

**ISSUE NUMBER**

19-008-INFO

**ISSUE NAME**

ASPEN - Amend 396.7 - Unsafe Operations Violation

**STATUS**

Closed

Information Systems Committee

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Currently ASPEN is listing a 396.7 (in ASPEN, the description is unsafe operations forbidden) as a potential OOS violation. However, the only place in CVSA's Out of Service criteria that indicates a 396.7 violation is an out of service item is in Part II, Section 12 (c), 'lodged items between tires of a dual tire set'. Based on the fact 'unsafe operations forbidden' is not in the CVSA Out-of-Service Criteria, I don't believe ASPEN should be prompting the inspector as to whether the violation is an out of service item or not. 396.7 - unsafe operations forbidden should default to "N" for out of service (without an OOS prompt), and a second violation should be added to SafetyNet and ASPEN for 396.7, OOS "Y", for lodged items between tires of a dual tire set. Out-of-Service items should be reserved for a specific violation, not a general vehicle is unsafe to operate.

**JUSTIFICATION OR NEED**

CVSA's Out-of-Service Criteria is not matching up to the options/directions allowed in SafetyNet and ASPEN.

**REQUEST FOR ACTION**

Remove the OOS prompt for 396.7 - unsafe operations forbidden, and default the OOS to "N"  
Add violation 396.7(a) - lodged items between tires of a dual tire set, and default the OOS to "Y"

**ACTION TAKEN BY COMMITTEE**

The committee had a request to modify 396.7 and change the hardcoding from no to yes, however, only changing the code did not solve the problem. To solve the problem, the committee had to create a new code (next motion). They also needed to make sure this code was hard coded "N".

In order to make sure officers could mark solid objects lodged between dual tires as OOS, the committee needed a secondary code where it was OOS. The LT Identifier made clear which code it was for data purposes. However, before the 396.7A-LT code could be added 396.7(a) must be added to the table.