TNCs paid lobbyists to negotiate their position with lawmakers, the DMV used those relationships to successfully communicate its own position – which is how the DMV ultimately got the TNCs to agree that they would be classified in Virginia as motor

carriers. "They served as a tremendous liaison not only from their clients to us, but from us to their clients," explains Holcomb, who says TNCs' lobbyists understood and communicated to their clients the value of compromise. "They helped educate the TNCs."

- **Encourage transparency.** When regulation efforts in Virginia commenced, Holcomb received more than 1,000 angry emails from TNC drivers and passengers. He responded to each and every message. "Public relations is always really important, and I learned a lot from those emails," Holcomb says. "As a result, we found common ground and have heard some very positive things from the user community and from the driver community, thanking us for our pro-business, pro-passenger, pro-safety approach to regulating this new industry."
- **Embrace technology.** TNCs are powered by technology – and so are their users, who expect to be engaged via web, email and social media. "It's a different group to communicate with and traditional tools are not going to get your message out to the people who ultimately need to receive it," Holcomb says.
- **Think ahead.** Implementing and enforcing Virginia's new law places additional burdens on the DMV, which avoided being overwhelmed by being as proactive as possible. "Don't wait until the last minute for implementation," Holcomb advises. "We knew we had a bill that was working its way through the legislature, so even before the governor signed the bill we started having internal meetings about what the requirements were going to be and how we were going to implement them."

One final word of wisdom, according to Cashin: Instead of assuming the position of regulator, start by playing the role of diplomat. "It takes incredible diplomacy skills to bring together people that don't traditionally get along – business entities and the regulators that have governance and oversight over them," he concludes. "The worst thing you can do is be reactive. Take a step back, listen to what the issues are from every perspective available, then develop your plan going forward."

**For more information about TNC regulations, including a library of laws proposed and passed by other jurisdictions, please visit [www.aamva.org/ridesharing-networks](http://www.aamva.org/ridesharing-networks). ■**

# THE LEGISLATIVE & REGULATORY RUNDOWN

By **Adrienne Gildea**, Director, Policy @ Government Affairs, Commercial Vehicle Safety Alliance

## Highway Extension Update

As the July 31 deadline approached, the transportation community watched as Congress debated whether to move forward with another short-term patch or try and complete a long-term bill in a few short weeks. In mid-June, a short-term extension through the middle of December passed the House with bipartisan support. The five-month extension is funded with about \$8 billion in General Fund transfers. Meanwhile, the Senate spent June and July working on language for a six-year bill. Both the Environment and Public Works (EPW) Committee and the Commerce, Science, and Transportation (Commerce) Committee completed their portions of the highway bill by mid-July. With two weeks until the August recess, the Senate planned to consider the Reauthorization Bill on the floor. However, as of mid-July, the critical funding piece had not yet been revealed. Given the short timetable and the fact that the House passed an extension and has not yet introduced any reauthorization legislation, some form of an extension is expected prior to the August recess.

## Reauthorization Update

As mentioned above, the Senate was busy this summer working on a comprehensive reauthorization proposal. The Commerce Committee held an executive session on July 15 to markup S.1732, the Comprehensive Transportation and Consumer Protection Act of 2015, which includes the Committee's CMV-related provisions for reauthorization. The Commerce Bill contains a number of CVSA's reauthorization priorities, including portions of CVSA's regulatory reform priorities, CVSA-supported MCSAP grant reorganization, and studies on FMCSA's data and information systems and the New Entrant program, as well as language making CVSA's COHMED program eligible for funding under the Hazardous Materials Training Grants program. While there are a number of provisions CVSA supports, the bill also contains language the Alliance opposes, including several exemptions and other problematic sections.

**CVSA's Reauthorization Policy Recommendations can be found at [www.cvsa.org/reauthorization](http://www.cvsa.org/reauthorization). For a full summary of the Commerce Bill, visit [www.cvsa.org/news/2015\\_legislative.php](http://www.cvsa.org/news/2015_legislative.php) and refer to the July 17, 2015, CVSA Legislative Update.**

While the Commerce Bill was approved by the Committee, it passed in a party-line vote, without any Democratic support. Minority members objected to a number of provisions throughout the bill, which addresses more than just motor carrier policy. CMV-related provisions that drew attention include a pilot program to allow 18-20 year olds to operate CMVs interstate and language requiring that DOT remove CSA scores from public display. The EPW bill, on the other hand, passed out of the Committee unanimously. The Senate was scheduled to consider the reauthorization bill the week of July 20. However, no funding title had been revealed as of mid-July.

As of mid-July, no Committee on the House side had introduced legislation that would be part of the highway reauthorization.

## Appropriations Update

Congress also spent the summer working on FY2016 Appropriations legislation. Both the House-passed bill and the Senate Appropriations Committee Bill include funding for motor carrier grants at the current levels.

### Total FY 2015 MCSAP Funding – \$313,000,000

- Basic MCSAP – \$218,000,000
  - New Entrant Safety Audits – \$32,000,000
  - High Priority Grants – \$15,000,000
- Border Enforcement Grants – \$32,000,000
- Commercial Vehicle Information Systems and Networks Deployment (CVISN) – \$25,000,000
- Performance and Registration Information System Management program (PRISM) – \$5,000,000
- Safety Data Improvement Grants – \$3,000,000
- Commercial Driver's License Improvements Program (CDL) – \$30,000,000

Both bills also contain a number of policy provisions. Both bills include an extension of the current suspension of the hours-of-service (HOS) restart provisions, language on insurance minimums, and language allowing for twin-33s to operate. Each bill also contains a variety of miscellaneous exemptions. As of mid-July,

there was no indication that the Senate planned to consider their bill on the floor, making it more likely that the House and Senate will either pass a short-term extension or negotiate a Transportation Appropriations Bill behind the scenes, prior to the end of the fiscal year.

## CSA Changes

On June 29, FMCSA announced plans to make several changes to the Compliance, Safety, Accountability (CSA) program intended to more closely align intervention thresholds of its safety rating categories to crash risk. In the announcement, the agency said it is lowering its Vehicle Maintenance Behavior Analysis and Safety Improvement Category (BASIC) intervention threshold to “better reflect the seriousness of the crash risk associated with vehicle maintenance issues” and raising the intervention thresholds for the lower-risk controlled substances/alcohol, hazmat compliance and driver fitness BASICs “to more effectively prioritize motor carriers.” The agency analyzed the correlation of each BASIC with crash risk and introduced three levels of crash risk correlation:

- High: Unsafe driving, crash indicator, hours-of-service (HOS) compliance
- Medium: Vehicle maintenance
- Low: Controlled substances/alcohol, hazmat compliance and driver fitness

FMCSA is also planning to make the Hazmat Compliance BASIC publically available, while making some adjustments to more accurately reflect operations of high-utilization carriers.

## Major Rulemakings on the Horizon

According to FMCSA's monthly Report on Significant Rulemakings, several major rules should be out around the end of the 2015 fiscal year. The electronic logging devices Final Rule is scheduled for publication on Sept. 30, along with the Safety Fitness Determination Notice of Proposed Rulemaking (NPRM). The new entry-level driver training NPRM is scheduled to come out shortly after that, in mid-October. ■



## FMCSA Offers Enhanced Investigative Techniques Training to States

### *EIT Course Focuses on Innovative Strategies for Investigating Carriers, Improving Highway Safety*

By **Steve Parker**, *Transportation Specialist, Field Operations, Federal Motor Carrier Safety Administration, U.S. Department of Transportation*

The Federal Motor Carrier Safety Administration (FMCSA) is making Enhanced Investigative Techniques (EIT) training available to state personnel who conduct compliance investigations. The in-person training is provided using a team approach with one federal and one state instructor. Courses were scheduled for the months of May through September 2015 in various locations around the nation, providing an opportunity for all Motor Carrier Safety Assistance Program (MCSAP) partners to participate. Some EIT training courses will combine states at a given delivery and, depending on state policies, some training will be delivered as a stand-alone course for individual states. A number of states participated in a pilot of the state EIT training course in January. A train-the-trainer course at the FMCSA's National Training Center (NTC) in April was heavily supported by state MCSAP partners, with 19 state staff attending the course.

The EIT training courses originated during the spring of 2013 as 58 FMCSA special agents and field enforcement staff were provided EIT training as part of phase I of the Motorcoach Safety Initiative (Quick Strike). During the Quick Strike investigative campaign, the enforcement rate for investigations on passenger motor carriers increased significantly and 52 passenger motor carriers were issued out-of-service orders. The training focuses on innovative strategies for investigating poor on-highway safety performance, following leads, and verifying records through a wider range of information sources and investigative techniques.

Based on the results of the courses delivered so far, it is clear that the positive engagement by state and federal instructors in this effort will expand on the successes already achieved. ■



State commercial vehicle enforcement and FMCSA staff pictured:

**Front row, left to right:** David Janning, Compliance Review Program Manager, Texas Department of Public Safety (TX DPS); Belinda Garcia, Compliance Review Field Manager, Houston, TX DPS; Rhonda Richardson, Compliance Review Field Manager, TX DPS; Steven Hanley, Federal Programs Specialist, Massachusetts Division; Sgt. Scott Henry, Florida Highway Patrol; Sgt. Charles Smalley, Florida Highway Patrol; Lesley Woody, Safety Investigator, North Carolina Division; Timothy Grigsby, Master Trooper, Louisiana State Police.

**Second row, left to right:** Randy Hurley, Safety Investigator, Colorado Division and EIT – States Train the Trainer Instructor and Core Team Content Development; Adabel Garza, Compliance Review Field Manager, San Antonio, TX DPS; Daniel Martinez, Compliance Review Program Manager, Austin, TX DPS; Carlos R. Sanchez, Compliance Review Program Manager, Weslaco, TX DPS; Tamy Scott, Safety Investigator Supervisor, Utah Department of Transportation; Danielle Smith, Transportation Specialist, Passenger Carrier Division.

**Third row, left to right:** Alan Rice, Master Trooper, Colorado State Patrol; Mark Milligan, Safety Investigator, Pennsylvania Division and EIT – States Train the Trainer Instructor and Core Team Content Development; Sgt. Karen Kaufman, New Jersey State Police; Cheryl Bonham, Safety Investigator, Georgia Division.

**Fourth row, left to right:** Scott Mayfield, Technical Trooper, Kansas Highway Patrol; Keith Kerns, Safety Investigator, Public Utilities Commission of Ohio; Chuck Bunting, Safety Investigator, Illinois Division; Chris Wileman, Safety Investigator, Wisconsin Division; Glenn Kehr, Investigator, Maryland State Police; Paul Oles, Investigator, Michigan State Police.

**Fifth row:** Amy Jones (partially hidden), Inspector, Connecticut Department of Motor Vehicles; Donald Woodal, Investigator, Maryland State Police; Cody Wilson, Enforcement Investigations Supervisor, Missouri Department of Transportation; Phil Hatcher, Compliance Officer, Illinois Department of Transportation.

**Not pictured:** Clinton Seymour, Division Administrator, Georgia Division and Core Team Content Development; Clay Greene, State Programs Specialist, Georgia Division, and Core Team Content Development.

