



Commercial Vehicle Safety Alliance

Improving uniformity in commercial motor vehicle safety and enforcement

October 27, 2017

Docket Services
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Ground Floor
Room W12-140
Washington, DC 20590-0001

RE: Docket Number: DOT-OST-2017-0069
Notice of Regulatory Review

The Commercial Vehicle Safety Alliance (CVSA) respectfully submits the following comments regarding the Department of Transportation's (DOT) Notice of Regulatory Review, Docket No. DOT-OST-2017-0069. CVSA's comments focus on the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMRs), which fall under the purview of the Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

CVSA is a nonprofit association comprised of local, state, provincial, territorial and federal commercial motor vehicle (CMV) safety officials and industry representatives. The Alliance aims to achieve uniformity, compatibility and reciprocity of commercial motor vehicle inspections and enforcement by certified inspectors dedicated to driver and vehicle safety. Our mission is to improve commercial motor vehicle safety and uniformity throughout the United States, Canada and Mexico by providing guidance and education to enforcement, industry and policy makers.

General Comments

CVSA commends the Secretary for issuing this notice of regulatory review and for undertaking this critical task – maintenance of the regulations is part of the department's core responsibilities. CVSA strongly agrees with the agency's assertion in the notice of regulatory review that "regulations should be straightforward, clear, and designed to minimize burdens..." and that "[o]nce issued, regulations and other agency actions should be reviewed periodically and revised to ensure that they continue to meet the needs for which they originally were designed..." Clarity, consistency, uniformity and enforceability are the cornerstones of an effective regulatory framework. It is imperative that those subject to the FMCSRs and HMRs understand their responsibilities and that those tasked with enforcing those safety regulations can do so effectively.

Over time, however, additional regulatory authority, coupled with changes to the industry and technological advancements, can result in inconsistent, outdated and redundant regulatory language. With each year come additional requirements from Congress, aimed at advancing CMV safety. In addition, the agencies receive and respond to petitions for changes to the FMCSRs and HMRs from throughout the CMV community. As Congress and DOT work to improve CMV safety, unintentional inconsistencies can slowly work their way into the regulatory framework. These inconsistencies can lead to confusion among both the regulated and enforcement communities. Advancements in technology can also leave regulations outdated. Regular review of existing regulations does much to help mitigate this confusion.

Furthermore, work is needed to bring the safety regulations in line with regulatory guidance, interpretations and policy memos issued by the various agencies. At times, DOT issues guidance documents to correct technical errors in published rules or to clarify vague regulatory language within the safety regulations while improvements to the regulations make their way through the rulemaking process. However, the number of full rulemakings that can make it through an agency in any given year is limited by staff and funding, and a number of higher profile rules tend to push simple technical changes back in the queue. As a result, over time, disconnects develop between written regulations, regulatory guidance, interpretations and policy. CVSA encourages the Secretary to use this regulatory review as an opportunity to identify and resolve these disconnects, addressing inconsistencies in policy, guidance and regulation.

CVSA believes the scope of any regulatory review should be comprehensive and should include an analysis of how best to reduce, enhance and streamline the regulations, eliminating outdated or duplicative regulations, clarifying those that need adjustment, and adding new regulatory language when necessary. The commercial motor carrier industry, the enforcement community and, ultimately, the public all benefit from regulations that are clear, enforceable and up-to-date.

It is also important to keep in mind the mission of FMCSA and PHMSA and the purpose of the FMCSRs and HMRs when conducting such a review. First and foremost, safety regulations exist to protect those who use our nation's roadways. The FMCSRs and HMRs exist to ensure that those operating within the transportation industry are equipped to do it safely. FMCSA is responsible for maintaining and updating federal safety regulations as appropriate in order to keep unsafe drivers, vehicles and motor carriers off our nation's roadways. PHMSA's mission is to protect people and the environment by advancing the safe transportation of energy and other hazardous materials that are essential to our daily lives. In serving these missions, the agencies should and do give consideration to the cost of regulations and the impact to industry. However, their primary goal and focus must be improving safety on our nation's roadways. The ability to operate in commerce as a motor carrier or driver comes with a responsibility to understand and comply with the rules, regulations and practices set forth by FMCSA and PHMSA – this is simply the cost of doing business. As DOT conducts this review and considers public recommendations, CVSA encourages the department to ensure that safety is kept as the paramount measure of a regulation's value and that attention be given to making changes that will improve the quality, clarity, enforceability and effectiveness of the regulations.

