



Operational Policy

North American Standard Inspection Program

Operational Policy 15

Inspection and Regulatory Guidance

Revised: Sept. 12, 2024

PURPOSE

Operational Policy 15 is intended to provide inspection and regulatory guidance pertaining to driver-vehicle inspections when using the recommended North American Standard Inspection Procedure. It also contains direction related to frequently asked questions related to the North American Standard Out-of-Service Criteria (OOSC).

OBJECTIVES

1. Clarify frequently asked questions related to the OOSC.
2. Provide guidance for regulations on an interim basis until such time as regulations can be amended.
3. Maintain an up-to-date policy to ensure guidances and interpretations outlined in the policy are current.
4. Out-of-service (OOS) clarifications are outlined as they are referenced in the OOSC.

NOTE: Regulatory guidance should be used for all U.S. Federal Motor Carrier Safety Regulations (FMCSRs) and in Canada and Mexico where there is not specific regulation to supersede the guidance.

Documenting violations before the limits specified in the following guidance adversely impacts a carrier's safety rating unnecessarily and requires a carrier to spend time and money to repair a condition that presently does not affect the safe operation of the vehicle. Maintenance issues cannot be recorded as violations.

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The following are current interpretations and guidance:

PART I – DRIVER

4. DRIVER MEDICAL/PHYSICAL REQUIREMENTS

Regulatory Guidance

b.(1) When should a violation for failing to possess proof of a medical certificate be documented as an out-of-service violation?

ANSWER: A violation for failing to possess proof of a valid medical certificate when required should be recorded as an out-of-service violation if a driver cannot provide proof of a valid medical certificate before the completion of the inspection.

9. DRIVER'S RECORD OF DUTY STATUS

Regulatory Guidance

b.(1) How is engine model year determined when inspecting remanufactured and/or rebuilt engines? (U.S. Only)

ANSWER: Pre-2000 engines remanufactured and/or rebuilt after 2000 will retain the original engine model year for the purposes of the ELD exemption.

b.(2) In the U.S., is an ELD that allows users to operate in manual mode to record their record of duty status (RODS) considered a substitute for the requirement to carry an eight-day supply of blank paper or electronic RODS as required in 395.22(h)(4)?

In Canada, is an ELD that allows users to operate in manual mode to record their RODS considered a substitute for the requirement to carry a 14-day supply of blank paper or electronic RODS as required?

ANSWER: Yes, provided the driver can demonstrate the ELD has manual mode capability.

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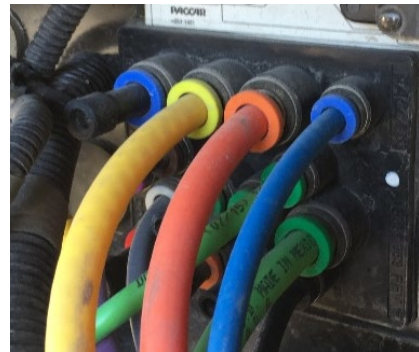
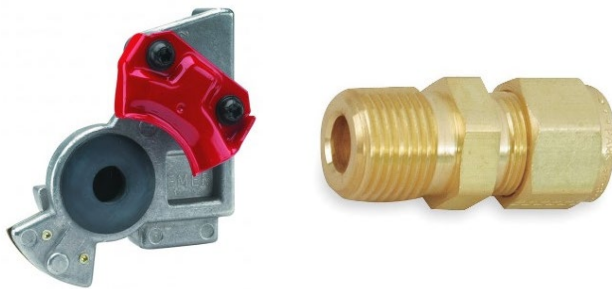
PART II – VEHICLE

1. BRAKE SYSTEMS

OOS Frequently Asked Questions

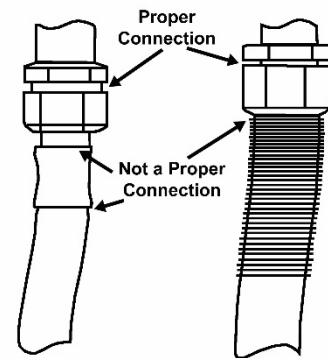
a.(1) What is considered a proper air brake connection?