## FMCSA Publishes Leasing Requirements for Passenger Carriers

By **Danielle Smith**, *Transportation Specialist, Commercial Passenger Carrier Safety Division, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation*

In May 2015, the Federal Motor Carrier Safety Administration (FMCSA) published a Final Rule adopting regulations governing the lease and interchange of passenger-carrying commercial motor vehicles (CMVs). These changes made the requirements similar to the regulations for motor carriers of property. This action was necessary to ensure passenger carriers cannot evade FMCSA oversight and enforcement by entering into a questionable lease arrangement to operate under the authority of another carrier that exercises no actual control over those operations. The rule will help FMCSA, the National Transportation Safety Board and our federal and state partners more quickly identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility to these entities for regulatory violations discovered during inspections, compliance investigations and crash investigations.

Motor carriers of passengers operating CMVs that lease, interchange, loan or borrow passenger-carrying CMVs, regardless of the length of the arrangement or whether or not compensation occurs, are required to be in compliance with this rule by Jan. 1, 2017. The rule also applies to charter operations that need one or more additional vehicles to satisfy a contract with a tour group and private carriers that may lease or borrow a vehicle from other private carriers.

There are three major provisions contained in the new leasing regulations. The first identifies the motor carrier responsible for compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) including the insurance requirements of 49 CFR Part 387. Second, it ensures that a lessor surrenders control of the CMV for the full term of the lease or temporary exchange, giving the lessee exclusive possession. Third, for charter operations, motor carriers originally hired to provide transportation of passengers that subcontract or transfer the transportation to another motor carrier are required to notify the tour operator or group of passengers about the role of the lessor subcontractor.

The regulations require a signed original and two copies of each lease, interchange agreement or other agreement. The lessee keeps the original document. A copy must be carried on the CMV during the period of the agreement and the lessor keeps the second copy. In addition to the lease or interchange agreement, receipts are required when the lessee takes possession and the lessor recovers possession of the CMV. The receipts must specifically identify the vehicle(s) involved in the transaction and include the date, time and location where possession is transferred.

Copies of each lease, interchange agreement, other agreement, emergency statements and the receipts required when vehicles are surrendered to the lessee and returned to the lessor, must be retained by the lessor and lessee for one year after the expiration date of the agreement. The summary documents required for commonly owned and controlled carriers and revenue pooling agreements must be retained by the motor carrier performing the trip identified in each such document for one year after the final date of such trip. These documents may be executed, exchanged and retained by either hard copy or electronic versions.

Marking requirements for leased or interchanged vehicles in all passenger-carrying operations, including those in revenue pooling and common ownership and control, are also contained in the Final Rule. The markings specified in 49 CFR §390.21 are required only on the right (curb) side of the vehicle. A placard, sign, or other permanent or removable device must be placed on or near the front passenger door and show the name and USDOT number of the carrier operating the vehicle, preceded by the words "operated by," e.g., "Operated by ABC Motorcoach, Inc., USDOT 12345678."

Enforcement will begin after the rule takes effect on Jan. 1, 2017. As we move forward, FMCSA will provide updates and the necessary training to ensure uniform implementation and enforcement. **Updates will be available at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).** ■

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## Implementation Update: Improving Uniformity and Adjudicated Citations in FMCSA Systems

In August 2014, the Federal Motor Carrier Safety Administration (FMCSA) began a program that records the results of adjudicated citations for violations in the Motor Carrier Management Information System (MCMIS) when a carrier or driver submits adequate court documentation through a DataQs Request for Data Review (RDR). States review the RDR and document the result of the adjudicated citation. The results are then reflected in FMCSA's systems and update the Safety Measurement System (SMS) and Pre-Employment Screening Program (PSP). The new process is part of FMCSA's ongoing effort to improve the accuracy of data to sharpen the agency's focus on unsafe carriers and drivers.

In the first nine months after the policy was enacted, FMCSA and state partners completed about 2.5 million roadside inspections. Twenty-two hundred RDRs associated with adjudicated citations were submitted and reviewed during this time period. Approximately 1,100 of these reviews resulted in a change to the SMS. Less than 30 percent of the RDRs submitted resulted in a "not guilty/dismissed" citation result, with the associated violations no longer impacting the carrier's SMS or driver's PSP results.

### Adjudicated Citations and Results (as of May 22, 2015)

<b>2,200</b>	<b>Requests for Data Reviews (RDRs) for adjudicated citations submitted since Aug. 23, 2014</b>
<b>1,088</b>	<b>Adjudicated citation results documented on violations</b>
<b>398</b>	Violations amended with conviction of a different charge
<b>68</b>	Violations amended with conviction of original charge
<b>622</b>	Violations amended with not guilty/dismissed

The total number of RDRs submitted nationwide has not been significantly affected by the policy change. In examining the nine-month period since the policy implementation (September 2014 through May 2015), 25,700 RDRs have been submitted related to inspection data. During the same time period prior to policy implementation (September 2013 through May 2014), 25,600 RDRs were submitted. This only represents a 0.4 percent increase in inspection RDRs nationwide since the policy change on Aug. 23, 2014.

Thanks to the diligent work of state partners in applying the adjudicated citations process, the uniformity of data that FMCSA uses to prioritize carriers and drivers for interventions continues to get even better.

**For more information about the adjudicated citations process, and how outcomes are recorded in FMCSA systems, view the Adjudicated Citations Factsheet on the Resources page of FMCSA's Compliance, Safety, Accountability (CSA) website at [www.csa.fmcsa.dot.gov](http://www.csa.fmcsa.dot.gov). ■**

## National Training Center's Instructor Development Course Provides Skills to Increase Instructor Effectiveness, Improve Uniformity

By **Ron Crampton**, Director, National Training Center, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

As FMCSA's focal point for the development and delivery of motor carrier safety training, the National Training Center (NTC) strives to enhance the capabilities of participating federal, state and local government officials on a national level by providing quality training. Recently, NTC held a two-week instructor development course in June to provide training to subject matter experts on how to deliver classroom instruction. The course focuses on teaching the subject matter experts to deliver the NTC curriculum in a variety of subjects in an engaging, student-centered manner.

NTC trainers and educational experts were assisted by current master instructors in the fields being instructed. The class consisted of nine students from Rhode Island, Utah, Minnesota, Missouri, Virginia and Georgia. As part of the training program, the instructor candidates prepared for and delivered portions of NTC-developed course materials to panels of master instructors and trainers. This process helps ensure all courses are delivered consistently and that the newly-minted instructors are prepared to teach NTC materials in an effective, highly competent manner.

"[The class]...was motivating and challenging and provided a lot of innovative concepts and creative teaching strategies to enhance my teaching abilities," said Master Tpr. Robert John Tereshak from Virginia State Police. "The master instructors were extremely enthusiastic and supportive, providing a collaborative environment which accelerated my learning and understanding, and empowered me to learn and train others effectively." ■



**Pictured left to right, front row:** John Kearns, Ryan Vicars.

**Second row:** Tad Mecham, Utah Motor Carrier Division; Melissa Townsend, FMCSA/NTC; Ron Jenkins, Oklahoma Highway Patrol; Doug Whitlock, Utah Highway Patrol; Margie McQueen, FMCSA/NTC; Justin Cloward, Utah Highway Patrol.

**Last row:** Buzzy France, Maryland State Police; Ed Bennett, FMCSA/NTC; Todd Curtis, Utah Motor Carrier Division; John Gadrow, Rhode Island State Police; Brad Moore, Missouri Highway Patrol.

**Not pictured:** Steve Krueger, Minnesota Department of Transportation; Robert Tereshak, Virginia State Police; Ryan Vickers Georgia State Patrol.



# To Print or Not to Print, That is the Question

## Verifying Drivers' Hours-of-Service Compliance Using Recording Devices Output Roadside

By **LaTonya Mimms**, *Transportation Specialist, Office of Enforcement and Compliance, Federal Motor Carrier Safety Administration, U.S. Department of Transportation*

The Federal Motor Carrier Safety Administration (FMCSA) permits the use of a variety of devices to record a driver's hours of service (HOS). These devices range from automatic on-board recording devices (AOBRDs) with requirements specified by 49 CFR 395.15, to computers, tablets and phones installed with logging software and applications.

Although the purpose of these devices is to record a driver's HOS, they are not all the same and have different printing requirements when inspected at roadside. A driver operating with an AOBRD is not required to have the current day or previous seven days of records of duty status (RODS) printed during a roadside inspection. This is also the case if the driver uses logging software devices with electronic signature capabilities. An inspector may, however, request printed RODS from such devices, if the inspector is unable to verify the driver's compliance with the HOS from viewing the device's display screen. Drivers who use logging software and applications without electronic signature capabilities to record their HOS are required to have their previous seven days of RODS printed, signed and in their possession during roadside inspections.

By asking specific questions, the inspector can determine if:

1. The driver is using a device that meets the standards of an HOS recording device permitted by FMCSA
2. The driver is in violation of the HOS rules
3. The driver is required to have his or her RODS for the previous seven days printed and in their possession

The following questions can be used by an inspector to determine what is needed:

**Does the device provide all of the information illustrated in 49 CFR 395.8?**

The regulatory guidance titled, "Hours of Service for Commercial Motor Vehicles Drivers; Regulatory Guidance Concerning Records of Duty Status Generated by Logging Software Programs" (79 FR 39342) published on July 10, 2014, permits the use of all HOS recording devices, provided the device provides all of the information illustrated in 49 CFR 395.8, unless the device is an AOBRD.

**Is the device an AOBRD?**

To be considered an AOBRD, the device must automatically record driving time and be integrally synchronized with specific operations of the commercial motor vehicle (CMV) in which it is installed; this does not include global positioning system (GPS) motion detection. One of the many ways to determine if a device is an AOBRD is if the device automatically records a driver's driving without manipulation from the driver.

**If the device is not an AOBRD, does the device have electronic signature capabilities?**

The following chart clarifies the printing requirements during roadside inspections for AOBRDs, logging software devices with electronic signature capabilities, and logging software devices without electronic signature capabilities. ■

Device Type	Required to have printout in possession during roadside inspection:	Guidance found in
Automatic on-board recording device	No	Notice of Regulatory Guidance: Automatic On-Board Recording Devices (FR 79 26869)
Logging software and application device with electronic signature capabilities	No	Hours of Service for Commercial Motor Vehicle Drivers; Regulatory Guidance Concerning Records of Duty Status Generated by Logging Software Programs (79 FR 39342)
Logging software and application device without electronic signature capabilities	Yes Driver must be given the opportunity to print current day record of duty status at roadside	Hours of Service for Commercial Motor Vehicle Drivers; Regulatory Guidance Concerning Records of Duty Status Generated by Logging Software Programs (79 FR 39342)



## The Chief Counsel's Column

By **T.F. Scott Darling III**, Chief Counsel, Federal Motor Carrier Safety Administration, U.S. Department of Transportation

One year ago, we, at FMCSA, shared with the *Guardian* readership our top priorities – or what we call our “Five for FY15.” Today, I’d like to provide an update on those priorities and how they are helping us carry out our mission to prevent crashes involving large trucks and buses and making this nation’s roadways safer for everyone.

