



Commercial Vehicle Safety Alliance

promoting commercial motor vehicle safety and security

April 1, 2016

Dear CVSA Members:

The purpose of this letter is to notify you of the results of the 2016 Fall Issues Ballot and outline the approved changes to the 2016 *North American Standard Out-of-Service Criteria* (OOSC). The CVSA Bylaws require that a majority of the Class I Members vote in support of the proposed changes in order for changes to the OOSC to take effect. This year, 55 of the 70 Class I Member jurisdictions voted. The voting members of the Alliance have approved ten (10) changes to the 2016 OOSC that will go into effect on April 1, 2016. In accordance with the CVSA Bylaws, the proposed changes were communicated to the voting members of the Alliance on Friday, October 30, 2015 and were subsequently ratified on Friday, November 13, 2015.

The 2016 edition will be reproduced on 'Blue' colored paper and the changes denoted by an asterisk (*) will be effective throughout North America on April 1, 2016. French and Spanish editions will also be made available. Copies of the 2016 edition of the *North American Standard Out-of-Service Criteria Handbook and Pictorial* are now available for purchase through the CVSA online store. Please contact CVSA for bulk discount pricing on orders of 50 or more.

The CVSA Training Committee, the Education Quality Assurance Team (EQAT) in Canada, and the Training Review and Update Committee (TRUC) through the National Training Center (NTC) in the U.S., will take these changes and incorporate them as appropriate into the North American Standard Inspection (NASI) training materials. A PowerPoint document outlining the changes will be made available shortly for annual in-service/refresher training. In addition, the Training Committee will host a webinar on Wednesday, February 17, 2016 at 2:00pm Eastern, outlining all of the changes to the April 1, 2016 OOSC. Registration for the webinar is required. CVSA members can register for the webinar at:

<https://attendee.gotowebinar.com/register/77806212054607618>.

If you're unable to attend the webinar or are interested in viewing the recording of this webinar at a later time, CVSA members can view webinar archives through their [online CVSA account](#). Once logged in, click on the "My Video & Webinar Library" tab at the top of the page to view a listing of all past webinars. This webinar will be added to the archives approximately one week after the webinar concludes.

The items below highlight the changes for 2016.

Table of Contents

Changed to reflect the revisions contained in the April 1, 2016 edition of the OOSC.

Part I – North American Standard Driver Out-of-Service Criteria

1. **Action:** Amend Part I, Item 3. COMMERCIAL DRIVER’S LICENSE (CDL), b. Commercial Learner’s Permit (CLP), by adding a new condition for a CLP holder operating a commercial motor vehicle transporting passengers.

Rationale: This change is to make this OOS condition consistent with § 383.25(a)(5)(i) & (ii), which prohibits a driver with a CLP from transporting passengers.

2. **Action:** Amend Part I, Item 4. DRIVER MEDICAL/PHYSICAL REQUIREMENTS, b. Medical Certificate, by modifying the language of the out-of-service condition.

Rationale: The Driver-Traffic Enforcement Committee voted to make a series of changes to the Medical Certificate section of the OOSC, due to recent changes in Federal Motor Carrier Safety Administration (FMCSA) policy regarding verification of a valid Medical Certificate. These changes are necessary because the new requirement by FMCSA that Medical Certificates be kept on file by the State driver licensing agency, rather than by the driver. Drivers are no longer required to produce the document roadside. In addition, the Committee voted to remove the reference to Inspection Bulletins 2010-07 & 2013-03, as the information contained within the Inspection Bulletins was no longer current. The Committee also voted to add a reference under OOSC Part I, Section 4. (b)(3) to a new Inspection Bulletin. Finally, the Committee voted to strike the Note in OOSC Part I, Section 4. (b)(4). The transition period referenced in the Note ended in January and the Note is no longer valid.

3. **Action:** Amend Part I, Item 4. DRIVER MEDICAL/PHYSICAL REQUIREMENTS, b. Medical Certificate, by clarifying in the Note how to handle Canadian Class 5 or G licenses.

Rationale: The Driver-Traffic Enforcement Committee voted to add language to the OOSC to address a driver’s licensing discrepancy when applying the Canadian and U.S. driver medical requirements. In Canada, a driver operating a CMV with a valid Class 5 or G driver’s license is not required to have a medical certificate associated with it; however, when that same driver is operating a CMV within the U.S. with a valid Class 5 or G driver’s license, the driver is required to have a medical certificate. To address this discrepancy, the Committee voted to amend the Note under OOSC Part I, Section 4. (b) to clarify that Canadian drivers operating a CMV within the U.S. with a valid Class 5 or G license are required to provide evidence of compliance with medical requirements.

Part II – North American Standard Vehicle Out-of-Service Criteria

4. **Action:** Amend Part II, I Part II, Item 2. CARGO SECUREMENT, TIEDOWN DEFECT TABLE, by modifying the Defect Classification Table.

Rationale: The Vehicle Committee voted to make an adjustment to the Defect Classification Table for synthetic webbing, under Cargo Securement. The table has two columns; one is titled "Web Size" the other is "Out-of-Service Range". The second column title is misleading and can cause confusion, which may lead to an inspector/officer declaring a vehicle out-of-service (OOS) for a defect-only violation instead of an OOS condition. Several NAS Part B instructors have noted that students, including current inspectors read the title

of the second column and believe that because the webbing defect meets the table, it is OOS. The change will help eliminate confusion.