Electronic Logging Devices

The Moving Ahead for Progress in the 21st Century Act (MAP-21), passed by Congress on June 29, 2012, required FMCSA to issue a regulation requiring motor carriers to install electronic logging devices (ELDs) to record drivers' hours-of-service compliance. In 2014, the agency published a notice of proposed rulemaking on the issue, setting forth a proposal and soliciting public comments. On Dec. 16, 2015, FMCSA published the final ELD rule, setting a compliance date of Dec. 18, 2017. CVSA has a long-standing record of supporting the deployment of technologies that will help improve CMV safety and was an early supporter of the ELD requirement. The rule was finalized after a decade of regulatory inquiry, study and litigation, and DOT's own research has found that the use of ELDs results in a reduction in a motor carrier's crash rate and hours-of-service violations.

It's important for the discussion to note that the ELD requirement does not change the underlying hours-of-service regulations in any way. All the requirement does is change the way a driver documents those hours. Under the current rules, hours-of-service compliance is documented using paper log books or an automatic onboard recording (AOBRD) device. Under the ELD requirement, those hours will be recorded electronically. It does not decrease, or increase, the number of hours a driver is *legally* permitted to operate.

Both research and common sense tell us that tired drivers pose a threat on the roadways. The federal hours-of-service requirements exist to help prevent and manage driver fatigue. While it's true that we cannot regulate sleep, the hours-of-service rules set forth a framework that, if followed, allows for drivers to get the rest necessary to operate their vehicles safely. Unfortunately, hours-of-service violations continue to be some of the most frequently found violations by enforcement officials, who conduct roadside safety inspections. According to FMCSA's "Analysis and Information Online" tool, in 2013, hours-of-service violations counted for four of the top ten driver violations noted on roadside safety inspections, including the number one violation. In calendar years 2014, 2015 and 2016, hours-of-service violations counted for five of the top ten driver violations, including the number one violation for each of those years. This trend is on pace to continue for calendar year 2017 (see Attachment A). What this tells us is that too many drivers and motor carriers either don't understand the hours-of-service rules or are intentionally violating them – and, as a result, are likely driving fatigued. Deployment of ELDs will help address both of these issues.

For those drivers and motor carriers who don't understand the intricacies of the hours-of-service requirements and for those who make the occasional mistake when using their paper log, ELDs will remove the guess work and the risk of human error. This will result in better compliance and fewer violations. For those who are using their log books to find 'wiggle room' in the current hours-of-service regulations, ELDs will make it easier for inspectors to identify violations and take unsafe, noncompliant drivers off the roadways. The devices will also save time for both inspectors and drivers, leading to more efficiency.

Despite the numerous benefits to safety and efficiency, there are some who oppose the mandate and there have been continuous efforts to delay and repeal this much-needed safety requirement. Opponents of ELDs claim the requirement places an undue cost on industry and that the technology will negatively impact business, calling the requirement regulatory overreach and unnecessary. None of these claims have merit. First, there are many

inexpensive ELDs available for purchase and one truck stop chain is even offering free devices and installation at their facilities. Furthermore, the cost of an ELD is simply part of the cost of doing business and compliance for those in the truck and bus industries – vehicles have to be maintained, drivers have to be trained and ELDs have to be installed. The only scenario in which an ELD might have a significant impact on a company financially is if it reduces the number of miles driven by forcing the company’s drivers to drive within the current hours-of-service parameters. Improved compliance and the safety of the motoring public is the purpose of this requirement, not a reason to delay or stop it.