ANSWER: A proper air brake connection is a gladhand; two metal fittings joined together; or a push-to-connect fitting.

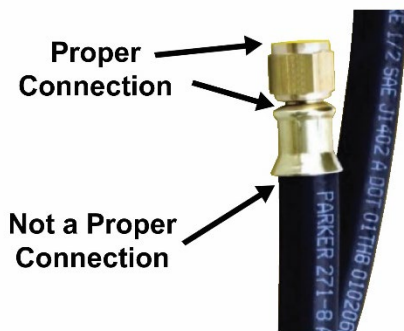


a.(2) When an air leak is found at a fitting, when should it be placed out of service?

ANSWER: An air hose with a leak at the hose side of a fitting is not considered a proper connection; therefore, it should be placed out of service.

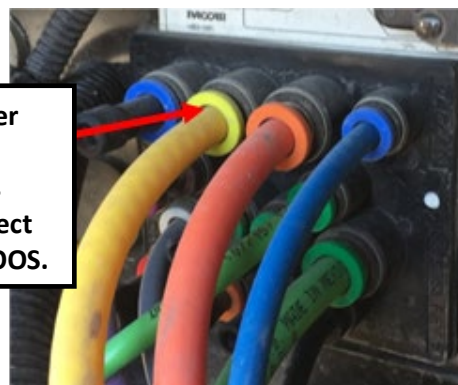


Non-Swivel Fitting



Swivel Fitting

This is a proper connection; a leak from this push-to-connect fitting is not OOS.



Push-to-Connect Fitting

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Regulatory Guidance

b.(1) When should cracks in brake linings (including rust jacking) not be recorded as a violation?

ANSWER: A violation should not be recorded until a crack exceeds the limit specified in the CVSA OOSC, e.g., until a crack exceeds 1/16 inch (1.6 millimetre) wide or 1-1/2 inch (38.1 millimetre) in length.

b.(2) When should air hoses and tubing not be documented as a violation for chafing?

ANSWER: A violation should not be recorded until a reduction of the hose diameter is observed. It is not a violation if the hoses/lines rest on or lightly rub against vehicle components. A hose that is found to have a reduction in diameter but is no longer chafing does not constitute a violation unless damage extending to or through the outer reinforcement ply is observable. When damage extends to or through the outer reinforcement ply, a violation will be recorded (thermoplastic nylon tubing that is discolored or faded but not damaged, is not a violation).

NOTE: If inspectors observe air hoses/lines that appear to be resting on or lightly rubbing against vehicle components, but no observable reduction is present, inspectors should educate the driver that this is a condition that, while not in violation, could lead to a violation/out-of-service condition in the future and make comments in the notes, only if so inclined.

NOTE: Any chafed air hose or tube that cannot be attributed to the brake system will not be documented as a violation (e.g., air ride seat).

b.(3) When should an audible air leak in the brake system be documented as a violation?

ANSWER: When a vehicle has an air leak at a proper connection or at an undetermined location and the vehicle passes the CVSA OOSC air loss rate test, inspectors will record a violation for an air leak on the inspection report.

NOTE: 393.45(d) indicates that the leak has to affect the brake performance under 393.52. Enforcement cannot determine to what extent a leak has to be to affect the brake performance; therefore, any leak in the brake system will be documented as a violation.

NOTE: An audible leak in the brake system, such as a leak discovered when the treadle valve is applied or a leak in a hose from an air reservoir to a relay valve, will be documented under 393.45(d). An audible leak from a brake valve, brake diaphragm or an air reservoir will be documented under 396.3(a)(1)B – Brakes (general) Explain:. Any other leak that cannot be attributed to the brake system or suspension systems (see 393.207(f)) will not be placed out of service and will be documented under 396.3(a)(1).

NOTE: There are advanced tire inflation systems that allow tire pressure to not only increase when the load over an axle is increased, but also to exhaust tire air when the weight is reduced over an axle. This is normal operation for these systems and should not be documented as a violation.

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- b.(4) How should a violation be documented during an inspection of the brake pedal/treadle valve in the U.S.?

