



Operational Policy

North American Standard Inspection Program

ROADSIDE INSPECTION

OPERATIONAL POLICIES

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Operational Policy

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Table of Contents

<u>Number</u>	<u>Subject</u>
5	Inspection/CVSA Decal
14	Enhancing Roadside Inspection and Enforcement Data Uniformity
15	Inspection and Regulatory Guidance



Operational Policy

North American Standard Inspection Program

Operational Policy 5 Inspection/CVSA Decal

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PURPOSE

To provide guidance and procedures for driver-vehicle inspection using the recommended North American Standard Inspection Procedure, and to establish a North American Standard Out-of-Service Criteria for drivers and vehicles.

OBJECTIVES

1. Remove potentially unsafe drivers and dangerous vehicles from the highways.
2. Direct attention to the provisions of the Federal Motor Carrier Safety Regulations (FMCSR), transportation of hazardous materials/dangerous goods (HM/DG) regulations, the Canadian National Safety Code, Mexican federal safety regulations, and compatible state and provincial rules by requiring repairs of vehicle defects and appropriate remedial action for vehicle and/or driver violations.
3. Document violations that might be used in subsequent enforcement actions.
4. Obtain information regarding carriers, drivers, vehicles and cargo relative to safety and compliance, and overall program direction and evaluation.

NORTH AMERICAN STANDARD INSPECTION LEVELS

Level I

North American Standard Inspection – An inspection that includes examination of driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver’s record of duty status, as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driver’s seat (missing); driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; buses, motorcoaches, passenger vans or other passenger-carrying vehicles – emergency exits, electrical cables and systems in engine and battery compartments, seating (temporary and aisle seats), HM/DG and specification cargo tank requirements, as applicable. HM/DG required inspection items will only be inspected by certified HM/DG and cargo tank inspectors, as applicable.

NOTE: If more than 20% of the brakes cannot be inspected, then the inspection would not be considered a Level I Inspection and shall be identified as a Level II Inspection.

NOTE: A five-axle vehicle combination with one axle not measured will still require two defective brakes to be placed out of service under the 20% brake criteria.

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Operational Policy 5

Inspection/CVSA Decal

Level II

Walk-Around Driver/Vehicle Inspection – An examination that includes each of the items specified under the North American Standard Level II Walk-Around Driver/Vehicle Inspection Procedure. As a minimum, Level II Inspections must include examination of: driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver’s record of duty status as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driver’s seat, driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; buses, motorcoaches, passenger vans or other passenger-carrying vehicles – emergency exits, electrical cables and systems in engine and battery compartments, seating (temporary and aisle seats), and HM/DG requirements, as applicable. HM/DG required inspection items will only be inspected by certified HM/DG and cargo tank inspectors, as applicable. It is contemplated that the walk-around driver/vehicle inspection will include only those items that can be inspected without physically getting under the vehicle.

Level III

Driver/Credential/Administrative Inspection – An examination that includes those items specified under the North American Standard Level III Driver/Credential/Administrative Inspection Procedure. As a minimum, Level III Inspections must include, where required and/or applicable: examination of the driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate; driver’s record of duty status; hours of service; seat belt; vehicle inspection report(s); and carrier identification and status.

NOTE: Mechanical equipment violations specific to a Level I or Level II Inspection should not be included in a Level III Inspection. If applicable, traffic violations/infractions should be included on a Level III Inspection.

Level IV

Special Inspections – Inspections under this heading typically include a one-time examination of a particular item. These examinations are normally made in support of a study or to verify or refute a suspected trend.

Level V

Vehicle-Only Inspection – An inspection that includes each of the vehicle inspection items specified under the North American Standard Inspection (Level I), without a driver present, conducted at any location.

Level VI

North American Standard Inspection for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material – An inspection for select radiological shipments, which include inspection procedures, enhancements to the North American Standard Level I Inspection, radiological requirements and the North American Standard Out-of-Service Criteria for Transuranic Waste and Highway Route Controlled Quantities of Radioactive material.

Operational Policy 5

Inspection/CVSA Decal

As of Jan. 1, 2005, all vehicles and carriers transporting HRCQ of radioactive material are regulated by the U.S. Department of Transportation (DOT) and required to pass the North American Standard Level VI Inspection.

