



Commercial Vehicle Safety Alliance

Improving uniformity in commercial motor vehicle safety and enforcement

December 3, 2020

Dear CVSA Members,

The purpose of this letter is to notify you of the results of the 2020 fall issues ballot and outline the approved changes to the 2021 North American Standard Out-of-Service Criteria (OOSC). The Commercial Vehicle Safety Alliance (CVSA) Bylaws require a majority of Class I Members vote in support of proposed changes in order for changes to the OOSC to take effect.

In 2020, 60 of the 70 Class I Member jurisdictions voted on the fall issue ballot. The voting members of the Alliance approved four changes to the OOSC, which will go into effect on April 1, 2021. In accordance with the CVSA Bylaws, the proposed changes were communicated to the voting members of the Alliance on Oct. 15, 2020, and were ratified on Oct. 30, 2020.

The 2021 OOSC will be reproduced on tan paper and the changes, denoted by an asterisk (*), will be effective throughout North America starting on April 1, 2021. French and Spanish editions will also be available. The updated CVSA OOSC app will be available on April 1, 2021, in Apple and Google Play stores. Print and electronic copies of the 2021 edition of the "North American Standard Out-of-Service Criteria Handbook and Pictorial" will be available for purchase through the CVSA online store in February 2021. For a discount on bulk orders (50 or more), contact CVSA Manager of Member Services Iris Leonard at irisl@cvsa.org or 301-830-6151.

The CVSA Training Committee, the Education Quality Assurance Team (EQAT) in Canada and the National Training Center (NTC) in the U.S. will incorporate these changes, as appropriate, into the North American Standard Inspection training materials.

In addition, CVSA will host a webinar on Feb. 3, 2021, at 1 p.m. EST outlining the changes to the April 1, 2021, OOSC. Registration for the webinar is required. The webinar/presentation will be available for annual in-service/refresher training.

If you're unable to attend the webinar or are interested in viewing the recording of this webinar at a later time, CVSA members may view webinar archives through their online [CVSA member portal](#). Once logged in, click on the "CVSA Learning" tab, then click on "Roadside" at the top of the page. This webinar will be added approximately one week after it concludes.

The changes for 2021 are outlined on the following pages.

Table of Contents

Changed to reflect the revisions contained in the April 1, 2021, edition of the OOSC.

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

- 1. Action:** Amend Part I, Item 9. DRIVER’S RECORD OF DUTY STATUS – U.S. – Footnotes for Driver’s Record of Duty Status – U.S. by removing some footnotes and modifying footnote 10.

Rationale: Footnote 10 needed to be amended to make it clear that an automatic onboard recording device (AOBRD) cannot be used in place of a compliant electronic logging device (ELD), when an ELD is required. However, carriers that are exempt from ELDs may still choose to use AOBRDs, so the footnote could not be completely removed. Also, footnotes 5 through 8 repeat regulations found in Title 49 of the Code of Federal Regulations (CFR). There is no reason to repeat information in the out-of-service criteria that is contained in the regulations and this could potentially confuse an inspector due to there being other applicable exemptions not addressed in the footnotes. The numbers, 5 through 8, were removed and reserved. However, they were not completely deleted because other documents refer to these footnotes and renumbering them could cause confusion.

- 2. Action:** Amend Part I, Item 10. DRIVER’S RECORD OF DUTY STATUS – CANADA, h. No Daily Log (See Footnote 2) and i. False Log (See Footnote 1) by adding additional language for RODS

Rationale: This amendment is based on the pending implementation of the ELD requirement in Canada, effective June 12, 2021. The terminology in the regulation is going to change from daily log to record of duty status. However, there will be some provinces/territories that will continue to use the daily log terminology in their provincial/territorial regulation, so it was determined that the appropriate action would be to refer to both terms to make the OOSC applicable to all drivers.

- 3. Action:** Amend Part I, Item 10. DRIVER’S RECORD OF DUTY STATUS – CANADA – Footnotes for Driver’s Record of Duty Status by adding additional language for RODS and a footnote.

Rationale: Record of duty status (RODS) was added to footnote 2, based on the same rationale as action item 2. Region V (Canada) felt that it was necessary to add a footnote 6 to indicate that a driver in Canada who is found without an ELD but is still completing another form of a RODS will currently not be placed out of service (OOS). This enforcement action is different from the U.S., so the footnote was added for Canadian inspectors to reference, similar to the footnote for the U.S.

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

- 4. Action:** Amend Part II, Item 9. LIGHTING DEVICES (HEADLAMPS, TAIL LAMPS, STOP LAMPS, TURN SIGNALS AND LAMPS/FLAGS ON PROJECTING LOADS) – b. At Any Time – Day or Night (1) to add language related to center high-mounted stop lamp(s)

Rationale: In both the U.S. and Canada, there are regulations requiring some smaller vehicles to be equipped with high center-mount brake lamps and they must be maintained and operational; however, on larger vehicles, they are optional. This amendment was to clarify that an inoperative center high-mounted stop lamp that is required through regulation is considered a critical vehicle inspection item but not considered for OOS purposes; therefore, the vehicle would still require at least one brake light in addition to the high center-mounted stop lamp to avoid being placed OOS.

Inspection Bulletins

Changed to reflect the updated bulletins since the April 1, 2020, edition of the OOSC.

Appendix

Changed to reflect the revisions made to operational policies and inspection procedures since the April 1, 2020, 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 need assistance accessing the materials, contact CVSA Director of Roadside Inspection Program Kerri Wirachowsky at kerriw@cvsa.org or 301-830-6153.

Respectfully,



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Commercial Vehicle Safety Alliance