ANSWER: Brake pedal/treadle valve inspection violations should be documented under 396.3(a)(1) in accordance with CVSA Inspection Bulletin 2012-02 – Brake Pedal (Valve and Treadle Assembly) Inspections.

2. CARGO SECUREMENT

OOS Frequently Asked Questions

- a.(1) Shall a tiedown used to secure auxiliary equipment on a heavy vehicle be used in the calculation of the aggregate working load limit?

ANSWER: Yes.

Regulatory Guidance

- b.(1) Can a bungee cord or tarp strap be used as a primary means of securing an article of cargo and does it need to be rated and marked with a working load limit (WLL)?

CANADA

ANSWER: Bungee cords and tarp straps are not suitable for use as securement devices and are equally unsuited to having an assigned WLL. There is no intention to prohibit the use of these devices as supplementary restraint for lightweight cargo and equipment.

EXCEPTION: Tarp straps can be used as a primary securement for tarps to cover loads.

UNITED STATES

ANSWER: Bungee cords and tarp straps are not suitable for use as securement for articles of cargo being transported as part of the shipment, even if they have a WLL. There is no intention to prohibit the use of these devices as primary or supplemental restraint for articles, such as tools and supplies, that are not being transported as part of the shipment but are capable of falling from the vehicle if they are not secured. This would include items, such as tarps, dunnage, plastic bottles of automotive fluids (e.g., motor oil, windshield washer fluid, water, etc.) used for the operation of the vehicle, tire irons, tools and any other item that may fall from the vehicle.

- b.(2) When should a violation be recorded for a damaged tiedown?

ANSWER: All tiedowns being used to secure cargo (whether they are required or not) that are damaged to the extent outlined in the CVSA OOSC Cargo Securement Tiedown Defect Table will be recorded as a violation. All other tiedowns with damage not yet to that extent will not be recorded.

- b.(3) When transporting metal coils with eyes crosswise, other than what is currently outlined in regulation, is there any other means of acceptable securement?

ANSWER: Yes, there is a temporary exemption from the regulations if coils are loaded to contact each other in the longitudinal direction, and relative motion between coils, and between coils and the vehicle, is prevented in accordance with the requirements outlined in the Metal Coil Exemption.

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- b.(4) Other than general provisions, is there a method to secure baled hay and straw that meets the requirements of 49 CFR 393.102(c) as an equivalent means of securement?

ANSWER: Yes, providing it meets the requirements outlined in the Technical Review available in the Technical Review of Industry Cargo Securement Practices for Square Bales of Hay and Straw Memo.

- b.(5) Is stretch film and/or shrink-wrap or banding material an acceptable means of unitizing cargo?

ANSWER: Yes, as long as all of the individual articles in the unit of cargo remain secured inside the surface of the material. Banding material (other than steel strapping) is not considered a securement device and is not sufficient as a primary means of securement.

- b.(6) Is a baled, logged or rolled vehicle considered a crushed vehicle for cargo securement specific commodity requirements relative to FMCSR 393.132 and NSC 10, Division 7, Section 90-92?

ANSWER: A crushed vehicle means a vehicle that has been subjected to mechanical compression that reduces the vehicle's height as part of a recycling process, without significantly reducing the vehicle's length or width. A cube of miscellaneous crushed metal must be secured by the general cargo requirements. The specific commodity requirements apply when any number of crushed vehicles are being transported on a transport vehicle.

- b.(7) How must a friction mat be marked to show its coefficient of friction (CoF) value?

ANSWER: The CoF, in a numeric value, must be visible (e.g., 0.5 g or 0.8 g).

- b.(8) Does the specific commodity for dressed lumber or similar building products apply to non-unitized building products or the transportation of pallets or packages of engineered wood products, such as beams or trusses?

ANSWER: The regulation/standard does not apply to non-unitized building products or engineered wood products, such as floor joists, beams and trusses. These loads are required to meet the general provision requirements and length and weight requirements in the U.S. regulations and the NSC standards.

- b.(9) Can a single chain be used to form two tiedowns with two binders and can the binder be directly attached to the transport unit or the load?



ANSWER: Yes, a single chain can be used to create two tiedowns (the excess chain in between the two tiedowns may be loose) and the binder may be directly attached to the transport unit or the load.