Previously, U.S. Department of Energy (DOE) voluntarily complied with the North American Standard Level VI Inspection Program requirements.

Select radiological shipments include HRCQ of radioactive material as defined by Title 49 CFR 173.403. And, because only a small fraction of transuranics are HRCQ, the U.S. DOE decided to include its transuranic waste shipments in the North American Standard Level VI Inspection Program.

Level VII

Jurisdictional Mandated Commercial Vehicle Inspection – An inspection that is a jurisdictional mandated inspection program that does not meet the requirements of any other level of inspection. An example will include inspection programs such as, but not limited to, school buses, limousines, taxis, shared-ride transportation, hotel courtesy shuttles and other intrastate/intra-provincial operations. These inspections may be conducted by CVSA-certified inspectors, other designated government employees or jurisdiction-approved contractors. Inspector training requirements shall be determined by each jurisdiction. No CVSA decal shall be issued for a Level VII Inspection but a jurisdiction-specific decal may be applied.

Level VIII

North American Standard Electronic Inspection – An examination that includes those items specified under the North American Standard Electronic Inspection Procedure. An electronic inspection must include, where required and/or applicable, a descriptive location, including GPS coordinates; electronic validation of who is operating the vehicle; appropriate driver's license class and endorsement(s) for vehicle being operated; license status; valid Medical Examiner's Certificate and Skill Performance Evaluation (SPE) Certificate; current driver's record of duty status; hours-of-service compliance; USDOT or (Canada) NSC number; power unit registration; operating authority; Unified Carrier Registration (UCR) compliance; and federal out-of-service orders.

The North American Standard Level VIII Electronic Inspection is an inspection conducted electronically or wirelessly while the vehicle is in motion without direct interaction with an enforcement officer. To be considered a complete Level VIII Electronic Inspection, a data exchange must include each of the required and/or applicable data points listed in the CVSA North American Standard Level VIII Electronic Inspection definition.

The purpose of the Level VIII Inspection is to improve safety by increasing the number of interactions a jurisdiction has with industry and by providing additional options and strategies that allow jurisdictions to leverage technology while also increasing efficiency for industry.

Operational Policy 5

Inspection/CVSA Decal

POST-CRASH INSPECTION

Commercial Motor Vehicle – Post-crash inspections are conducted in association with commercial motor vehicle (CMV) crash investigations. A CVSA CMV post-crash inspection is an inspection performed by a CVSA-certified inspector in association with a CMV crash. A driver/vehicle examination report should be completed to document all violations and defects discovered at the time of the post-crash inspection.

The purpose of this policy is to ensure consistency and uniformity in post-crash CMV inspections. The intent is to identify and document all possible pre-crash defects/violations, with specific intent to find potential crash causal factors.

A CMV post-crash inspection shall first meet the U.S. Federal Motor Carrier Safety Administration’s (FMCSA) definition of an accident¹ in title 49 Code of Federal Regulations (CFR) 390.5. Once met, the inspector should begin the post-crash inspection by selecting the appropriate level of CVSA inspection (e.g., Level I, II, III or V) and selecting the post-crash check box when initiating the report.

As the inspector identifies each violation discovered during the post-crash inspection, the inspector should select “yes” when the violation discovered is a result of the crash or “no”² when the violation was not the result of the crash (the violation was pre-existing). When the CMV post-crash investigator cannot make the determination, the inspector should select “unknown.”³

Not all post-crash inspections will meet the threshold for a complete level I inspection. This policy is not meant to restrict the level of inspection. Agency policies, the reconstructionist, inspector, collision investigator, or type and severity of a crash may necessitate a different level of CVSA inspection.

The CMV post-crash inspection shall include the following elements:

- CVSA Operational Policy 14 should be used as guidance for documenting violations for post-crash inspections until a post-crash operational policy is created.
- All violations determined to be “pre-crash” (violations present before the crash occurred) should be listed first on the violations page.
- All violations should be listed on the post-crash inspection report, including post-crash damage/violations.
- If the violations are out-of-service, they may be designated as CFR 396.7 violations.
- Specify the violations with each out-of-service condition.

NOTE: Multiple violations of the same nature should be listed as one violation (e.g., CFR 396.3(a)(1) violations for broken parts and/or accessories should be listed as one violation with additional information in the inspector’s notes or an additional narrative). There should be no stacking.