### Compliance, Safety, Accountability – Phase III

Compliance, Safety, Accountability (CSA) Phase III involves the national implementation of all aspects of CSA that will help us increase safety and prioritize unsafe carriers for interventions before crashes occur. It will include nationwide implementation of off-site reviews and expanded use of cooperative safety plans to remedy safety deficiencies with companies. The rollout of the full intervention process will also include new investigative software for FMCSA and state investigators. This will be a key tool in identifying unsafe carriers and drivers by providing enforcement and field users more efficient access to driver and carrier information. The program will combine investigative and enforcement functions into a single interface and allow truck safety audit data to be sent directly from investigators’ handheld devices and notebooks to FMCSA’s central databases. The purpose of these changes is to intervene earlier and change high-risk behavior. Rollout is anticipated in FY 2016.

### Safety Fitness Determination

With the Safety Fitness Determination (SFD) Notice of Proposed Rulemaking, we will consider expanding the use of roadside inspection data – in addition to findings from compliance reviews – to determine a carrier’s safety rating. By doing so, it will allow FMCSA to assess the safety fitness of a broader group of motor carriers on a monthly basis. We will be asking for public comments and encourage *Guardian* readers to provide us your thoughts.

### Unified Registration System

The Unified Registration System (URS) is a top USDOT priority. We are working hard to complete implementation of URS to streamline and simplify the existing registration process. The URS implementation will efficiently consolidate multiple forms into a single online form. The first big step in this process is the biennial update, and it is already underway. Carriers that don’t update their MCS-150 form every two years as required are being deactivated and prohibited from operating until they update their information. These steps will give us a more accurate and clearer picture of the carriers we regulate and help us identify reincarnated carriers.

### Inspection Modernization

Inspection modernization will address the needs of roadside safety inspectors by modernizing the current systems associated with the inspection process. FMCSA will upgrade our inspection software to give enforcement personnel direct access to out-of-service notices. The changes also will help us improve the uniformity of roadside inspections by updating and enhancing the violation tables in the ASPEN software.

### Electronic Logging Devices

Last but not least, electronic logging devices. We will soon publish a final rule on electronic logging devices, or ELDs. Though we cannot disclose the details of the final rule before it is published, I can say that the rule is designed to benefit everyone in four significant ways:

- Helping businesses cut paperwork and save money
- Making it easier for law enforcement and safety inspectors to review driver hours-of-service (HOS) records
- Protecting drivers from harassment
- Improving hours-of-service compliance; ELDs are estimated to prevent about 20 fatalities and more than 400 injuries each year

We intend to publish the final rule this fiscal year, and the compliance date would be two years after that.

### Partnerships

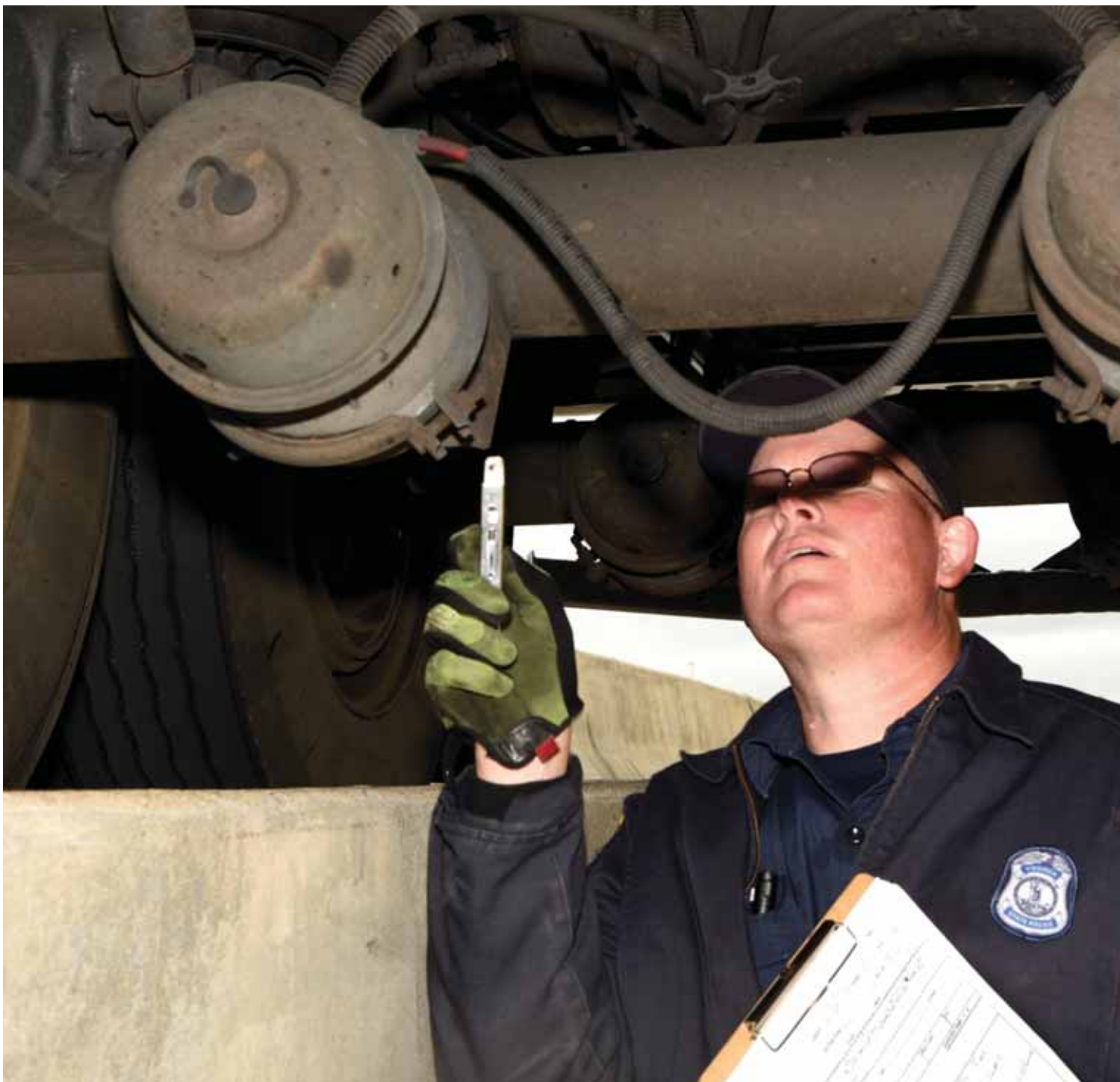
In my year as the head of the FMCSA, I have been a strong advocate for building partnerships. I understand that we cannot carry out our life-saving mission alone. We value, and depend on, cooperation with our state partners, law enforcement, stakeholders, safety advocates and the public to help us improve commercial vehicle safety.

In fact, more than half our budget is spent in the states to ensure our partners have access to the resources they need to carry out their important roles in highway safety through the MCSAP, New Entrant, High Priority, Border Enforcement, CVISN, SaDIP, CDL Improvement, and PRISM grant programs.

We also spent time last winter and at our national MCSAP meeting hearing how we can be more effective partners. In response to the feedback we have received, FMCSA has issued a revised version of the Motor Carrier Safety Assistance Program (MCSAP) Comprehensive Policy, which provides more flexible and cost eligibility information; sent information to the states on the estimated FY 2016 grant allocations for MCSAP; and issued Notices of Funding Availability for FY 2016 grants with additional time to prepare grant applications. We have also started planning for monthly MCSAP calls to establish an ongoing forum for communicating information and answering questions.

**We are also encouraging open dialogue by establishing a specific email address for you to raise questions or concerns, or to seek resolution of open issues. Please contact us at [partnerships@dot.gov](mailto:partnerships@dot.gov).**

I thank you for all you do for commercial vehicle safety, and I look forward to continuing our work together in support of our common goal to save lives on our nation’s roadways. ■



CVSA Releases Results from

# Unannounced Brake Check One-Day Event

*Continued on next page*



Continued from page 15



## Operation Airbrake is a CVSA program dedicated to improving commercial vehicle brake safety throughout North America.

CVSA held its annual, unannounced brake check day on May 6, 2015, as part of its Operation Airbrake program. CVSA-certified inspectors in 32 participating U.S. states and Canadian provinces and territories checked brakes on 6,337 vehicles.

Nine percent were placed out of service for excessive brake stroke violations (out of adjustment); last year, that percentage was 9.5. This year, 7.7 percent were placed out of service for brake component violations (e.g., cracked or missing components, air leaks, damaged brake hose or tubing, drums, rotors, etc.) compared to 8.5 percent in 2014. This year, 14.2 percent overall were placed out of service for brake violations of any kind compared to 15.2 percent last year.

In all, more than 50,000 individual wheel ends were checked throughout North America during this one-day event. Notably, brakes equipped with manual adjusters were 2.5 times more likely to be out of adjustment than those equipped with self-adjusting brake adjusters. Self-adjusting brakes, equipped with automatic slack adjusters, are required on all air-braked commercial vehicles operating in the U.S. if manufactured after Oct. 20, 1994, or in Canada if manufactured after May 31, 1996.

Brake-related violations comprised the largest percentage (representing 46.2 percent) of all out-

of-service violations cited during Operation Airbrake's companion International Roadcheck campaign in 2014, which is focused on both vehicles and drivers.

Improperly installed or poorly maintained brake systems can reduce the braking capability and increase stopping distances of trucks and buses, which pose a serious risk to driver and public safety.

The annual unannounced brake check one-day event gives enforcement an opportunity to conduct brake-focused inspections and emphasize the importance of proper brake system maintenance through education and outreach.

Operation Airbrake is a CVSA program dedicated to improving commercial vehicle brake safety throughout North America. The campaign's goals are to educate drivers and technicians, encourage brake safety compliance, and enforce the regulations designed to ensure safe operation.

CVSA's next Operation Airbrake event is Brake Safety Week, which is a week-long brake safety campaign aimed at improving commercial vehicle brake safety, on Sept. 6-12, 2015.

For more information, visit [www.operationairbrake.com](http://www.operationairbrake.com). ■

### PART I - UNITS

	# Units Checked	# Units OOS Brake Adjustment	% of Units OOS for Brake Adjustment	# Units OOS Brake Components	% of Units OOS for Brake Components	Total # Units OOS Brakes	% of Units OOS for Brakes	# Units OOS for Other Items
Canada Total	1,933	77	4.0%	136	7.0%	199	10.3%	161
United States Total	4,404	496	11.3%	354	8.0%	701	15.9%	503
TOTAL	6,337	573	9.0%	490	7.7%	900	14.2%	664

### PART II - BRAKES

	# BRAKES CHECKED			# BRAKES OUT OF ADJUSTMENT			Air Disc Brake Count	% BRAKES OUT OF ADJUSTMENT		
	Manual	Auto	Total	Manual	Auto	Total		Manual	Auto	Total
Canada Total	427	16,648	17,075	63	827	890	1,350	14.8%	5.0%	5.2%
United States Total	2,494	29,796	32,290	291	1,227	1,518	1,293	11.7%	4.1%	4.7%
TOTAL	2,921	46,444	49,365	354	2,054	2,408	2,643	12.1%	4.4%	4.9%

## Order Your Decals for 2016

CVSA is taking new decal orders for calendar year 2016. The decals will be produced as 8.5" x 11" sheets, instead of books or pads. Each sheet contains 12, which are individually perforated.