Others may claim that the devices violate a driver’s right to privacy. This is also false. The ELD regulation simply requires drivers to record their hours-of-service by a different means – electronically instead of on paper. As noted above, the ELD requirement does not make any changes to existing hours-of-service rules. Currently, when stopped for an inspection, a driver must show their paper logs or AOB RD and any required supporting documentation. ELDs will collect the same information as the current paper log or AOB RD and the requirement to provide supporting documents still applies. Further, to address potential privacy issues, FMCSA has built privacy and harassment protections into the ELD rule, which have satisfied both Congress and the federal courts.

As part of this regulatory review process, DOT will undoubtedly receive comments encouraging the department to stop or further delay the ELD rule. To delay or make major changes to the ELD rule at this point, weeks before an implementation deadline that has been in place for two years, would be huge setback for safety. It would also be a tremendous disservice to those in industry who did the right thing and prepared for the requirement, as well as the states who have invested time and money into updating state requirements and training inspectors in preparation for the deadline. CVSA, along with many in the CMV industry and numerous safety advocates, strongly opposes any such action and hopes the Secretary will do so as well.

Hazardous Materials Regulations

Nowhere is the safe, secure, uniform transport of goods more important than when that cargo qualifies as hazardous materials. As the department conducts this regulatory review, it is imperative that special consideration be given to strengthening, clarifying and updating hazardous materials regulations. The hazardous materials community is one that fully supports reasonable regulations, which provide motor carriers with clear guidance on how best to transport and store their hazardous cargo. It is important for the department to routinely review the HMRs and look for opportunities to update outdated regulations and ensure that rules are keeping pace with changes in industry. As with the FMCSRs, simply reducing regulations should not be the goal. Instead, the department should look for opportunities to make changes that streamline and strengthen regulations, resulting in more clarity and improved safety.

For example, on March 30 of this year, PHMSA issued final rule PHMSA–2015–0273 (HM–215N), which amended the HMRs to bring them in line with the United Nations Recommendations on the Transport of Dangerous Goods – Model Regulations. This activity, which needs to be done on a regular basis, is critical to keeping the U.S. in line with international standards and practices. Failing to keep the HMRs updated can undermine safe hazardous materials practices, impede commerce and cost the hazardous materials industry money.

Another example lies in the field of special permits. PHMSA currently has the authority to grant shippers special permits, which are essentially exceptions to the HMRs, provided that the applicant(s) can maintain an equivalent level of safety under the special permit. PHMSA receives and grants special permit requests on an ongoing basis. CVSA supports this practice, as it is appropriate and necessary to allow for certain exceptions from time to time. However, special permits are temporary and so must be renewed. This creates an administrative process that is burdensome for both industry and PHMSA. In addition, inspectors have to be aware of what special permits exist and often have to search for them when conducting an inspection. CVSA recommends that the Secretary use this regulatory review as an opportunity to review existing special permits and identify those long-standing permits that can be incorporated into the regulations.

For example, special permit DOT-SP 8453, which authorizes transportation of certain Division 1.5D and 5.1 materials in DOT specification cargo tanks and certain non-DOT specification cargo tanks and portable tanks, has been renewed 16 times and is used by multiple motor carriers. Given the long-standing status of this special permit, it would be appropriate to make the necessary adjustments to the regulations, incorporating the language from DOT-SP-8453. Doing so would reduce the paperwork burden on industry and PHMSA, while also streamlining and clarifying the inspection process for enforcement. This is a prime example of an instance when adding to the regulations benefits everyone involved.

Outstanding Petitions

Finally, CVSA encourages the Secretary to look not only at existing regulations during this process, but also at outstanding petitions sitting before the various agencies. Mechanisms exist to allow stakeholders and the public to suggest changes to the regulations. Often these changes are necessary to address practical issues that have been identified in the field after a regulation is put into place, or to keep the regulations in line with changes to technology and industry practices. While CVSA has submitted a number of petitions to the agency that still require action, I'd like to call your attention to two items in particular, and encourage the department to review them and consider addressing them as part of this regulatory review process.