5. **Action:** Amend Part II, Item 4. DRIVELINE/DRIVESHAFT, b. Universal Joint, by adding a new out-of-service condition.

Rationale: The Vehicle Committee voted to add language to the OOSC to reflect that a missing bearing cap retainer clip is an OOS condition. Previously, when the Driveline/Driveshaft section was developed, it did not take into consideration the lighter duty vehicles that use retainer clips rather than bolts for the bearing cap securement. The Committee determined that an imminent hazard exists when a U-joint bearing cup retainer clip is not seated in the groove.

6. **Action:** Amend Part II, Item 7. FUEL SYSTEMS, b. Gaseous Fuels, by modifying the language of the out-of-service conditions for both CNG or LPG and LNG.

Rationale: The Vehicle Committee voted to add language to the OOSC revising and shortening the section on CNG/LNG. The changes consolidate the existing language and establish a specific level of vapor when measuring leakage. After consultation with experts in the field, a recommended level of 5000 parts per million (ppm) was established. The current language in the OOSC indicated that any leak detected by a methane meter is an imminent hazard and the information received indicated that it is not the case.

7. **Action:** Amend Part II, Item 8. LIGHTING DEVICES (HEADLAMPS, TAIL LAMPS, STOP LAMPS, TURN SIGNALS AND LAMPS/FLAGS ON PROJECTING LOADS), b. At Anytime – Day or Night), by adding a new out-of-service condition.

Rationale: The Vehicle Committee voted to add language to the OOSC creating a new OOS condition for situations where a trailer light cord was either left unplugged, had become unplugged in transit, or there was a defect in the cord or a connector. Each of these conditions causes all or many of the trailer lamps to be inoperative. This potentially results in a separate violation for each individual lamp, as recording each lamp separately is required in Operational Policy 14. After a lengthy discussion, the Committee agreed that a reasonable violation for this situation would be to cite § 393.23 and place the vehicle OOS. It was also determined that a Note would be necessary to clarify that the electrical connection must be restored and then all the electrical systems should be inspected and, if violations are present, they should be documented as per Operational Policy 14 (i.e., each light violation would be recorded).

8. **Action:** Amend Part II, Item 9. STEERING MECHANISMS, f. Power Steering, by modifying the language of the out-of-service condition.

Rationale: The Vehicle Committee voted to add language to the OOSC making a missing power assist cylinder an OOS condition. Currently, the OOSC states that a loose power assist cylinder is OOS. After input from industry and discussion, the Committee agreed that a loose power assist cylinder does not pose an imminent hazard. The original OOS condition for a loose power assist cylinder pertained to older air assist cylinders. With current vehicle components, a missing or loose auxiliary cylinder would make it more difficult to steer, but does not constitute an imminent hazard. The Committee discussed the circumstances in which a loose or detached cylinder might create an imminent hazard. The Committee determined that a significantly loose or

detached cylinder could get wedged in the steering mechanism and cause steering interference and voted unanimously to amend the current language in the OOSC to quantify how loose the cylinder should be to be considered OOS.

9. **Action:** Amend Part II, Item 10. SUSPENSIONS, b. Spring Assembly, by adding a clarifying Note and reference to a new 'Frequently Asked Question' in Operational Policy 15.

Rationale: The Vehicle Committee voted to add language to the OOSC clarifying the OOS condition in relation to vehicles with primary coil or leaf spring suspension that have had aftermarket air bags installed. The add-on air bags are there for additional comfort, but have no real impact on the suspension and the vehicle has adequate suspension from the manufacturer. These air bags are completely secondary to the vehicle's factory leaf or coil spring suspension. In some cases, the air bags are not used when the vehicle is in operation due to the load and they are not required. Due to language in the current OOSC, which states that a deflated air bag is OOS, vehicles are being placed OOS. The change, including a reference to language in Operational Policy 15, clarifies what a secondary air bag is.

10. **Action:** Amend Part II, Item 11. TIRES, c. Lodged Items Between Tires of a Dual Tire Set, by adding a new out-of-service condition.

Rationale: The Vehicle Committee voted to add language to the OOSC establishing a new OOS condition for debris between tires in a dual set. The Committee determined a solid object lodged between tires poses an imminent hazard, as the item can become a projectile when dislodged. This addition was supported by a fatality that was reported due to a large rock that became dislodged from between a set of duals.

Strategic Plan

Removed from the OOSC, as CVSA is currently revising its Strategic Plan.

Inspection Bulletins

Changed to reflect the revisions contained in the April 1, 2016 edition of the OOSC.

Operational Policy 15

Changed to reflect the revisions contained in the April 1, 2016 edition of the OOSC.

CVSA works to closely monitor, evaluate, and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. We appreciate your continued participation and involvement in the activities of the Alliance.

If you have any questions or difficulty accessing the materials please contact Ken Albrecht, CVSA's Director of Education and Training, by email at kena@cvsa.org or by phone at 301-830-6150.

Respectfully,



Collin B. Mooney, CAE
Executive Director