Producing the decals in book/pad form was very labor intensive and had to be completed with specific equipment, which is now obsolete. The sheet design is more in line with current production equipment in the industry, and we believe the sheet format will provide more options for alternative suppliers in the future, should we need it. We also believe this will help keep costs competitive.

Also, we have incorporated a barcode feature that is a PDF 417 standard. The barcode will be on each individual decal as well as on each sheet of 12. On each decal, the barcode includes the serial number of that individual decal. The barcode on the sheet contains all the individual decal serial numbers on each sheet. Adding the barcode feature will aid members who are using barcode scanners for other purposes. It also will allow you to inventory the decals or sheets, should you chose to do so.

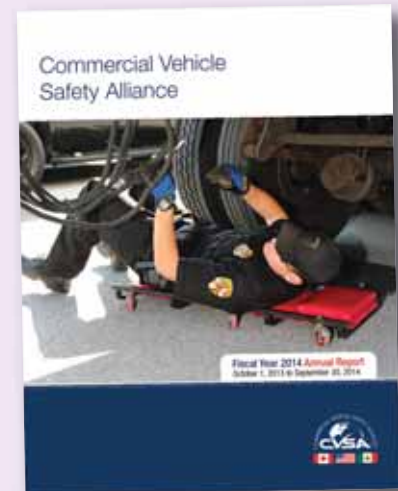
Lastly, we have adjusted the ordering process to permit you to order by quarter or for the entire year, if you wish.

We will not be increasing your costs with this change. Decals will still be \$0.28 (USD) per decal for 2016. Everything else with respect to the ordering and delivery process will not change. Other than the decal being in sheets rather than books, you should see no change.

As we change suppliers, we expect this change will occur without any issues. However; if you encounter any problems, issues or concerns, please contact CVSA Manager of Member and Program Services Iris Leonard at 301-830-6151 or [irisl@cvsa.org](mailto:irisl@cvsa.org).

Only decal contacts as assigned by the lead agency contact are authorized to order decals. **To order decals for 2016, visit [www.cvsa.org](http://www.cvsa.org) and log in to your account by clicking on "Member Login" located at the top of the website. As the decal contact, once you are logged in, click on "Online Store" and select "Decals" from the right-hand navigation column. Then proceed to order your decal sheets.** ■

## CVSA Releases its First Annual Report



CVSA is pleased to announce the availability of its inaugural first edition annual report.

The Alliance will continue to produce annual reports for our members and the general public. It is important to ensure transparency in our goals and progress, and to proudly share with you our annual accomplishments. We hope you'll enjoy reading about our progress.

**The report is available for free download by visiting [www.cvsa.org/about/fy2014annualreport](http://www.cvsa.org/about/fy2014annualreport).**

## Did you know you can read GUARDIAN & SAFETY EXCHANGE online?

It's easy to share the links with your colleagues so they, too, can stay up to date on the latest CVSA and industry news.



[www.cvsa.org/guardian](http://www.cvsa.org/guardian)

[www.cvsa.org/safetyexchange](http://www.cvsa.org/safetyexchange)

## Professional Driver Ross Reynolds of Con-way Freight Sets a High Standard as CVSA's First Annual International Driver Excellence Award Winner



**“We are so impressed by his unwavering, long-term commitment to public safety and his dedication to educating and guiding the drivers of tomorrow.”**—Stephen A. Keppler, CVSA Executive Director

CVSA is proud to announce the winner of its first annual International Driver Excellence Award (IDEA), Ross Reynolds of Con-way Freight who has driven more than 2 million miles over nearly 40 years without an accident.

Launched in 2015, this annual award recognizes individuals who go above and beyond the performance of their duties as a commercial vehicle driver, distinguishing themselves conspicuously and beyond the normal call of duty through the achievement of safe operation and compliance carried out with evident distinction for an extended period of time.

Ross Reynolds has been driving trucks since 1978, and has spent the last 29 years working at Con-way Freight. Over that time, he has received numerous awards and accolades, including a 25-year special recognition award for safe driving and working, as well as a number of Con-way Freight leadership awards. Outside of Con-way, he was a finalist for the American Trucking Associations' (ATA) America's Road Team three years in a row. Reynolds, based at Con-way Freight's Tucson, Arizona, service center, also placed in the top four of every Arizona State Truck Driving Championship (ATDC) from 2001 to 2010. In 2014, he went on to design the ATDC obstacle course, including four new obstacles.

However, if you were to ask him what has been the most rewarding part of his job, you'd receive a different answer. For Reynolds, who also serves as Con-way Freight's senior driver trainer in Tucson, nothing has been more fulfilling than teaching the drivers of tomorrow. “I really enjoy teaching and coaching other drivers,” said Reynolds. “Seeing ‘the lights come on’ when they finally understand a topic or are able to negotiate an obstacle for the TDC, like parallel parking, for the first time is very rewarding.”

Reynolds conducts Con-way's monthly service center safety training and developed a new program to educate drivers on the Smith System techniques of awareness, defensive driving and collision avoidance. He trains and mentors others in advanced safe-driving practices and is the service center's Drive Cam coach. In fact, many

of Reynolds' fellow drivers affectionately refer to him as “coach.”

“It's been said that ‘those who can, do, and those who can't, coach,’ and while I've had the opportunity to compete at the National Truck Driving Championships, and have done well the last 10 years at the state level, my specialty has been more of a coaching role,” said Reynolds. “Throughout my career, I've helped countless drivers prepare for the Con-way Freight, Arizona State, and National Truck Driving Championships. I have had the pleasure of seeing 33 of Con-way's Tucson drivers win the Arizona Truck Driving Championship, with one of them winning the National Truck Driving Championship. It takes hours preparing written tests, setting up pre-trips and obstacle courses, but the returns far exceed the work. Just seeing my co-workers on stage, hoisting up their trophies, gives me a sense of pride and accomplishment knowing I had a small part in making it happen.”

Reynolds was nominated by Bill Rzepecki, service center manager for Con-way Freight in Tucson. In submitting the nomination, Rzepecki said this about Reynolds, “His commitment to the industry and professional excellence makes Ross Reynolds an ideal and worthy candidate for IDEA. He is a superb role model for current and future professional drivers, and deserves to be recognized for his efforts and contributions to our industry.”

Reynolds also leads Con-way Freight's local Voices and Values team which encompasses the community giving team and works with other employees to help plan and organize fundraising drives and other events supporting local charities and social service organizations, such as food, clothing and holiday toy drives.

“We, at CVSA, cannot be more proud to announce Ross Reynolds as the winner of the first annual International Driver Excellence Award,” said CVSA Executive Director Stephen A. Keppler. “He embodies everything we hoped for and more in an exceptional driver and a man of character. We are so impressed by his unwavering, long-term commitment to public safety and his dedication to educating and guiding the drivers of tomorrow.”

Throughout Reynolds' career, he has driven bobtails, pups, doubles, vans, sleepers, tankers and flat beds. Reynolds has been married for 30 years and, together, he and his wife, Cathy, sing southern gospel music and have two recorded CDs. He plays guitar and harmonica and composes the words and music to many of their songs. Reynolds volunteers with small churches by remodeling and updating their sound systems, and he and his wife helped start a church 17 years ago, where he has been a worship/music director for 12 years.

Ross Reynolds will be presented with his award on Sept. 14, 2015, at the CVSA Annual Conference and Exhibition in Boise, Idaho.

CVSA established the International Driver Excellence Award to recognize and officially acknowledge the exceptional careers of professional commercial motor vehicle drivers and their commitment to public safety. As an organization dedicated to advancing safety and efficiency of the transportation industry, HELP Inc. joined with CVSA to sponsor the Alliance's first International Driver Excellence Award.

The 2016 IDEA nomination form will be posted in early 2016. [To learn more about the award program, visit www.cvsa.org/programs/driver\\_excellence\\_award.](http://www.cvsa.org/programs/driver_excellence_award) ■



Ross Reynolds, of Con-way Freight, winner of the 2015 CVSA International Driver Excellence Award.



## CVSA Announces 2015 Academic Scholarship Recipients



Devin Vecera, son of Ofc. Bryon Vecera of the Houston Police Department, will attend Sam Houston State University in Texas. He plans to major in agricultural engineering and technology.



Ashley and Brooke Kelley are pictured here with their father, Lt. Kevin Kelley with the Missouri State Highway Patrol. Ashley will attend Southwest Baptist University and Brooke will attend Truman State University, both located in Missouri.

CVSA has awarded its 2015 academic scholarships to three deserving high school graduates to attend the college of their choice. Devin Vecera, who will be attending Sam Houston State University in Texas, received \$1,000. For the first time in CVSA scholarship history, a pair of sisters each won \$1,000 toward their college education. Ashley Kelley will attend Southwest Baptist University in Missouri, and Brooke Kelley will attend Truman State University, also in Missouri.

As North America's leading commercial vehicle safety organization, CVSA's annual academic scholarship award program is a key component of the Alliance's educational outreach initiative. The scholarship award program is competitive in its selection criteria, uniquely tailored to recognize outstanding high school seniors. Scholarship recipients are selected by weighing academic performance and extracurricular activities.

"Our three scholarship winners clearly demonstrated tremendous academic achievement as well as involvement in extracurricular activities and commendable volunteer work over their high school careers," said CVSA Executive Director Stephen A. Keppler.

Our first scholarship winner, Devin, plans to major in agricultural engineering and technology with a minor in animal science. Throughout high school, Devin has been involved in the Future Farmers of America (FFA) and earned the FFA Lonestar Degree, FFA Star Lonestar Farmer, FFA Chapter Degree, FFA Star Chapter Farmer and FFA Greenhand Degree. Devin is an Eagle Scout and a member of his school's welding team, water polo team and the band. His community service includes Wreaths Across America, Peer Assistance Leadership, the Cy-Fair ISD Livestock Show and St. Mary's Seminary.

"Devin sets an example for others each day, showing his dedication to his academics as well as his extracurricular activities. Devin is a joy and delight to have as a student," said Stacey Butschun, the school's counselor. "He is a great communicator and works well with others.

Devin is a wonderful young man who will be successful."

Our second scholarship recipient is Brooke Kelley whose volunteer work includes Earth Day community clean-ups, blood drives and highway clean-ups. She has chaperoned middle school dances, volunteered at smoking cessation 5Ks, a petting zoo and food pantry, and wrapped gifts for Toys for Tots. Brooke has also been a Student Council member, Science Fair participant, a member of the Rotary Youth Leadership Academy and the Character Building Club. Brooke is ranked number one in her class with a 4.1 GPA and was class valedictorian.

Math teacher Cindy Loftus said this of Brooke Kelley, "Brooke is one of the most responsible young ladies with whom I've had the good fortune to work. She is a natural born leader, extremely personable, self-motivated, organized, and is very competent at conflict resolution. She is a strong leader and an excellent student."

Ashley Kelley, our final scholarship winner, has been senior class president, a member of the National Honor Society and the STEM Club Executive Council, and she's participated in athletics as a member of varsity golf team and basketball team. Ashley volunteered at YMCA and helped with Tiny Tot Basketball. Ashley is second in her class with a 4.1 GPA and was class salutatorian.

"Ashley is one of those students that a teacher never forgets because she makes teaching enjoyable," said Tim Gilmore, math teacher and athletic director. "She has set many goals for herself and knows that she is capable of doing anything."