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b.(10) Are individual trailers that weigh over 10,000 lbs. (4500 kg) transported on other trailers (decked) required to be secured as a heavy vehicle in accordance with 393.130 (U.S.) or NSC Standard 10, Division 7 (Canada)?



ANSWER: Yes.

b.(11) Must all storage/office modules/bulk material (e.g., frac sand) containers with corner locks, not used for intermodal transportation, be secured as required by the commodity-specific section for intermodal containers?

ANSWER: No, modified intermodal containers used for office space or other storage modules (e.g., PODs) equipped with corner locks may be secured using general provision or they may be secured by using all corner locks (as designed by the manufacturer) to meet the equivalent means of securement. Bulk material (e.g., frac sand) containers that are not utilizing **all** manufacturer integral locks must be secured in accordance with 393.100 to 393.114 (U.S.).



b.(12) Do the cargo securement regulations/standards apply to a vehicle being towed by a tow bar, wheel lift or other means leaving at least one set of wheels remaining on the ground?

ANSWER: No, for the cargo securement regulations/standards to apply to a vehicle, the entire vehicle must be carried as cargo.

b.(13) U.S. 393.126(b)(1) and NSC Standard 10 Section 84(3) state that the tiedown devices must be secured to the lower "corners." Does an intermodal container have to be secured with the securement points (integral locking devices) at the extreme corners of that container?



ANSWER: Despite the requirement for the lower "corners" to be secured, the container may be secured to four securement points (minimum two per side) of the chassis by other securement points (pin/twist locks). Attachment to the designed and designated securement points on the container is acceptable.

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b.(14) Is the absence of a tarp or covering on an open-top vehicle out of service?

ANSWER: No, the out-of-service criteria is only applicable if the cargo is not secured to prevent the cargo from leaking, spilling, blowing or falling from the vehicle, creating an imminent hazard.

b.(15) Does a properly closed curtain-sided trailer satisfy the cargo securement requirements under general provisions or do the articles of cargo require tiedowns for length, weight or commodity-specific requirements?

ANSWER: A curtain-sided trailer does not provide securement. The cargo needs to be secured as per 393.100 through 393.136 or NSC Standard 10.

3. COUPLING DEVICES

Regulatory Guidance

b.(1) When should movement in the fifth wheel not be documented as a violation?

ANSWER: A violation should not be noted until one of the following conditions is met:

- Horizontal movement between the pivot bracket pin and bracket exceeds the CVSA OOSC limit, 3/8 inch (9.5 mm).
- Movement between slider bracket and slider base exceeds the CVSA OOSC limit, 3/8 inch (9.5 mm).
- Horizontal movement between the upper and lower fifth wheel halves exceeds the CVSA OOSC limit, 1/2 inch (12.7 mm).

b.(2) When should a violation of the mounting and integrity of a pintle hook/drawbar not be documented on a semi-trailer?

ANSWER: A violation of the coupling device on a semi-trailer should not be documented until the CVSA OOSC is met. In the U.S., the violation should be recorded under 396.3(a)(1). This is necessary because 393.70(c) and (d) only apply to full trailers.

b.(3) Is a vehicle towed on a wheel lift behind a tow truck with the wheels of the towed vehicle on the ground required to be secured to the wheel lift?

ANSWER: Yes. 393.71(h)(5) requires the towed vehicle be secured to the wheel lift. In addition, 393.71(h)(10) requires safety devices to be attached between the towing and towed vehicle.

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4. DRIVELINE/DRIVESHAFT

Regulatory Guidance

b.(1) When should movement in the driveline/driveshaft not be documented as a violation?

ANSWER: A violation should not be documented until one of the following conditions is met:

- Horizontal or vertical movement of slip joint yoke shaft exceeds the CVSA OOSC limit, 1/2 inch (12.7 mm).
- Independent movement between opposing yoke ends exceeds the CVSA OOSC limit, 1/8 inch (3.2 mm).
- Vertical movement of the shaft in the center bearing carrier exceeds the CVSA OOSC limit, 1/2 inch (12.7 mm).