¹49 CFR §390.5 definition of crash: see accident

²Only violation(s) marked “no” will result in points in FMCSA’s Compliance, Safety, Accountability (CSA) Safety Measurement System (SMS).

³If a violation that was initially determined to be the result of the crash is found not to be the result of the crash through advanced investigation techniques, or vice versa, the inspection report should be amended to reflect the change (e.g., “no” changed to “yes” if the violation was the result of a crash).

Operational Policy 5

Inspection/CVSA Decal

Non-commercial Motor Vehicle⁴ – CVSA recognizes member jurisdictions complete thorough post-crash inspections on large trucks and buses not in commerce. When a post-crash inspection is completed on an exempt, non-regulated CMV or a CMV not in commerce and the member jurisdiction chooses to utilize the standardized inspection to document violations discovered, the inspection should be marked as a Level VII inspection⁵.

ADVANCED POST-CRASH INSPECTION

More significant CMV crashes may require additional expertise (e.g., crash reconstructionist, specialized post-crash inspector) to determine causal factors in the collision. CVSA recommends, as a best practice, additional expertise utilized in the following crash types:

- A fatality
- Serious bodily injury⁶
- High-profile collision⁷
- Potential defect in the roadway
- Any other reason a jurisdiction deems necessary

In the event of a more significant CMV crash, CVSA recommends utilizing specially trained investigators such as:

- Crash reconstructionist
- Advanced CVSA post-crash trained officer
- Drug recognition expert⁸

⁴Vehicles not in commerce are vehicles that do not meet the following definition: Vehicles that have a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight of 4,536 kg (10,001 pounds) or more, whichever is greater; or are designed or used to transport more than eight passengers (including the driver) for compensation; or are designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or are used in transporting material found by the U.S. secretary of transportation to be hazardous under 49 U.S. Code 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under 49 CFR, subtitle B, chapter I, subchapter C.

⁵Level VII Inspections are captured by the state and may be mined for data and tracked in SafetyNet; however, they are not transmitted to FMCSA and are not counted against a carrier's SMS or a driver Pre-Employment Screening Program (PSP).

⁶Serious injuries are defined by the Minimum Uniform Crash Criteria 4th edition, required to be adopted or translated by states by April 15, 2019: <https://safety.fhwa.dot.gov/hsip/spm/docs/factsheet-mmucc-4edition.pdf>

⁷For example, a crash where the state or jurisdiction may have liability; a crash where the member jurisdiction is involved in the crash; a high-profile individual is involved; or a crash involving vehicle or manufacturer liability.

⁸Because of the significant increase in drug-related crashes and ongoing alcohol-related crashes, CVSA recommends a driver involved in a crash be screened for impairment.

Operational Policy 5

Inspection/CVSA Decal

COUNTING INSPECTIONS

Each inspection, regardless of the number of vehicles constituting the combination, shall be counted as one inspection for the purposes of inspection tallies and SAFETYNET.

RAISED LIFT AXLE(S)

Raised lift axles are to be inspected to ensure all components are secure and for conditions that adversely affect the vehicle's operation (e.g., air leaks and air hoses, etc.). These defects shall be recorded as violations on the inspection report and declared out of service, if applicable.

For any other critical vehicle inspection item defect discovered on the raised axle, the vehicle is not eligible to receive a CVSA decal and the defect should be documented in the notes section of the inspection report. The raised lift axle shall not be included in determining the total number of brakes on a vehicle combination for the 20% service brake calculation. If the raised lift axle is required to be lowered to comply with regulatory requirements in order to continue operation, the operator has the option to adjust or offload cargo. Otherwise the axle is subject to inspection.

BRAKE MEASUREMENTS

It shall be the policy of CVSA to record on an inspection form, all brake measurements, if obtained during a North American Standard Inspection. If a brake measurement was not obtained due to a hidden component, then "NM" shall be documented for that wheel-end brake as well as being noted on the inspection report that it was not measured due to a hidden component. Brakes not measured will be considered compliant and still included in the 20% calculation.

NOTE: The marking and measuring of pushrod travel is not required if a performance-based brake tester (PBBT) test has been completed.

QUALIFYING FOR CVSA DECALS

The North American Standard Level I and/or Level V are the only inspections that may result in issuance of a CVSA decal. To qualify for a CVSA decal, a vehicle must not have any critical vehicle inspection item violations contained in CVSA Operational Policy.