All recipients have been notified of their selection as award winners. CVSA was able to award all three scholarship winners with \$1,000 each thanks, in part, to a generous donation by Direct ChassisLink, Inc.

Information about the 2016 academic scholarship program will be announced in early 2016. ■



## INSPECTOR'S CORNER

### It Takes a Village

By **JW Watlington**, *Commercial Vehicle Enforcement, Arizona Department of Public Safety*

My sense of relief after winning the Jimmy K. Ammons Grand Champion Award came from knowing that you would finally see the fruits of your labor. My success has nothing to do with me, and everything to do with all of you.

I was in Flagstaff a short while ago, during Roadcheck, and had some time to speak with many of my friends, coworkers and several members of the commercial vehicle industry, and I realized just how fortunate I truly am.

Last year, at NAIC, I was fortunate enough to have my name called last at the awards ceremony, and it led to a great sense of personal relief. Since that night, I have come to understand that sense of relief was not one which came from a feeling of significant personal achievement, rather something much more.

My professional success has almost nothing to do with me, seriously. A lot of ya'll have met me, and most of ya'll realize I ain't the brightest bulb in the chandelier. There is always a risk that your IQ could slowly drop when reading some of the articles I've written. But I have learned a few things in life such as: how to read, how to listen and how to watch.

The reading part is easy. Just crack open those big books and dive in voraciously. It has proven over the years to be hours of fun-filled entertainment. And if you throw in the *Federal Register*, FMVSS, SAE, ASME, etc., it's a surefire cure for insomnia. Unfortunately, I don't have a photographic memory and I'm not a savant, so I get to throw my head in there all the time. I find it to be a matter of professional responsibility to make sure I get things right.

Listening was not really my strong suit while growing up. The Corps got me straightened out with that matter. I've been listening ever since. I've listened to all those NTC instructors who took part in my training. I've listened to all the instructors I've had the pleasure of teaching with. I've listened to every inspector, driver and professional from industry who has taken the time to share their input with me. Each and every one of them had an impact on my professional development; some in small ways and others quite profound.

Watching was the most interesting part because of the wide selection of subjects to observe. I get to see

the officers from the Arizona DPS every day. They are absolutely, unequivocally the finest group of people I have ever had the privilege to associate with. They astonish me consistently with the body of work they produce. I feel like a Bassett trying to keep up with a pack of Greyhounds on a regular basis.

I also got to watch all the folks associated with NAIC and our Arizona Inspectors Competition. Many of them are from industry and individual companies who sponsor these events.

Over the past few years, I have had the opportunity to interact with industry partners and have found them to be at the forefront of safety in the commercial vehicle world. When speaking with them, they have provided valuable insight that has assisted me greatly throughout my daily work. They have disproven every negative stereotype I ever heard about the industry and drivers, and have been a constant beacon of professionalism. On a regular basis, I stand in awe of their ability to conform to all the regulations and still be able to succeed in their business.

I was also able to interact with CVSA staff and members. Everyone I ever met in any capacity while at a CVSA conference or NAIC itself, went above and beyond what was expected to make me feel welcome and involved. From staff, to sponsors, to committee members, and especially NAIC contestants; all had a huge impact on my development.

My sense of relief after winning the Jimmy K. Ammons Grand Champion Award came from knowing that you would finally see the fruits of your labor. My success has nothing to do with me, and everything to do with all of you. I am honored to represent the Arizona Department of Public Safety and the state of Arizona, and am truly humbled to be considered one of your peers and hopefully your friend.

I appreciate all that each of you have done to help me succeed. ■

## REGION I

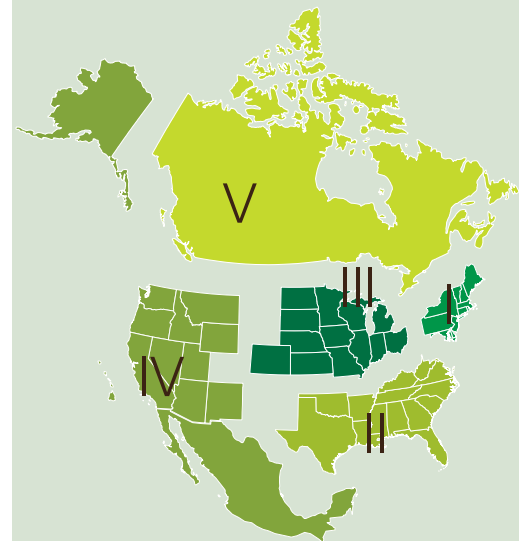
## Puerto Rico Participates in CVSA's International Roadcheck

By **Leticia Jover**, *Communications Advisor, Motor Carrier Safety Assistance Program, Puerto Rico*

**P**uerto Rico's Public Service Commission under its Motor Carrier Safety Administration (MCSAP) Division continues to be active in its mission of guaranteeing the safety of the roads and ensuring compliance of the laws and procedures that the agency regulates by participating in Roadcheck 2015, said Puerto Rico Public Service Commission President Omar Negrón Judice.

The operation, conducted for three consecutive days, specifically in the areas of Guaynabo, Salinas and Caguas, involved Puerto Rico's Police Department. As a result, its MCSAP personnel conducted more than 200 inspections in which multiple violations were identified and its drivers were educated in regards to all federal and state law regulations that applied.

"Enforcing full compliance is certainly one of our main goals. It is our duty and obligation to ensure that accidents as a consequence of the mishandling and breach of these policies are reduced," noted José Miranda, director of MCSAP in Puerto Rico. ■



## REGIONAL MAP

### Region I

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, US Virgin Islands and Vermont

### Region II

Alabama, American Samoa, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia

### Region III

Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Northern Mariana Islands, Ohio, South Dakota and Wisconsin

### Region IV

Alaska, Arizona, California, Guam, Hawaii, Idaho, Mexico, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming

### Region V

Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Northwest Territories, Nunavut, Ontario, Prince Edward Island, Quebec, Saskatchewan and Yukon





## People Against Distracted Driving Event Held in New Jersey for National Distracted Driving Awareness Month

By Mike Kellenyi, President, People Against Distracted Driving



Parents, teens and children came together on April 11 at Washington Township Lake Park in New Jersey to hold the People Against Distracted Driving (PADD®) 5K Walk/Run, the area's largest awareness event in April, National Distracted Driving Awareness Month.

It not only was a great awareness raiser, but the walk was in remembrance of those who were killed by the country's newest epidemic and the number-one killer of teens in America, distracted driving. This year's event honored Nikki Kellenyi, who was killed by her friend who drove distracted. The event also honored Toni and RJ Danato-Bolis, a young mother who was nine months pregnant when a distracted driver crossed the road and hit her car head on, killing the mom and her unborn child. The crash took place less than a mile from Nikki's crash.

PADD honors a different crash victim each year at its 5K Walk/Run and, sadly, the next seven years are already set with people to be honored. Prior to the walk, PADD President and Founder Mike Kellenyi (Nikki's father) spoke about PADD's national campaigns. Also, Amanda Peacock, Miss Gloucester County's Outstanding Teen, sang the national anthem, and New Jersey State Police (NJSP) Sgt. Luigi D'Addario and Greg Crescenzo from Atlantic Investigations spoke to the crowd about distracted driving, drunk driving and ways to be safe.

New Jersey Manufacturers Insurance Company (the event's premier sponsor) brought their distracted driving simulator, and parents and teens lined up to give it a try. Most were astonished at the difficulty and vowed to avoid distractions. CVSA, NJSP and Atlantic Investigations had the crowd take part in driving tests with "drunk goggles" supplied by Atlantic Investigations. Any participant who passed the drunk test was awarded a dinner for two at the Texas Roadhouse, which also served food to the walkers and runners. In addition, a "No Texting Promise" poster board was signed by attendees, pledging not to text while behind the wheel.

What really made this walk different and opened a lot of eyes was that after the walk, everyone stayed to participate in the awareness events. Most walks are over when the walk is over. The sponsors did a great job of making this event interesting and educational along with raising awareness. Almost 700 people attended the event, with 300 to 400 walking and more than 100 running. The amount raised was close to \$10,000 dollars.

PADD, New Jersey Manufacturers Insurance Company, New Jersey State Police, CVSA, Atlantic Investigations, Traffic Ofr. Jason Rigbie from Hammonton Police Department, Texas Roadhouse, Federal Express, Drive

Beehive, Washington Township Fire Department, Washington Township EMT Rescue Squad, PADD Dash, Binswangler Glass, Artis, Staples, Conor Lynch Foundation and MDD took April's Distracted Driving Awareness Month to the next level with the tri-state area's largest event to raise distracted driving awareness. Many thanks to the hundreds who came from schools, universities, politicians, sororities, fraternities, etc. – from 5-year-old children to 85-year-old grandparents.

One thing PADD recognizes, distracted driving does not discriminate. It affects everyone. ■



## REGION II

## Alaska Experience: Instructing a PBBT Class

By **Erick McGuire**, *Commercial Vehicle Enforcement, Florida Highway Patrol*

**A**s an NTC Instructor, you come across all kinds of different people that you share a common interest with and, in some, you can even see a passion for a job that is extremely important to the safety of all who use the highways.

During instruction of a Performance-Based Brake Testing (PBBT) class, I met several officers who share this passion for commercial vehicle safety. These individuals work for the Alaska Department of Transportation Division of Commercial Vehicle Enforcement.

Passion and enthusiasm can originate from several areas from within an agency but, in this case, I believe it comes from the management. Alaska's Commercial Vehicle Enforcement is headed by Chief Dan Byrd and Lt. Heidi Anderson, who both share the same enthusiasm detected in the officers. They are extraordinary people who were exceptional hosts.

I also met three sergeants during training, Sgt. Jesse Seward, Sgt. Dan Daigle and Sgt. William (Bill) Walden. They are remarkable people who have incredible knowledge of PBBT and commercial vehicle safety in general.

A large portion of the officers attending the class were hired within the past year and already showed the skills of a quality inspector. A person will always bring back something from an experience like this, especially when you're around people of this caliber and vast knowledge. Knowledge is a very important item to bring back, but the one thing more important to me is friendship. I brought back friendships.

My sincere thanks go out to CVSA Director of Vehicle Programs Will Schaefer, the Florida Highway Patrol, CVSA and all my friends within the Alaska Department of Transportation. ■

## REGION III

## Seeing the Other Side: Visiting a Major Trucking Company

By **Maj. Lance Evans**, *Motor Vehicle Enforcement, Iowa Department of Transportation; Region III President*

**A** short while ago, I had the opportunity to visit a major trucking company, as a guest, to see firsthand the inner workings of what it takes to make a company solvent. Wow, did I get an eye opener.

For more than 20 years, I've been on the other side of the fence – the enforcement side – and had, what I now know to be, very limited knowledge of the day-to-day operations of a major carrier. In 14 of those 20 years, I conducted approximately 1,200 inspections and issued 1,000 citations per year, and investigated approximately 100 fatalities involving a commercial vehicle.

It is my job, my mission, to safeguard the transportation system we all rely on. What I didn't know was the impact I was having on that carrier or driver. I don't regret what I did because I truly believe in CMV inspections/enforcement and I believe in saving lives. What I wish I had was a better understanding of the impact my actions had on that carrier/driver. CSA has brought that to the forefront. Both enforcement and industry must now be cognizant of what they are doing and what impact they are having not only to the transportation system but to their way of life.