Title 49 C.F.R. § 393 – Parts and Accessories Necessary for Safe Operation

On Dec. 11, 2015, CVSA submitted a petition to FMCSA asking the agency to make a number of changes to Subparts B, C, E, F, G and J for Parts and Accessories Necessary for Safe Operation in Title 49 C.F.R. Part 393 of the FMCSRs. The proposed changes would establish in the regulations standards that correspond to regularly observed conditions of vehicle components found roadside. Each of the individual items has been discussed in depth by a collaborative group of industry and enforcement and have been confirmed to result in a high risk of a crash or breakdown.

For example, currently, there is nothing specific in the FMCSRs that prohibits a portion of the body or frame of a vehicle to be in contact with a tire. However, tire industry experts will tell you that the tire should be free of any contact with the vehicle frame in order to operate correctly. Such contact will damage the tire, tearing the tread or damaging the sidewalls, which will result in a blowout. On a steering axle, it could also interfere with the ability to safely steer the vehicle. In addition, there is currently no FMCSR requiring safe operating condition of a

vehicle's driveline/driveshaft system, despite the severe hazard resulting when these components, found on every truck and bus on the roadways, catastrophically fail. Once again, manufacturers and industry experts will tell you that proper maintenance of these vehicle components is critical. If the driveline/driveshaft components are not maintained, it can disconnect from the vehicle as it is moving along the roadway and collide with other vehicles, resulting in injuries and fatalities. The CVSA petition recommends adding items to Part 393 of the FMCSRs specifically identifying these and other common vehicle conditions. By incorporating these proposed standards into Part 393, these vehicle conditions regularly found during a roadside safety inspection will be more accurately and uniformly documented on a corresponding roadside inspection report.

Incorporating these specific violations into the regulations would benefit industry, enforcement and FMCSA, and would improve overall roadway safety in the long run. Industry would benefit from additional clarity in their inspection reports. Currently, these violations are documented under § 396.3(a)(1), which is a non-specific 'catch-all' section for vehicles that were not properly inspected, repaired and maintained by the operator and/or the motor carrier. However, that generic code does not provide the motor carrier with much clarity on what the issue was when they review the inspection report to make vehicle repairs. Adding these specific conditions to the regulations would improve the communication and quality of violation documentation, and it should increase the ability for motor carriers to effectively improve maintenance and address non-compliance when these violations are discovered. Not only will the increased specificity aid the motor carriers to improve maintenance, but it will also help heavy vehicle manufacturers and suppliers to potentially address areas that could be aided by better maintenance instructions and better communication through, for example, technical bulletins.

FMCSA and its state partners will also benefit from the additional specificity and clarity in the regulations. The general 'catch-all' § 396.3(a)(1) should only be used for new and/or unusual mechanical conditions that are not common and/or have not yet been identified and specifically incorporated into the FMCSRs. Currently, according to FMCSA's "Analysis and Information Online" tool, § 396.3(a)(1) violations represent the fourth most frequently documented roadside inspection violation out of approximately 384 vehicle violation codes used. By incorporating these proposed provisions into Part 393, these relatively common violations would no longer be categorized in the general Inspection, Repair, and Maintenance data bin, which would significantly improve the analysis of the information contained within the database by providing more clarity and specificity into the types of violations that are observed and documented within a roadside inspection report. States and FMCSA use this data to identify trends in violations and appropriately structure compliance, enforcement and education programs.

Furthermore, because these violations are already being documented by roadside enforcement officials, CVSA believes the financial costs of implementing these proposed changes to Part 393 are insignificant. The principal cost of implementation is administrative in nature and likely to be incurred principally by FMCSA in writing the regulatory text (for which CVSA has provided suggested language, developed in collaboration with our industry partners). While industry may also incur some small administrative expense, the end result would be improved roadside inspection reports and a potential for fewer data quality challenges—a net reduction, we estimate, in the overall administrative burden. The development of these regulations will improve motor carriers' ability to

respond to inspections, improve their maintenance programs and more effectively remain compliant with the regulations.