Inspections must be performed and CVSA decals affixed by North American Standard Level I and/or Level V certified inspectors. The term "certified" means the government employee performing inspections and/or affixing CVSA decals must have first successfully completed a training program approved by the Alliance. CVSA decals, when affixed, shall remain valid for a period not to exceed three consecutive months. Vehicles displaying a valid CVSA decal generally will not be subject to re-inspection.

However, nothing shall prevent re-inspection of a vehicle or combination of vehicles bearing valid CVSA decals, under the conditions specified in the section titled, "Vehicle Re-inspections."

Operational Policy 5

Inspection/CVSA Decal

CRITICAL VEHICLE INSPECTION ITEMS

- Brake Systems
- Cargo Securement
- Coupling Devices
- Driveline/Driveshaft
- Driver's Seat (Missing)
- Exhaust Systems
- Frames
- Fuel Systems
- Lighting Devices (Headlamps, Tail Lamps, Stop Lamps, Turn Signals and Lamps/Flags on Projecting Loads)
- Steering Mechanisms
- Suspensions
- Tires
- Van and Open-Top Trailer Bodies
- Wheels, Rims and Hubs
- Windshield Wipers
- Buses, Motorcoaches, Passenger Vans or Other Passenger Carrying Vehicles – Emergency Exits, Electrical Cables and Systems in Engine and Battery Compartments, Seating (Temporary and Aisle Seats)

Rear Impact Guards – When a required rear impact guard is inspected during a North American Standard Level I or V Inspection, a CVSA decal shall not be issued if violations are present.

CVSA DECALS ON CARGO TANKS

When a U.S. DOT/Transport Canada specification cargo tank inspection is completed in conjunction with North American Standard Level I and/or Level V Inspection, CVSA decals shall not be issued to U.S. DOT/Transport Canada specification cargo tank vehicles found to have violations of the following:

- Retest requirements
- Cargo Tank Authorization
 - Does not include specification shortages
- Manhole Covers
- Internal Valves
- Discharge Valves
- Cargo Tank Integrity
- Supports and Anchoring
- Double Bulkhead Drains
- Ring Stiffeners
- Rear End Protection
- Emergency Flow Control
- Piping and Protection
- Overturn Protection
- Venting

Operational Policy 5

Inspection/CVSA Decal

VEHICLE INSPECTIONS

Each vehicle (motorcoach, school bus, other bus, truck, truck-tractor, semi-trailer, trailer, converter dollies, etc.) used singularly or in combination may qualify for a CVSA decal if it passes inspection, and a CVSA decal shall be applied. "Pass Inspection" means that during a North American Standard Level I or Level V Inspection no defects were found in the critical vehicle inspection items. In addition, when a required rear impact guard is inspected during a North American Standard Level I or V Inspection, a CVSA decal shall not be issued if violations are present.

For the purpose of a CVSA decal issuance, if no violation is detected during a North American Standard Level I or Level V Inspection due to a hidden part, other than pushrod stroke measurements, of the listed critical vehicle inspection items, then a CVSA decal shall be applied. However, if more than 20% of pushrod travel on exposed pushrods cannot be measured, then a CVSA decal shall not be applied. An inspector can still apply a CVSA decal even though his/her jurisdiction does not allow for the inspection of gaseous fuel systems.

The CVSA decal criteria apply only to the condition of the vehicle, not the driver. It is possible for a driver to be out of service and still have his or her vehicle qualify for a CVSA decal.

Example #1:

A vehicle may have a clearance lamp out, which is a violation, and still qualify for a CVSA decal. This is because clearance lamps are not specifically listed in the critical vehicle inspection items.

Example #2:

If a vehicle has one headlamp out, it does not qualify for a CVSA decal. This is because headlamps are specifically listed in the critical vehicle inspection items.

Example #3:

If a vehicle is missing one wheel fastener, it does not qualify for a CVSA decal. This is because wheel fasteners are listed in the critical vehicle Inspection Items.

Example #4:

A vehicle has two brakes with required self-adjusting brake adjusters that are out of adjustment. The brakes are adjusted at the time of inspection. Because only the brake adjustment problem was corrected, there is still a violation with the brake not adjusting automatically. As a result, the vehicle does not receive a CVSA decal.