When I was at the carrier's headquarters, I saw each and every component of their operation, from the president's office to the wash bay and every point in between. I saw multiple individuals constantly on the phone, people walking back and forth from office to office, tires being changed, bills being paid, data sheets being compiled, the president and executive vice president interacting with staff and so on.

What I took away from all of this is it takes a great deal of money to hire, retain and promote a business, and to keep the company afloat. You have to know each and every element that impacts your company and you can't micromanage.

On a daily basis, this carrier's executive vice president makes a spreadsheet of weather conditions across the country, the inspection data from the day before, the CSA impact of those inspections, what was shipped from one company to the next, who quit and where the tractor/trailer was left, and what funds came in and went out. This is something he does every day. We, in enforcement, attempt to do the same thing, but find ourselves being more reactive instead of proactive.

For every action, there must be a reaction. Training can assist with this endeavor. Ask the right questions and be receptive to the answer. Engage in dialogue. Take advantage of networking opportunities and, most importantly, utilize the resources at your disposal.

We all know CSA has changed the culture of the CMV industry, but it has also changed the enforcement culture. The key to anything is learning, acceptance and advancement. The more we learn, the better we understand. The better we understand, the more we advance. There are always going to be CMVs and enforcement officials, and there is always going to be change. How we react will determine our fate. ■

## Nebraska State Patrol Recognizes Doug Donscheski for His More Than 40 Years of Commercial Vehicle Enforcement

By **Tpr. Mike Maytum**, *Carrier Enforcement Division, Nebraska State Patrol*

Larry, the Cable Guy. Warren Buffett. Johnny Carson. Tom Osborne. Depending on your personal interests, you might recognize some or all of these famous Nebraskans for their contributions to their respective spheres of influence. For many of you who are affiliated with CVSA, there may be another famous Nebraskan you recognize: Doug Donscheski.

Doug has spent the better part of his working career in the commercial vehicle industry and specifically with the Nebraska State Patrol Carrier Enforcement Division. At the end of 2015, his long and honorable career is scheduled to come to a close as he transitions out of his work with the Nebraska State Patrol and into retirement.

We, his friends here at the Nebraska State Patrol, thought it would be appropriate to share some of the highlights of his career as a way to recognize him for the many years of service he provided not only to our state, but to organizations all around the country.

In 1975, legal weights on the roadways in Nebraska were 18,000lb single axles, 32,000lb tandems, and gross weights of 73,280lbs. Semi-trucks were largely cab-over arrangements, seemingly invented to destroy driver's backs and hips. In July of that same year, Doug Donscheski joined the Carrier Enforcement division in Nebraska, which was, at that time, under the oversight of the Department of Roads, working as the permit officer. He was quickly promoted to the position of office supervisor and subsequently to the position of federal aid administrator. In 2011, his title and duties were changed to that of Motor Carrier Safety Assistance Program Manager, the position and title he currently holds. With a title that long, it would only seem appropriate that Doug should have a large number of tasks he is responsible to administrate or oversee.

When asked, Doug summarized his position in the following ways: he administers the basic MCSAP and new entrant programs, and the post-crash inspection course, as well as the Commercial Vehicle Information Systems and Networks (CVISN) and high-priority grants. As it relates to the grants, he not only develops the grant applications to the federal government on behalf of the Carrier Enforcement Division, he also prepares all of the quarterly reports ensuring compliance with the requirements in the use and administration of

funds provided by the grants. In short, he makes sure our paycheck keeps coming each month. There are many who are so very thankful for his diligence.

As Doug's career evolved, it became apparent that he may be able to benefit other organizations and has, through the years, been able to provide guidance, leadership and experience to many of you through his involvement in fine organizations, like HELP, Inc., where he serves on the Board of Directors and has served on the Safety Committee. He has also lent his hand to CVSA over the years, where he served as a member of the Ad Hoc Committee on data quality, as both a chair and vice chair on the Information Systems Committee and as both president and vice president of Region III. He was also on the Steering Committee for development of safety and fitness for SAFER and served as an expert panel member on the model minimum uniform crash criteria (MMUCC) for commercial vehicles. In a testament to his years of service and commitment, he was honored as the 2014 Supervisor/Manager of the Year by the Nebraska State Patrol.

Looking back on his career, Doug remembers the infancy of the Carrier Enforcement Division of the Nebraska State Patrol, when his first annual grant award was \$50,000 for the entire division and he was building the first truck guide book by literally gluing typewritten text onto pages to be set for printing.

In 1987, Doug attended the regional CVSA meeting in Kansas City with the captain of the division (who ended up being elected to the position of regional president) before receiving permission to participate by the colonel of the patrol. That captain saw the value of CVSA and paved the way for many of those who currently serve in some capacity with CVSA and are also employees of the Nebraska State Patrol. Doug recognized early that being involved, especially at the committee level, opened doors of opportunity and networking between many of the involved agencies.

One of Doug's parting thoughts to everyone is to seek to be involved with peers from other states and jurisdictions to help provide an information network and open communication among participating agencies and partners. To those who follow after him, his challenge is that of involvement and patience. Make your

voice heard, but don't be hasty or impatient as you wait for results. Seek support from your agency and be dedicated to the cause of commercial vehicle safety.

Asked what he recalls as his greatest accomplishment, Doug recapped it this way: "Since we implemented the Motor Carrier Safety Assistance Program in Nebraska, we have impacted the lives of the motoring public. In 1989, when we started tracking crashes involving commercial motor vehicles, we had 115 fatalities, and the out-of-service rate exceeded 75 percent. In 2013, there were 24 fatalities and an out-of-service rate of 33 percent. The reduction of CMV fatality crashes and out-of-service rate is the result of the hard work of our enforcement officers at roadside, and industry working together to reduce the number and severity of crashes involving commercial motor vehicles."

When Doug retires, he will have given more than 40 years of commercial vehicle enforcement and safety. He will leave a rich legacy and large shoes to fill, but we wish him the very best in wherever his path leads from here. ■



Doug Donscheski



Left to right: Capt. Gerry Krolukowski, Lt. Vicki Streeter (retired), Lt. Jon Beckstead, MCSAP Coordinator Doug Donscheski, Lt. Danny Riens and Lt. Dan Doggett.



## Michigan State Police, Commercial Vehicle Enforcement Division Joins Truckers Against Trafficking Initiative

By Capt. Michael A. Krumm, Commercial Vehicle Enforcement Division, Michigan State Police



The Michigan State Police Commercial Vehicle Enforcement Division (MSP/CVED) has begun an initiative to support the nationwide Truckers Against Trafficking (TAT) program.

Founded in 2009, the mission of TAT is to educate, equip, empower and mobilize members of the trucking and travel plaza industry to combat domestic sex trafficking. Currently, 39 states participate in supporting the TAT program. The TAT program has partnered with the National Human Trafficking Resource Center (NHTRC) in establishing a nationwide phone number to report suspected sex trafficking.

CVED's goal was to establish a targeted approach in engaging the commercial vehicle industry to include truck stops, trucking companies, rest areas and the Michigan Trucking Association (MTA) in educating them on the TAT program. Through increased awareness, the MSP's goal is to build strategic partnerships in addressing the problem of human trafficking in the commercial vehicle industry.

It is estimated that anywhere from 100,000 to 300,000 minor children are being trafficked in this country at any given time. Truck stops are a preferred area for traffickers since there are many potential clients in one area and the victims can go from truck to truck quickly and easily.

Since Dec. 7, 2007, the NHTRC hotline number has received more than 1,000 calls from truck drivers and 350 potential cases of trafficking have come from those calls. According to the U.S. Department of Health and Human Services, human trafficking is the second largest and fastest growing crime worldwide. Human trafficking is a \$32 billion industry globally, generating \$9.5 billion in the United States alone.

Motor carrier officers are the first line of defense for identifying criminal activity associated with the use of commercial vehicles. Until now, our officers had not been trained to identify, enforce or engage situations that may involve human trafficking. Furthermore, truck stop personnel, commercial motor vehicle drivers, and others were not aware of the TAT program and the resources available should suspected trafficking be encountered.

More than 60 percent of all freight in the U.S. is carried by commercial vehicles. There are about 8.9 million people working in the commercial trucking-related industry in the U.S. with about 3.5 million

drivers. In Michigan alone, there are 57,374 registered commercial trucking companies and about 304,000 licensed commercial drivers traveling more than 120,000 miles of paved road across the state. The MSP/CVED is in a unique position to create a positive impact on the human trafficking issue through its contacts and connections to and with the commercial trucking industry, including rest areas, the Michigan Department of Transportation, carriers, drivers and truck stops.

In the first quarter of 2015, the MSP/CVED purchased a variety of TAT materials to distribute to drivers and commercial trucking industry personnel. More than 300 posters, 37,000 wallet cards, 3,000 window clings and 160 DVDs were distributed statewide. MSP/CVED officers have visited with staff at 108 truck stops, five carrier locations, the MTA, 24 rest areas and five other community locations to include hotels, fast food establishments, churches and schools. More than 400 people have received one-on-one awareness training. Additionally, MSP/CVED officers across the state are engaging drivers in a conversation about human trafficking during traffic stops and other contacts. MSP/CVED investigators and auditors have also received training to allow them to offer TAT information during compliance reviews and safety audits.

The NHTRC hotline received 142 calls originating from Michigan during the first quarter. Of those calls, 33 human trafficking cases were reported, with eight calls coming from victims.

The MSP/CVED recognizes that commercial drivers are the eyes and ears of the road and together we can make a positive impact on stopping human trafficking. The MSP/CVED will continue to provide human trafficking and TAT awareness training to the trucking industry and community as requested.

**For more information on TAT, visit [www.truckersagainsttrafficking.org](http://www.truckersagainsttrafficking.org). The NHTRC can be reached at 888-373-7888 or online at [www.traffickingresourcecenter.org](http://www.traffickingresourcecenter.org)**

**If you would like updates or other information regarding the MSP/CVED human trafficking awareness program, contact Lt. Susan Fries at [FriesS@michigan.gov](mailto:FriesS@michigan.gov) or MC Ofc. Danielle Stewart at [StewartD7@michigan.gov](mailto:StewartD7@michigan.gov).** ■

## Roadcheck 2015 in Hawaii

The Hawaii Department of Transportation, Motor Vehicle Safety Office was proud to participate in this year's International Roadcheck and continues to support CVSA's mission to promote commercial motor vehicle safety on the roadways. The Motor Vehicle Safety Office utilizes a combination of enforcement and education to ensure full compliance of all federal and state regulations. ■



Pictured left to right: Kneeling – Clifford Ballesteros, Sean Prendergast, Kamakani Konia, Eric Abarca, Kelsey Higa. Standing – Tresha Pepito, Lupe Maka, Brett Wong, Wayne Kuramoto, Elden Mabini, Sidney Hart, Brett Tominaga, Stanton Ishii, Asalemo Fruean, Brett Yoshizumi, Nelson Baker and Angelica Keomaka.