Title 49 C.F.R. § 172.336 – Identification Numbers; Special Provisions

Another petition CVSA encourages the Secretary to review as part of this process was sent to PHMSA on Oct. 28, 2015. The petition asks the agency to address a language issue related to cargo tank markings. On Mar. 7, 2013, PHMSA issued a final rule addressing numerous petitions for rulemaking related to the HMRs. Included in this final rule, PHMSA-2011-0142, was language removing references to ‘gasohol’ in Title 49 C.F.R. Part 172. Upon review of the final rule, it is clear that PHMSA’s intent was to remove the references to ‘gasohol’ in the Hazardous Materials Table (49 C.F.R. § 172.101), as well as the references to ‘gasohol’ in § 172.336(c)(4) and (5). The summary of the changes made by the final rule reads:

“Revise the Hazardous Materials Table (HMT; 49 CFR § 172.101) by removing the listing for “NA1203, Gasohol, gasoline mixed with ethyl alcohol, with not more than 10% alcohol”; and removing reference to gasohol [emphasis added] in Sections §§ 172.336(c)(4) and 172.336(c)(5);”

However, the final rule inadvertently completely deleted § 172.336(c)(4) and (5) from the HMRs. There is nothing in the final rule to indicate that the intention was to strike these sections entirely. This deletion, which we believe to be a drafting error, has created an unjustifiable training burden on industry, enforcement and first responders, and has caused a lack of uniformity in enforcement and compliance. The deletion changed 20+ years of regulatory and interpretive intent with no corresponding benefit to safety. Furthermore, the lack of uniformity in enforcement and compliance can lead to inadvertent marking errors, which in turn can directly affect response efforts during a hazardous materials incident. As a result, CVSA petitioned PHMSA to reinstate § 172.336(c)(4) and (5), without the reference to ‘gasohol’, as was originally intended in the final rule. This petition, which would add text back into the HMRs, is supported by the hazardous materials industry. In addition, in the Protecting our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2016, Congress specifically directs PHMSA to address the petition.

Conclusion

CVSA strongly supports regular review of federal regulations pertaining to interstate commerce. Maintaining the regulations is one of DOT’s core functions and the process is critical to ensuring the safe transport of people and goods along our nation’s roadways. The vast majority of the motor carrier industry consists of companies and people committed to conducting their business safely. Ongoing maintenance and review of the regulations will provide motor carriers and enforcement with clear, current and enforceable regulations, contributing to fewer crashes, injuries and fatalities involving commercial motor vehicles. As the department conducts this review, we encourage the Secretary to ensure that safety is kept as the paramount measure a regulation’s value, taking a comprehensive approach and including an analysis of how best to reduce, enhance and streamline the regulations, eliminating outdated or duplicative regulations, clarifying those that need adjustment, and adding new regulations when necessary.

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. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. We appreciate the opportunity to comment on this proposal and the department's commitment to safety and stakeholder involvement.

If you have further questions or comments, please do not hesitate to contact me by phone at 301-830-6149 or by email at collinm@cvsa.org.

Respectfully,



A handwritten signature in black ink, appearing to read 'Collin B. Mooney'.