Example #5:

A truck-tractor and semi-trailer are inspected. The tractor passes the inspection, but the semi-trailer has one flat tire. The tractor receives a CVSA decal, but the semi-trailer does not.

Operational Policy 5

Inspection/CVSA Decal

Example #6:

When you inspect a vehicle, you find that about 10% of the brakes are defective. This is a violation. The vehicle does not receive a CVSA decal because this is a violation of the critical vehicle inspection items.

Example #7:

When you inspect a truck-tractor and semi-trailer combination, you find that 10% of the brakes are defective. All defects are on the semi-trailer. The semi-trailer would not qualify for a CVSA decal; however, the truck-tractor would qualify for a CVSA decal.

LOCATION OF CVSA DECALS

The location for affixing a CVSA decal on a power unit shall be on the lower right corner of the exterior surface of the passenger's windshield.

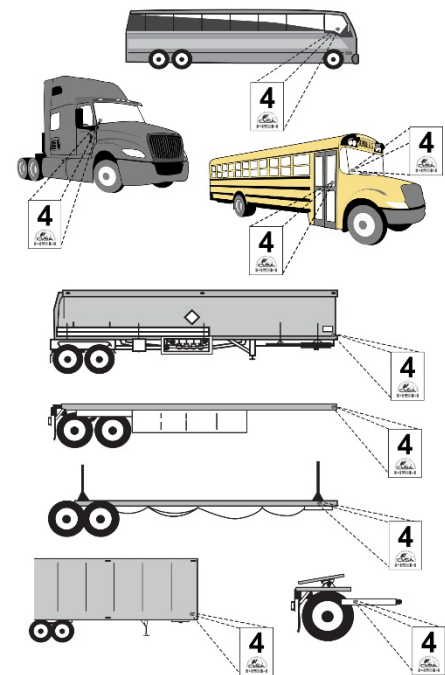
The location for affixing a CVSA decal on trailing units (trailers, full trailers, semi-trailers, converter dollies, etc.) shall be on the lower corner of the passenger side as near to the front as possible.

The location for a CVSA decal on a cargo tank semi-trailer shall be at eye-level near the front passenger side of the cargo tank and on the lower corner of the exterior surface of the passenger's windshield of a straight truck.

The location for a CVSA decal on passenger-carrying vehicles shall be on the glass portion (window) of the passenger door as close to inspector's eye-level as possible.

The location for a CVSA decal on school buses may be on the lower right corner of the passenger's windshield or on the glass portion (window) of the passenger door as close to inspector's eye-level as possible.

Any expired CVSA decal shall be removed before a new CVSA decal is affixed.



CVSA DECAL APPLICATION

The quarter in which an inspection is performed is indicated by the color of the CVSA decal issued.

Inspection Period	Color Code
January, February, March	Green
April, May, June	Yellow
July, August, September	Orange
October, November, December	White

Operational Policy 5

Inspection/CVSA Decal

The year of issuance shall be indicated by using the last number of the calendar year (e.g., 2024 shall be indicated by the number “4”) and shall be printed at the top portion of the sticker, with the CVSA trademark logo printed directly below.

CVSA decals affixed on the first month of a new calendar quarter must have both upper corners removed. Those issued during the second month of the same quarter must have the upper right corner removed. No corners are removed from those CVSA decals issued during the last month of a calendar quarter.

CVSA decals, affixed, will remain valid for the month of issuance plus two months. For example, a CVSA decal issued on July 28 will expire September 30.

In general, vehicles displaying a valid CVSA decal are not subject to re-inspection. However, if a critical vehicle inspection item violation is detected on a vehicle with a current CVSA decal, nothing prohibits inspection of the vehicle.

Should inspection of a vehicle displaying a valid CVSA decal disclose vehicle maintenance inconsistent with the minimum inspection criteria, the CVSA decal must be removed. However, if the critical vehicle inspection item violation(s) found are repaired at the scene, the CVSA decal would not have to be removed. In those instances, where a complete re-inspection is performed and no critical vehicle inspection items are detected or if the items are corrected at the scene, a new CVSA decal should be applied.

CVSA LEVEL VI DECAL

All CVSA-certified Level VI inspectors will honor the display of a valid CVSA Level VI decal. En route Level VI Inspections should be conducted only if an obvious defect is observed or suspected by a CVSA-certified Level VI inspector. This does not prohibit jurisdictions that have laws, mandates or orders requiring en route inspections prior to transportation through the jurisdiction from conducting such inspections.