## Entry-Level Driver Training in Mexico; SCT Supported FMCSA on its Third-Party ELDT Program

By **Alejandro Del Angel Gaviño**, Head of Cross-Border Trucking Department, Federal Motor Carrier Directorate, Undersecretary of Communications and Transportation, Secretaría de Comunicaciones y Transportes



Mexico has important experience on training commercial drivers. Based upon the experience, the United States Department of Transportation, through the Federal Motor Carrier Safety Administration (FMCSA), requested the assistance of Mexico's Secretariat of Communications and Transportation (SCT) to develop a study about the structure and benefits of a third-party approach for entry-level driver training (ELDT) by the documentation of:

1. Information on its third-party program
2. Safety performance data on drivers who have gone through the third-party ELDT and drivers who have not

Due to the positive response of SCT, FMCSA conducted this study through onsite interviews with Mexican Federal Motor Carrier Directorate (DGAF, for its acronym in Spanish) officials familiar with the third-party ELDT program, as well as with training schools and industry representatives in different Mexican cities, such as Leon, Monterrey, Veracruz and Mexico City.

In Virginia, last April, the DGAF presented to the FMCSA Entry-Level Driver Training Advisory Committee information related to its experience on third-party training centers to professionalize motor carrier drivers and the plan used in Mexico to improve road safety and encourage a competitive sector.

In 1997, the DGAF established mechanisms as marking guidelines to establish and operate training and instruction centers, in which courses on topics that the drivers should know are given. This has been done in coordination with motor carrier organizations, and public and private sectors. The objective has been to strengthen road safety, through better-trained drivers<sup>1</sup>.

As a result of the importance of transportation of passengers and freight in Mexico, on June 11, 2003, the first minimum training programs were published; containing the mandatory topics to be taught by the training centers. Training models were developed to promote road safety, reduce road mishaps, decrease environmental pollutants and implement efficient driving to save fuel.

Therefore, the current federal motor carrier training regulatory framework in Mexico allows the DGAF to

delegate functions to private training centers in order to train drivers that provide federal motor carrier services in Mexico.

Among the main functions delegated to the training centers we can find:

- Implementation of a homogeneous policy on training
- Increase of road safety
- Encouraging a more competitive sector

At the moment, the SCT is working in coordination with motor carrier organizations in public and private sectors to update the contents of knowledge and skills in cutting-edge issues related to:

- Driving techniques and operation of heavy vehicles
- Policy
- Regulation
- Technical conditions
- Prevention of accidents
- Road safety
- Defensive driving
- Driving technique
- Efficient operation of vehicles and intelligent transportation systems issues

The training process required and regulated by the SCT is useful to professionalize drivers and to improve the safety and efficiency of federal motor carrier services. It is a system that also involves qualities and areas for improvement that should be addressed permanently.

Training in Mexico, which involves an educational process as well as the approval of a medical exam, is required to complete the process of obtaining federal license. Renewal training can be perceived by drivers as a waste of money and time, and be frowned upon. This is why training has to add value to the driver. There must be useful elements for the driver in "real life," such as the use of Internet tools and information in handling new vehicle technologies. ■

<sup>1</sup> Federal Police statistics have shown that 80 percent of accidents are linked to driver responsibility and capacity.



## REGION IV

## Take Our Daughters and Sons to Work

By **Liz Carson**, Department of Transportation Program Lead, Fleet Services Business Department, Sandia National Laboratories

**M**ore than 1,000 Sandia National Laboratories employees brought 1,693 kids to work to celebrate Take our Daughters and Sons to Work Day combined with Earth Day. Visitors observed or participated in 50 different activities around the labs as well as activities at Kirtland's Special Operations Wing.

The New Mexico Motor Transportation Police brought their tractor/trailer training simulator to the event. Kids were able to drive the simulator, check out the braking system and visit with Lt. David Abeita, Sgt. Wendy Graft and Sgt. Josh Perea about their work making our roadways safer.

Students enjoyed learning about Sandia's test capabilities at several locations, and visited venues where they learned about clean rooms, product development and packaging, high-performance computing, spacecraft design, and information security and encryption. Visitors took a 3-D journey through the brain and learned about safe driving, sharing the road and the many distractions that can take your eyes off the task at hand. Those were only a few of the activities that Sandia presented to show their sons, daughters and other relatives about the wide range of work at Sandia National Laboratories.

We couldn't plan such a great day without the support of those putting on the activities. Sharing a day in their work life, showing their kids what they do, and even seeing a part of the labs they never see means a lot to our workforce. ■



Photos by  
Randy Montoya

## REGION V

## Ontario Offers Driver Materials on Driving Around Roundabouts

By **Sheri Graham**, P. Eng., Manager, Ministry of Transportation, Traffic Office, Ontario

**R**oundabouts use one-way directional arrows and yield signs for traffic control and guidance. All drivers entering a roundabout are required to yield the right of way to vehicles already in the roundabout. Where advisory speed limits are posted at roundabouts, we ask that drivers be mindful of these to ensure the safety of all users.

Roundabouts are designed to accommodate the turns and movements of larger vehicles, such as trucks, buses, farm equipment and other large vehicles. When designing roundabouts, the Ministry of Transportation (MOT) takes into consideration the demographics and types of vehicles that will use the roundabouts to ensure they can be safely accommodated. A large semi-trailer is typically used as the design vehicle; however, different design vehicles can be used, if appropriate.



Large vehicles may need to use more than one lane when entering and exiting the roundabout. Within the roundabout, large vehicles may also need to use more than one lane and/or truck apron (a truck apron

provides an area between the circulatory roadway and the central island, over which the rear wheels of these vehicles can safely track). Typically, the truck apron is comprised of different material and/or texture than the paved surface to discourage routine use by smaller vehicles.

Public education is essential to encourage safe driving through a roundabout. MOT is committed to improving road safety through awareness and public education, and uses a variety of methods to achieve this. To educate new drivers, the Ministry has included information on how to safely drive through roundabouts in the Official Driver's Handbook.

**“Driving through Roundabouts” can be found by visiting [www.mto.gov.on.ca/english/dandv/driver/handbook/section2.6.7.shtml](http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.6.7.shtml) and “Dealing with Particular Situations at a Roundabout” can be found at [www.mto.gov.on.ca/english/dandv/driver/handbook/section2.6.8.shtml](http://www.mto.gov.on.ca/english/dandv/driver/handbook/section2.6.8.shtml).**

**MOT has also developed pamphlets and training materials on roundabouts including a video and rules for roundabouts which are available on the Ministry's website at [www.mto.gov.on.ca/english/engineering/roundabout](http://www.mto.gov.on.ca/english/engineering/roundabout). ■**

REGION V

Photos



Driveline worn through steady bearing. Photo by Ofc. Kevin Chaput, Watson Lake Scale, Yukon.



Lost front wheel. Photo by Ofc. Kevin Chaput, Watson Lake Scale, Yukon.



Inadequately secured cargo. Bucket tied to side of a Kubota dozer track. Photo by Ofc. Carol Bates, Whitehorse Weigh Station, Yukon.



Inadequately secured load. Photo by Ofc. Carol Bates, Whitehorse Weigh Station, Yukon.



Inadequately secured dunnage. Photo by Ofc. Carol Bates, Whitehorse Weigh Station, Yukon.



Bad slack adjuster/pushrod. Photo by Ofc. Sheldon Barteaux, Whitehorse Weigh Station, Yukon.



Suspension tracking component gone awry. Photo by Ofc. Sheldon Barteaux, Whitehorse Weigh Station, Yukon.



Disengaged slider-guide/hold-down bracket. Photo by Ofc. Michael Kasprzak, Whitehorse Weigh Station, Yukon.



Loose air tank on trailer. Photo by Ofc. Michael Kasprzak, Whitehorse Weigh Station, Yukon.





## FROM THE DRIVER'S SEAT

### The Way Things Were and How the Trucking Industry Has Moved Forward

By **Russell Simpson**, *Holland, Inc.*

No matter what type of weather is thrown at us, we still get up, climb in our trucks, and go to work. We love what we do and, for many of us, it's all we have ever done.

**Y**ou know the old saying, "Time flies when you're having fun?" Well, it's hard to believe I have been driving a truck almost 30 years; 22 of those years have been with Holland in Columbus, Ohio. I know there are professional drivers reading this that have been driving longer than me, but I thought I would share a few changes I've seen in the 29 years I've been in the industry.

When I started my career as a professional truck driver, the trucks were predominately cabovers. Now, to see a cabover, you have to go to a truck show. Almost all the trucks in the early days rolled black smoke out the stack, now you can't even tell a truck is running. The industry is moving from paper logs to electronic logs. Now, instead of opening a road atlas to plan our route, we enter an address into a little square box, hit calculate, and it tells us where to go. Back in the day, to call home to our families, we would have to search out a pay phone in a rest area or go to a truck stop and use the phones that were conveniently located in the restaurant booths. Now, we all have cell phones. Don't forget the background checks every four years if we want to haul hazmat. It was go bucks to recheck our fingerprints that haven't changed since we were born. How times have changed but, more importantly, how the trucking industry has moved forward.

In this same time frame, I've come to realize that there are two different groups of people that choose a career as a professional truck driver. In the first group, you have the men and women that may have come to a dead end in their current jobs. They are going through some tough times and just want a change. So they get a CDL and become drivers because of the steady work, good pay and the chance to be their own boss.

In the second group, we have the men and women who are truly professionals, myself included, and who share a deep-rooted passion for the trucking industry. No matter what type of weather is thrown at us, we still get up, climb in our trucks, and go to work. We love what we do and, for many of us, it's all we have ever done.

I have talked with my wife before about how much I love my job and her comment was, "you're saying that if you made the salary that the average fast food worker is making, you would still continue being a truck driver?" I thought about that a moment and responded with, "we would have to make a few sacrifices, maybe move into a smaller home, buy a less expensive car, you would have to get a job, but we would make ends meet." That is how passionate I am about this industry and what I do.

About a month ago, I had the opportunity to talk with a veteran America's Road Team captain. He has been a professional driver for more than 44 years, 37 of those years with the same company. We went to dinner and I asked him "when do you know it is time to give this all up and retire?" I could see the shaking in his hands, the quizzical look on his face. He didn't have a good answer for me. But I can tell you this, on my final trip, whenever that will be, when I pull into the terminal, unbuckle my safety belt, climb down out of the truck – using my three points contact – there will be tears rolling down these cheeks. ■





# SAFETY INNOVATORS

## NTSB Pushes for Forward Collision Avoidance Systems on All Vehicles

By **Ensar Becic, PhD**, Project Manager, Office of Highway Safety, National Transportation Safety Board



The benefits of these systems and their future potential are well supported by research conducted in industry, government and academia.

It only takes a moment. Traveling on a highway devoid of much traffic and with a monotonous environment can lull a driver into a false sense of security. And it only takes one momentary lapse in monitoring to miss seeing stopped traffic ahead. By that time, it may be too late to brake or change lanes to avoid a crash.

This scenario closely resembles several rear-end crashes the National Transportation Safety Board (NTSB) investigated over the last three years, including the one in Elizabethtown, Kentucky, where six people died after a truck-tractor combination vehicle struck the rear of an SUV.