Collin B. Mooney, MPA, CAE
Executive Director
Commercial Vehicle Safety Alliance

Attachment A

Source: FMCSA's Analysis and Information Online

<https://ai.fmcsa.dot.gov/SafetyProgram/RoadsideInspections.aspx>

 Print PDF
  Download Data
  Report Description

Roadside Inspections, Driver Violations

Domicile	<input type="text" value="All Domiciles"/>	Vehicle Type	<input type="text" value="All Vehicles"/>	
Report Focus	<input checked="" type="radio"/> National	<input type="radio"/> State	<input type="text" value="-- Select State --"/>	
Time Period	<input type="text" value="2013"/>	<input type="radio"/> Fiscal	<input checked="" type="radio"/> Calendar	<input type="button" value="Submit"/>

Roadside Inspections, Driver Violations (2013 - Calendar)

< Previous page | page: of 7 | Next page >

	Violation Code	Violation Description	# of Inspections	# of Violations ↓	% of Total Violations	# of OOS Violations	OOS Percent
1	395.8	Log Violation (General/Form And Manner)	120,780	156,987	14.38%	135	0.09%
2	395.8F1	Drivers Record Of Duty Status Not Current	97,951	98,600	9.03%	134	0.14%
3	391.11B2	Non-English Speaking Driver	87,979	88,126	8.07%	3,869	4.39%
4	395.3A3II	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	46,197	68,528	6.28%	499	0.73%
5	392.2SLLS2	State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit	64,755	64,765	5.93%	4	0.01%
6	392.16	Failing To Use Seat Belt While Operating Cmv	55,384	55,673	5.10%	6	0.01%
7	391.41AF	Operating a property-carrying vehicle without possessing a valid medical certificate.	52,193	52,375	4.80%	944	1.80%
8	395.3A2PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	43,929	51,910	4.76%	22,439	43.23%
9	392.2C	Failure To Obey Traffic Control Device	41,701	41,938	3.84%	26	0.06%
10	391.41A	Driver Not In Possession Of Medical Certificate	41,219	41,326	3.79%	2,507	6.07%

 Print PDF
  Download Data
  Report Description

Roadside Inspections, Driver Violations




Domicile	<input type="text" value="All Domiciles"/>	Vehicle Type	<input type="text" value="All Vehicles"/>	
Report Focus	<input checked="" type="radio"/> National	<input type="radio"/> State	<input type="text" value="-- Select State --"/>	
Time Period	<input type="text" value="2014"/>	<input type="radio"/> Fiscal	<input checked="" type="radio"/> Calendar	<input type="button" value="Submit"/>

Roadside Inspections, Driver Violations (2014 - Calendar)

< Previous page | page: of 7 | Next page >

	Violation Code	Violation Description	# of Inspections	# of Violations ↓	% of Total Violations	# of OOS Violations	OOS Percent
1	395.8	Log Violation (General/Form And Manner)	122,096	163,629	14.77%	128	0.08%
2	391.11B2	Non-English Speaking Driver	101,400	101,667	9.18%	4,044	3.98%
3	395.3A3II	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	68,510	95,506	8.62%	488	0.51%
4	395.8F1	Drivers Record Of Duty Status Not Current	91,649	92,398	8.34%	85	0.09%
5	392.2SLLS2	State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit	65,570	65,581	5.92%	3	0.00%
6	392.16	Failing To Use Seat Belt While Operating Cmv	53,469	53,690	4.85%	9	0.02%
7	395.3A2PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	41,286	49,040	4.43%	20,534	41.87%
8	391.41AF	Operating a property-carrying vehicle without possessing a valid medical certificate.	44,115	44,391	4.01%	799	1.80%
9	392.2C	Failure To Obey Traffic Control Device	39,053	39,239	3.54%	14	0.04%
10	395.8E	False Report Of Drivers Record Of Duty Status	32,521	36,864	3.33%	27,360	74.22%

Roadside Inspections, Driver Violations

 Print PDF
  Download Data
  Report Description




Domicile Vehicle Type
 Report Focus National State
 Time Period Fiscal Calendar

Roadside Inspections, Driver Violations (2015 - Calendar)

[Previous page](#) | page: of 8 | [Next page](#)