A CVSA Level VI decal will only be issued to a vehicle and/or vehicle combination that is defect-free of the North American Standard Level VI Inspection for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material at the point of origin.

If at the point of origin, a vehicle and/or vehicle combination passes a North American Standard Level VI Inspection defect-free, the CVSA Level VI decal should be placed on the passenger side edge of the windshield near the top so that the bottom edge of the decal is not more than 6 inches from the top of the windshield. It must be out of the sweep of the wiper and not be affixed where it would interfere with the driver's view. Refer to the Federal Motor Carrier Safety Regulations (FMCSRs) Title 49 CFR 393.60(e)(1) and (2) for windshield decal placement restrictions. In addition, a regular or standard CVSA decal will also be applied in accordance with this Operational Policy if one is missing or not valid. Unlike the regular or standard CVSA decal, the CVSA Level VI decal will be for the entire vehicle and/or vehicle combination.

The CVSA Level VI decal must display the correct year, month and day that the North American Standard Level VI Inspection was completed and will be valid for a single trip.

Operational Policy 5

Inspection/CVSA Decal

Any vehicle and/or vehicle combination declared out of service under the North American Standard Out-of-Service Criteria for Transuranic Waste and Highway Route Controlled Quantities of Radioactive Materials will have the CVSA Level VI decal removed. If the Level VI decal is removed, a new North American Standard Level VI defect-free inspection is required. Once in compliance, a new CVSA Level VI decal will be applied. The CVSA Level VI decal is not valid after the shipment for which it was issued is completed. If there is an equipment change while en route, the vehicle and/or vehicle combination will be re-inspected, and a new CVSA Level VI decal must be applied. It is the driver's responsibility to remove the Level VI decal at the conclusion of the trip. Any expired CVSA decal and/or CVSA Level VI decal will be removed before a new CVSA Level VI decal is affixed.

During the course of transportation, if the CVSA Level VI decal becomes missing from the windshield of a vehicle transporting transuranic waste or HRCQ of radioactive material that had successfully passed a point-of-origin North American Standard Level VI Inspection, the point-of-origin inspection report shall serve as verification of compliance for the missing decal. The driver of the vehicle will be required to provide the point-of-origin inspection report to any inspecting official who requests it while en route to point of final destination. If the driver cannot provide the point-of-origin inspection report when requested, another North American Standard Level VI Inspection must be completed and a new CVSA Level VI decal affixed upon the completion of a defect-free inspection.

If a vehicle transporting transuranic waste or HRCQ of radioactive material successfully passes a point-of-origin North American Standard Level VI Inspection but the CVSA Level VI decal cannot be applied due to inclement weather conditions, the decal will be placed onto the back of the inspection report. The driver of the vehicle will be required to provide the inspection report and CVSA Level VI decal to any inspection official who requests it while en route to point of final destination. If the driver cannot provide both the inspection report and CVSA Level VI decal when requested, another North American Standard Level VI Inspection must be completed and a new CVSA Level VI decal affixed upon the completion of a defect-free inspection.

VEHICLE RE-INSPECTIONS

A critical vehicle inspection item violation(s) (out of service or otherwise) noted during a CVSA Level I Inspection that is successfully repaired on-site and re-inspected by the same inspector at the same inspection location will qualify for a CVSA decal as long as all previously noted critical vehicle inspection item violations have been properly repaired. In such instances, only a re-inspection of the repaired violations shall be done with a decal being applied to the vehicle and properly noted upon the original inspection.

Any vehicle that is repaired off-site or inspected by a different inspector shall be required to have a complete inspection conducted in order to obtain a CVSA decal.

Nothing within this policy shall require an inspector to re-inspect a vehicle, with that decision being left to the individual inspector and his/her agency.

Operational Policy 5

Inspection/CVSA Decal

For the purposes of uniformity in the application of this section and maximum maintenance of the reciprocity standard, re-inspection of a vehicle bearing a current and valid CVSA decal is contemplated under the following circumstances:

1. A North American Standard critical vehicle inspection item or out-of-service violation is detected.
2. A North American Standard Level IV (Special Inspection) exercise is involved.
3. A statistically based random inspection technique is being employed to validate an individual jurisdiction or regional out-of-service percentage.
4. Re-inspections are conducted to maintain CVSA North American Standard Inspection quality assurance.