9. LIGHTING SYSTEMS

Regulatory Guidance

b.(1) When shouldn't a violation be documented for inoperative clearance lights on trailers that require them?

ANSWER: A violation should not be noted unless the vehicle does not have clearance lights on either the upper or lower location. In some instances, trailer manufacturers may be installing the clearance lamps at a location lower than the upper rear corners of the trailer. This is allowed when the practicability of mounting the rear clearance lamps in the header is problematic.

b.(2) What lighting is required on a converter dolly?

ANSWER: Despite the wording in Footnote 5 of Section 393.11 of the FMCSRs, after an exhaustive review of rulemaking documents, the following will dictate when a violation should be recorded:

- *Laden converter dolly* – no lights required
- *Converter dolly towed singly by another vehicle and not part of a full trailer* – one stop lamp, one tail lamp, two reflectors (one on each line of the vertical centerline, as far apart as practicable) and on the rear (this assumes that the turn signals of the towing unit are not obscured)
- *Converter dolly towed singly by another vehicle and not part of a full trailer and the converter dolly obscures the turn signals at the rear of the towing vehicle* - one stop lamp, one tail lamp, two reflectors (one on each line of the vertical centerline, as far apart as practicable), on the rear, rear turn signals and vehicular hazard warning signal flashing lamps

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- b.(3) Retro-reflective sheeting is required to be applied to both sides of the trailer at a height of at least 15 inches (380 mm) and not more than 60 inches (1,525 mm) above the road surface. In some cases, when this height is complied with on tank trailers, the sheeting will be canted downward. Therefore, in some cases, the sheeting is applied higher than what is outlined in the regulations but is located as close as practicable to the required height and still allows for the tape to be mounted on a horizontal plane or as close to it as the shape of the trailer allows. In these cases, should a violation be documented?

ANSWER: No, if a cargo tank does not have a frame or other suitable surface below the 60 inches (1,525 mm) height to apply the sheeting in order for it to be on a horizontal plane, the sheeting may be located at a higher location, as close to the required height as practicable, and no violation should be documented.

10. STEERING MECHANISMS

Regulatory Guidance

- b.(1) When should vertical or horizontal movement in a ball and socket joint not be documented as a violation?

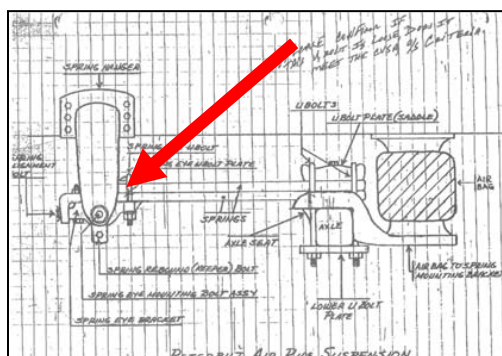
ANSWER: A violation should not be noted until motion, other than rotational, between any linkage member and its attachment point exceeds the limit prescribed in the CVSA OOSC, 1/8 inch (3.2 millimeter), measured with hand pressure only.

NOTE: FMCSA is aware of the discrepancy between the measurement in Appendix A and the CVSA OOSC. Using the CVSA OOSC as a guideline allows for some play in the ball and socket joint but, more importantly, provides inspectors with an objective measurement criterion that will ensure uniformity when writing the violation.

11. SUSPENSIONS

OOS Frequently Asked Questions

- a.(1) In a Peterbilt air suspension assembly, is a loose or missing spring eye u-bolt an out-of-service condition?

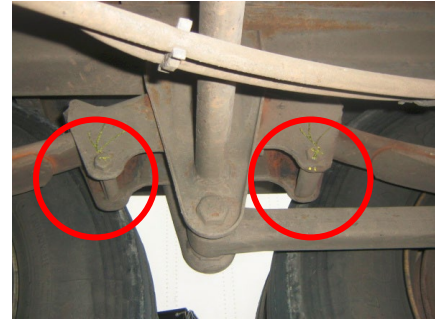


ANSWER: No, not unless it has somehow resulted in axle displacement.

