

**ISSUE NUMBER**

22-001-VEH

**ISSUE NAME**

OOSC, Part II, Item 2. Cargo Securement, e. (3) and f. Tiedowns for Length Notes

**STATUS**

Closed

Vehicle Committee

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**EMAIL**[tmrozinski@friscotexas.gov](mailto:tmrozinski@friscotexas.gov)**SUMMARY OF ISSUE**

In the Out of Service Criteria Section 2. Cargo Securement e. (3) and (f) NOTE states:

Tiedowns shall be positioned as follows:

- i. Tiedowns spaced 10 feet (3.04 m) apart along the length of the vehicle; or
- ii. A tiedown in every 10 foot (3.04) segment of the cargo; or,
- iii. To accommodate anchor points or cargo damage consideration, tiedowns may be spaced or grouped at lengths greater or less than 10 feet (3.04 m).

The language in the above notes stipulates where or how tiedowns have to be placed on a load of cargo, however the regulations do not say the same thing.

**JUSTIFICATION OR NEED**

The FMCSR 393.110 (b)(3) states:

(3) Two tiedowns if the article is longer than 10 feet (3.04 meters), and one additional tiedown FOR every 10 feet (3.04 meters) of article length, or fraction thereof, beyond the first 10 feet (3.04 meters) of length.

The language in the regulations states "for" and not "in" or "within" therefore, I believe the notes in the out of service criteria under this section contradict what the regulation states. Additionally, CVSA now has a Quick Fix training video on the CVSA LMS website regarding this topic which highlights that the regulations do not state the load securement device has to be placed on an item of cargo "in" every 10 foot, but states the item of cargo has to have the correct number of load securement device "for" every 10 foot of cargo.

The notes section in the OOS Criteria states "shall" which for law enforcement means they must. Although many inspectors were taught that load securement device needs to be in every 10 feet of cargo and the notes section stipulates that as well this again, this is not what the regulations state.

**REQUEST FOR ACTION**

I would like to request that i. ii. and iii. bullet points in the notes section be removed and be replaced with the following note:

Positioning of Tiedowns:

If an article of cargo has the correct number of required tiedowns for length and/or weight, the U.S. Regulations/NSC Standard do not specify where they have to be located on the article(s) of cargo.

#### **ACTION TAKEN BY COMMITTEE**

The committee discussed and voted unanimously to remove the note in the OOS language in Part II, Item 2. Cargo Securement, e. (3) and f. that reads:

Tiedowns shall be positioned as follows:

- i. Tie downs spaced 10 feet (3.04 m) apart along the length of the vehicle: or
- ii. A tiedown in every 10 foot (3.04 m) segment of the cargo; or,
- iii. To accommodate anchor points or cargo damage consideration, tiedowns may be spaced or grouped at lengths greater or less than 10 feet (3.04 m).

and replace with a new note that reads:

Positioning of Tiedowns:

If an article of cargo has the correct number of required tiedowns for length and/or weight, the U.S. Regulations/Canadian NSC Standard 10 do not specify where they have to be located on the article(s) of cargo.