In 2001, the NTSB issued 10 recommendations pertaining to rear-end crashes and collision avoidance systems (CAS), including recommendations to the National Highway Traffic Safety Administration (NHTSA) to develop performance standards for collision warning systems for passenger and commercial vehicles and require them on all new commercial vehicles. Yet, forward CAS are not required on any vehicles today, and the performance standards for these systems in commercial vehicles are still not developed.

Since 2001, collision avoidance technologies have advanced considerably, and they are more accurate and capable today than ever before. In 2001, collision warning and adaptive cruise control were state of the art. Today, manufacturers offer autonomous emergency braking (AEB) and systems that detect pedestrians and wildlife. CAS continue to improve and their potential is tremendous – false warnings are reduced and AEB systems can respond much quicker than a driver. The benefits of these systems and their future potential are well supported by research conducted in industry, government and academia. However, fatalities resulting from rear-end crashes continue to occur, at the rate of about 1,700 each year. Many of these fatalities could have been prevented had the vehicles been equipped with forward CAS.

In June 2015, the NTSB published a special investigation report which issued recommendations to all vehicle manufacturers to install CAS in all new vehicles, beginning with collision warning, and adding AEB systems once NHTSA completes the standards.

The commercial vehicle industry estimates that about 10 percent of new truck-tractors are equipped with collision warning and AEB systems. Some companies are currently in the process of transitioning their fleets to CAS-equipped truck-tractors, not only due to their commitment to safety, but also because they found these systems reduce operational costs.

Incentives to vehicle manufactures would speed the deployment of these life-saving technologies in all vehicles. NHTSA can provide such incentives by developing graded ratings for CAS, and by expediting the development of performance standards for these systems in commercial vehicles, as recommended by the NTSB in the June report. Implementation of these recommendations would foster competition and further advancement of the technology.

Rear-end crashes represent nearly half of all two-vehicle crashes on U.S. roadways, ranging from fender-benders in a parking lot, to devastating highway crashes, such as the one in Elizabethtown, Kentucky. But the good news is that we have an opportunity to do something about these crashes – equipping vehicles with forward CAS could prevent or mitigate most of them. And not only could forward CAS save lives today, they would also be an integral component of future safety technologies, such as connected vehicles.

**The full report, including a complete list of findings and safety recommendations, is available on the NTSB's website at [www.ntsb.gov/safety/safetystudies/Pages/SIR1501.aspx](http://www.ntsb.gov/safety/safetystudies/Pages/SIR1501.aspx). ■**

# RAD INSPECTION NEWS

## About RAD Inspection News

RAD Inspection News features information pertaining to the North American Standard Level VI Inspection Program for transuranic waste and highway route controlled quantities (HRCQ) of radioactive material. This inspection is for select radiological shipments that include enhancements to the North American Standard Level I Inspection Program and the North American Standard Out-of-Service Criteria with added radiological requirements for transuranic waste and HRCQ of radioactive material.

Learn more at [www.cvsa.org/levelVI](http://www.cvsa.org/levelVI).

RAD Inspection News is made possible under a cooperative agreement with the U.S. Department of Energy (DOE). Since January 2007, it has run as a section inside CVSA's *Guardian*. ■

## FMCSA Grants U.S. Department of Energy's Request for Renewal of 30-Minute Rest-Break Provision of HOS Regulations



On June 22, 2015, FMCSA announced in the *Federal Register* (35704 Volume 80, No. 119) its decision to grant the U.S. Department of Energy's (DOE) request for renewal of its exemption from the minimum 30-minute rest-break provision of the hours-of-service (HOS) regulations for commercial motor vehicle drivers.

The exemption will enable Department of Energy contract motor carriers and their drivers transporting security sensitive Class 7 materials to be treated the same as drivers transporting certain Class 1 materials. The exempted DOE drivers will be allowed to use 30 minutes or more of on-duty attendance time to meet the HOS rest-break requirements providing they do not perform any other work during the break period. ■

## Level VI Program Attends U.S. Department of Energy's National Transportation Stakeholders Forum

CVSA Director of Hazardous Materials Programs Carlisle Smith attended the U.S. Department of Energy (DOE) National Transportation Stakeholders Forum (NTSF) this past May in Albuquerque, New Mexico. During the NTSF meeting, Carlisle attended each regional group to provide a CVSA Level VI Program update. Regional groups attending were the Council of State Governments, North East; Council of State Governments Midwest; the Southern States Energy Board; and the Western Governors Association. The Level VI public outreach booth was set up at the forum. During the forum, a mock Level VI Inspection was conducted by certified Level VI officers of the New Mexico Department of Public Safety Motor Transport Police. ■



New Mexico Level VI inspectors begin mock Level VI Inspection.



New Mexico Level VI inspectors provide a step-by-step review of the Level VI Inspection procedure to NTSF attendees.



## CVSA Holds 150th, 151st and 152nd Level VI Certification Classes

### CVSA held its 150th Level VI certification class in Orlando, Florida, April 27-30, 2015.

In attendance were 22 hazardous materials inspectors from the Florida Highway Patrol, Wyoming State Patrol and Puerto Rico Public Service Commission. Also in attendance was a member of the management team of Cassidy Moving and Storage, one of the primary carriers of Cobalt 60 in the United States and Canada. The students were given the opportunity to use the US DOE TruPact III for their outdoor practical exercise. The students were also given a review of the F-168 shipping cask, used by MDS Nordion to ship Cobalt 60 in North America.

### CVSA held its 151st Level VI certification class in Lansing, Michigan, May 19-22, 2015. In

attendance were 12 hazardous materials inspectors representing the Michigan State Police, Nebraska State Patrol, Indiana State Police, Iowa Department of Transportation and the Ontario Ministry of Transportation. Classroom instruction was provided by Tony Anderson of the Idaho State Police, J.R. Lewis of the Federal Motor Carrier Safety Administration and Carlisle Smith from CVSA.

### CVSA held its 152nd Level VI certification class in Springfield, Illinois, June 15-18 2015.

In attendance were 22 hazardous materials inspectors representing the Illinois State Police, Idaho State Police, Indiana State Police and the Missouri State Highway Patrol. Also in attendance were drivers from Hittman Transport and

radiological health physics staff from the Illinois Emergency Management Agency. Jade Transportation Services provided an empty F-168 shipping cask for the students to review. The F-168 shipping cask is a primary cask used by MDS Nordion to ship Cobalt 60 in North America. Classroom instruction was provided by Todd Armstrong of Illinois State Police, Rob Rohr from the Public Utilities Commission of Ohio, Kelly Horn of the Illinois Emergency Management Agency and Carlisle Smith of CVSA.

With the completion of Class 152, CVSA has certified 94 new Level VI inspectors this federal fiscal year. ■



Florida Highway Patrol Ofr. Natalei Ward conducts a survey on the TruPact III.



Cassidy Moving and Storage's Stephen Purdy provides students with an overview of the unique aspects of the F-168 shipping cask and Cassidy's package securement procedures.



CAST and Cassidy vehicles and shipping containers side by side.



Level VI National Instructor J.R. Lewis and Michigan State Police Investigator Paul Oles provide instruction on the use of the Ludlum survey meter.



Level VI National Instructor J.R. Lewis provides an overview of the U.S. Department of Energy's 72-B shipping cask.



Kerri Wirachowsky and fellow students review inspection procedures prior to conducting a Level VI Inspection of a 72-B shipping container.



Students prepare to conduct a radiological survey of a TruPact II shipping container.



Jade Transportation Services staff provides an overview of the F-168 shipping cask and the securement means taken to secure the package.



Todd Armstrong reviews the Level VI Inspection procedures with students of Class 152.



## Roadside Inspections, Level VI (2015 - Fiscal)

LEVEL VI INSPECTIONS	Federal	State	Total	% of Total
Number of Level VI Inspections	0	148	148	100%
Point of Origin	0	105	105	70.95%
En Route	0	43	43	29.05%
Point of Destination	0	0	0	0%
Unknown Location	0	0	0	0%
Level VI Inspections with No Violations	0	142	142	95.95%
Level VI Inspections with Violations	0	6	6	4.05%
Level VI Inspections with OOS Violations	0	1	1	.68%

## Level VI Class Schedule

Under a cooperative agreement with the U.S. Department of Energy, CVSA schedules classes for inspecting motor carriers and their drivers transporting transuranic waste and highway route controlled quantities (HRCQ) shipments of radioactive material. Under this cooperative agreement, CVSA provides Level VI training to jurisdictional inspectors who meet the prerequisite (CVSA Level I and hazmat certified).

Current class schedule for the rest of calendar year 2015:

- **October 19-22**  
Austin, Texas
- **November 2-5**  
Sacramento, California

**Any jurisdiction that needs inspectors trained and/or can host a Level VI Class in 2015 is asked to contact Carlisle Smith at 301-830-6147 or [carlises@cvsa.org](mailto:carlises@cvsa.org).** ■

## Mark Your Calendars: January 25-26, 2016 2016 COHMED Conference



The next Cooperative Hazardous Materials Enforcement Development (COHMED) Conference will take place in San Antonio, Texas, on Jan. 25-29, 2016.

The COHMED Conference offers coordination, cooperation and communication between federal, state and local agencies that have regulatory and enforcement responsibility for the safe transportation of hazardous materials and the industry that they regulate.

During this one-of-a-kind conference, you'll meet with representatives from federal and state agencies, hazardous materials specialists, instructors, enforcement personnel, emergency planning managers, responders, academic institutions, interest groups and private industry from all across North America. The COHMED Conference offers a unique opportunity to network, build better working relationships and provide input into future changes and regulations within the hazmat industry.

If you are involved in hazmat regulation, enforcement or safety, the 2016 COHMED Conference this is one event you cannot afford to miss.

**To learn more and to register for COHMED 2016, visit [www.cvsa.org/events/cohmed/2016](http://www.cvsa.org/events/cohmed/2016).** ■

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### COMMITTEE CHAIRS

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## 2016 Conference Dates

### Cooperative Hazardous Materials Enforcement Development (COHMED) Conference

**JANUARY 25-29, 2016**  
*Hilton Palacio del Rio Hotel*  
*San Antonio, Texas*

### CVSA Workshop

**APRIL 25-28, 2016**  
*Sheraton Chicago Hotel @ Towers*  
*Chicago, Illinois*

### North American Inspectors Championship (NAIC)

**AUGUST 8-12, 2016**  
*Hyatt Regency Indianapolis Hotel*  
*Indianapolis, Indiana*

### CVSA Annual Conference & Exhibition

**SEPTEMBER 18-22, 2016**  
*Statehouse Convention Center*  
*Little Rock, Arkansas*

Learn more at [www.cvsa.org/events](http://www.cvsa.org/events).



## 2016 COHMED CONFERENCE

**January 25-29, 2016** | *San Antonio, Texas*

Presented by the Cooperative Hazardous Materials Enforcement Development (COHMED) program, the COHMED Conference fosters coordination, cooperation and communication between the regulatory and enforcement agencies responsible for safe transportation of hazardous materials and the industry they regulate.

The information-sharing and problem-solving that takes place, coupled with the in-depth education that's presented, is critical to building cooperation among stakeholders.

If you are involved in hazmat regulation, enforcement or safety, COHMED this is one event you cannot afford to miss.

Visit [www.cvsa.org/events/cohmed/2016](http://www.cvsa.org/events/cohmed/2016) to learn more and to register for COHMED 2016.