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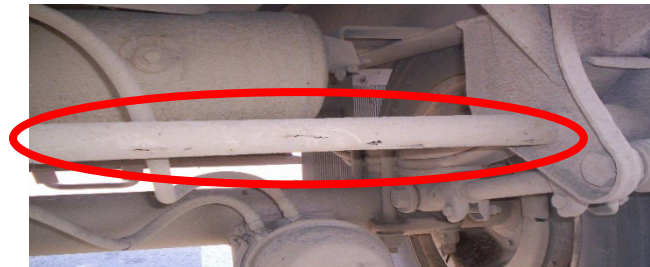
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a.(2) Is a loose or missing rebound bolt a violation or out of service?



ANSWER: A rebound bolt in a spring hanger or equalizer that is loose is not considered a violation. A missing or broken rebound bolt is considered a violation but not out of service.

a.(3) If the cross tube brace is cracked, loose, corroded or broken, is it a violation or an out-of-service condition?



ANSWER: These conditions are not a violation, nor out of service.

a.(4) What is the difference between a primary and aftermarket/secondary air bag suspension?

ANSWER: The primary air bag suspension system is maintained in accordance with original manufacturer's specifications, whereas a secondary air bag suspension system is in addition to the original manufacturer's spring or coil suspension.



Original Manufacturer
Equipment
(Leaf/Air Primary Suspension)



Aftermarket/Secondary Air Suspension
(Air Bag Supplements the Primary Leaf
Spring Assembly)

NOTE: Deflated aftermarket/secondary air bag suspension in addition to a primary leaf/coil spring suspension does not result in a violation.

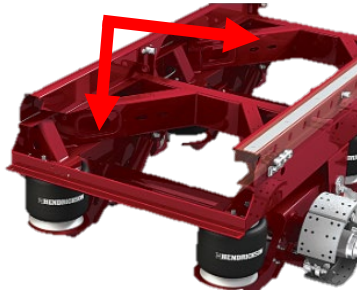
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Regulatory Guidance

b.(1) If a gusset or crossbar used as a part of the tracking for that suspension is cracked, is it a violation and/or out of service?

ANSWER: No, these are reinforcement pieces and if defective, may eventually cause other issues in the suspension system that could result in violations.



12. TIRES

OOS Guidance

a.(1) What is a major tread groove on a tire for the purposes of measuring tread depth?

ANSWER: A major tread groove is the space between two adjacent tread ribs or lugs on a tire that contains a tread wear indicator or wear bar. In most cases, the locations of tread wear indicators are designated on the upper sidewall/shoulder of the tire on original tread tires.

Regulatory Guidance

b.(1) If a tire has a max inflation pressure of 110 psi (758 kPa) but measures 80 psi (551 kPa), should a violation be written? If so, what section?

ANSWER: No, a violation should not be written. To issue a violation for having low inflation pressure, the inspector would have to have a chart that identifies the load-carrying capacity for the tire at different inflation pressures as well as for the particular load that is being carried. There are too many different tire sizes to put this level of information into the regulation.

An underinflated tire is not a violation until it meets the OOSC; 393.75(a)(3) is the proper section to be used. 393.75(i) should not be written for an underinflated tire. A violation of 393.75(g) should only be written when the opportunity to weigh a vehicle is present and the weight on a tire exceeds the tire load-carrying capacity (as printed on the sidewall of the tire).

b.(2) If a nail, screw, or other foreign object is embedded in a tire and the tire is not leaking, should a violation be recorded, and the object be removed?

ANSWER: This condition is not a violation if a leak is not present. An inspector shall not remove or direct a driver to remove a foreign object from a tire.

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14. WHEELS, RIMS AND HUBS

OOS Frequently Asked Questions

- a.(1) Is it an out-of-service condition when a vehicle has had a tire or rim problem and a driver or owner has either singled out the axle or has removed the wheels and chained up the axle?

ANSWER: If the vehicle arrives at an inspection site in this condition, this is not a violation unto itself, but other violations may have resulted from this action (e.g., exceeds tire weight rating).