	Violation Code	Violation Description	# of Inspections	# of Violations ↓	% of Total Violations	# of OOS Violations	OOS Percent
1	395.8	Log Violation (General/Form And Manner)	118,293	164,695	15.79%	249	0.15%
2	391.11B2	Non-English Speaking Driver	98,826	99,136	9.51%	997	1.01%
3	395.8F1	Drivers Record Of Duty Status Not Current	72,519	73,046	7.00%	213	0.29%
4	395.3A3II	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	51,055	69,946	6.71%	321	0.46%
5	392.2SLLS2	State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit	62,182	62,187	5.96%	5	0.01%
6	392.16	Failing To Use Seat Belt While Operating Cmv	56,336	56,569	5.42%	11	0.02%
7	392.2C	Failure To Obey Traffic Control Device	42,874	43,091	4.13%	8	0.02%
8	395.3A2PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	36,138	43,036	4.13%	17,452	40.55%
9	391.41AF	Operating a property-carrying vehicle without possessing a valid medical certificate.	38,817	38,972	3.74%	758	1.94%
10	395.8E	False Report Of Drivers Record Of Duty Status	30,982	34,976	3.35%	25,626	73.27%

Roadside Inspections, Driver Violations

 Print PDF
  Download Data
  Report Description

Domicile Vehicle Type
 Report Focus National State
 Time Period Fiscal Calendar

Roadside Inspections, Driver Violations (2016 - Calendar)

[Previous page](#) | page: of 7 | [Next page](#)

	Violation Code	Violation Description	# of Inspections	# of Violations ↓	% of Total Violations	# of OOS Violations	OOS Percent
1	395.8	Log Violation (General/Form And Manner)	116,759	171,653	16.75%	333	0.19%
2	392.2SLLS2	State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit	67,567	67,603	6.60%	12	0.02%
3	391.11B2	Non-English Speaking Driver	66,445	66,577	6.50%	59	0.09%
4	392.16	Failing To Use Seat Belt While Operating Cmv	60,054	60,399	5.89%	11	0.02%
5	395.3A3II	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	42,886	58,828	5.74%	104	0.18%
6	395.8F01	Drivers record of duty status not current	50,323	50,770	4.95%	292	0.58%
7	391.41AF	Operating a property-carrying vehicle without possessing a valid medical certificate.	46,013	46,192	4.51%	676	1.46%
8	392.2C	Failure To Obey Traffic Control Device	43,591	43,806	4.27%	8	0.02%
9	395.8E	False Report Of Drivers Record Of Duty Status	34,566	39,314	3.84%	28,250	71.86%
10	395.3A2PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	30,815	35,939	3.51%	15,526	43.20%

Roadside Inspections, Driver Violations

Domicile Vehicle Type
 Report Focus National State
 Time Period Fiscal Calendar

Roadside Inspections, Driver Violations (2017 - Calendar)

	Violation Code	Violation Description	# of Inspections	# of Violations ↓	% of Total Violations	# of OOS Violations	OOS Percent
1	395.8	Log Violation (General/Form And Manner)	85,009	128,059	17.26%	312	0.24%
2	392.2SLLS2	State/Local Laws - Speeding 6-10 Miles Per Hour Over The Speed Limit	48,783	48,786	6.58%	7	0.01%
3	392.16	Failing To Use Seat Belt While Operating Cmv	47,683	48,290	6.51%	5	0.01%
4	395.8F01	Drivers record of duty status not current	39,705	40,068	5.40%	256	0.64%
5	395.3A3II	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes	28,701	39,461	5.32%	54	0.14%
6	392.2C	Failure To Obey Traffic Control Device	36,130	36,386	4.90%	4	0.01%
7	391.41AF	Operating a property-carrying vehicle without possessing a valid medical certificate.	33,796	33,942	4.57%	669	1.97%
8	395.8E	False Report Of Drivers Record Of Duty Status	28,622	32,537	4.39%	23,990	73.73%
9	383.23A2	Operating A Cmv Without A CDL	26,152	26,321	3.55%	25,712	97.69%
10	395.3A2PROP	Driving beyond 14 hour duty period (Property carrying vehicle)	21,629	25,449	3.43%	10,964	43.08%