However, if a vehicle is inspected, the driver should not be permitted to single out a tire or chain up an axle as a quick fix for an out-of-service defect. This does not comply with CVSA Operational Policy 5 which states:

“...REQUIRED REPAIRS FOR OUT-OF-SERVICE NOTICES

The following shall be the policy regarding required repairs for out-of-service notices:

No motor carrier shall require nor shall any person operate or any inspector release any commercial motor vehicle declared out of service until all repairs required by the out-of-service notice have been satisfactorily completed to where a violation no longer exists.
...”

Regulatory Guidance

- b.(1) Is a leaking inner wheel seal, without evidence of wet contamination of the brake friction material, a violation?

ANSWER: Yes, if there is fresh or active leakage from the inner wheel seal and there is evidence that further leaking will occur.

XX. MISCELLANEOUS

WINDSHIELDS - Regulatory Guidance

- b.(1) When should a violation be noted for external visors that have been added to a vehicle that obstruct the view of the driver?

ANSWER: 393.60(e)(1) of the FMCSRs only applies to items that are mounted on the windshield, not in front of the windshield. There is no current guidance as to how much of the windshield can be covered by external visors. In extreme cases where a significant portion of the windshield is obscured by external visors mounted in front of the windshield, a violation can be documented under 393.3.

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REAR IMPACT GUARDS - Regulatory Guidance

b.(2) Should a violation be cited under 393.86(a)(6) for a missing or incomplete certification label on a rear impact guard?

ANSWER: The certification label is applied at time of trailer manufacture to certify that the guard was manufactured to comply with FMVSS 223 and installed as required by FMVSS 224 and should not be considered a violation once the vehicle is in use.

Violations are not to be cited for certification and labeling requirements for rear impact guards referenced in 393.86(a)(6). The condition of rear impact guards should be inspected to ensure compliance with all other FMVSS 223 requirements such as:

- Connection points (393.86(a)(1))
- Guard width (393.86(a)(2))
- Guard height (393.86(a)(3))
- Guard rear surface (393.86(a)(4))
- Cross section of the horizontal member (393.86(a)(5))

Any violations of the above conditions should be cited under the appropriate violation code during a Level I, II or V inspection.

SIDE IMPACT DEVICE - Regulatory Guidance

b.(3) Should a side impact device be included when measuring the overall width of a vehicle?

ANSWER: No, in the U.S., 23 CFR 658.16 indicates that non-property carrying devices that do not extend more than 3 inches (7.6 cm) beyond each side of the vehicle should not be included in the measurement of the overall width. In Canada, the allowance is 10 cm (4 inches). This would include a side impact device.



OIL, GREASE OR POWER STEERING SYSTEM LEAKS (U.S.) - Regulatory Guidance

b.(4) At what point should an oil, grease or power steering system leak (other than a hub or inner wheel seal) be recorded?

ANSWER: A leak should not be recorded until the seepage or leak is great enough to form drops and drip during an inspection.

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SPARE FUSES - *Regulatory Guidance*

b.(5) When should a violation be written for missing spare fuses?

ANSWER: Only power units for which fuses are needed to operate any required parts and accessories (e.g., lamps required by 393.11, the ABS system and visual low air warning system) must have at least one spare fuse for each type/size of fuse needed for those items. An inspector must be able to determine if fuses are necessary for required components and what fuses are applicable. Most newer model power units use breakers and no spare fuses are required.

When an inspector is unsure if fuses are required or what type of fuses are required, no violation should be recorded. Any violation of 393.95(b) shall be accompanied with a note indicating what required fuse was missing. Items, such as the radio, non-required auxiliary lamps, etc., are not required to have spare fuses at any time.

WIRING - *Regulatory Guidance*

b.(6) When should a violation of the wiring system be documented?

ANSWER: A violation should be documented when the wiring insulation is damaged to the extent that bare wire is exposed.

INSPECTION, REPAIR AND MAINTENANCE – *Regulatory Guidance*

b.(7) When should a violation of 396.3(a)(1) be cited?

ANSWER: A violation of 396.3(a)(1) shall only be cited when the condition is an imminent hazard in the North American Standard Out-of-Service Criteria or specifically indicated in CVSA Operational Policy as a violation (e.g., Operational Policy 15 Section 1.b(3)).