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 nor 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 the violation(s) no longer exists.

When a vehicle is declared out of service for a condition resulting from an accumulation of violations, all violations that contributed to the specific out-of-service condition must be repaired (e.g., a vehicle or vehicles in combination declared out of service for 20% defective brake violations must have all the 20% defective brake violations repaired prior to being released; or, a vehicle declared out of service for two tires at less than 1/32 inch (0.8 millimeter) tread depth must have both tire violations repaired prior to the vehicle being released, etc.). Once all of the contributing out-of-service violations have been repaired on any vehicle in a combination, that specific vehicle in the combination is no longer considered to be out of service.

An out-of-service condition cannot be corrected by creating a new violation (e.g., if a vehicle is declared out of service for three missing wheel fasteners on one wheel, wheel fasteners from other wheels cannot be removed to correct this out-of-service condition, etc.).

When a vehicle is declared out of service, it may not be moved under its own power to a place of repair. The following are three exceptions:

1. Vehicles transporting hazardous materials/dangerous goods that require placarding may be escorted to a repair facility or safe parking place.
2. When the imminently hazardous condition is automatically removed by the disconnection of the towing vehicle from a towed unit, the towing vehicle(s) may be moved. When such an out-of-service towing vehicle(s) are operated, the examination report must carry the notation, "Vehicle(s) with the OOS condition shall not to be operated in combination with another vehicle until repaired." In these instances, a CVSA decal will not be issued.

Operational Policy 5

Inspection/CVSA Decal

There are three mechanical defect conditions, which meet this criterion:

- a. Defective coupling mechanism on the towing vehicle
 - b. Defective trailer supply valve, as long as the tractor protection valve is functional
 - c. Defective emergency or service brake hoses, or tubing between towing vehicle and trailer(s).
3. Vehicles transporting passengers that have been declared out of service for emergency exits that are missing, inoperative, not properly marked or obstructed may be moved by driver to a location where the out-of-service condition can be repaired. At no time will the vehicle be moved in this condition with passengers aboard.

OUT-OF-SERVICE NOTIFICATION

When a driver or vehicle is declared out of service, the carrier must be notified by telephone in the following cases:

1. The vehicle is transporting hazardous materials/dangerous goods that require placarding or prohibit leaving the vehicle unattended.
2. The vehicle is transporting perishable commodities.
3. A cargo tank is transporting commodities that require temperature control.
4. The vehicle is transporting livestock or other living creatures.
5. The vehicle is transporting mail for the U.S. Postal Service (USPS). When vehicles or drivers of highway mail carriers (HMC) are declared out of service, telephone notice of the out-of-service action shall be given to both the USPS and the HMC. USPS manuals require a driver who is delayed en route to contact postal personnel at the location of his/her scheduled stop. The driver can supply this information to the inspector.
6. The vehicle is transporting people.

In telephone contacts, the carrier should be advised that responsibility for protection of the vehicle, its cargo, accessories and contents rests solely with the carrier. In driver out-of-service actions, the carrier should be informed that the action does not prohibit the driver from remaining on duty with the vehicle; rather, the action prohibits the driver from driving a vehicle until he/she has met the requirements of the specified section. The identity of the carrier representative contacted should be recorded by the inspector.

No consent may be given for any type of vehicle to be towed to a place of repair except by means of a towing vehicle equipped with and using a crane or hoist. A vehicle combination consisting of an emergency towing vehicle and an out-of-service vehicle shall not be operated unless such combination meets the performance requirements of the subchapter referred to in Title 49 C.F.R. 396.9(c)(2).

Operational Policy 5

Inspection/CVSA Decal

SAFETY CONSIDERATIONS

1. Avoid conducting a North American Standard Inspection by the side of a road. Crawling under the vehicle is dangerous enough without the threat of passing traffic.
2. Be aware that many trucks carry hazardous materials/dangerous goods. Never touch liquids or breathe fumes unless you are certain of the source. If you suspect a problem, contact local experts immediately.
3. Make sure the inspection site is level and able to support the weight of the vehicle.
4. Do not go underneath a vehicle while the engine is running.
5. Use chock blocks to prevent the vehicle from moving. Place one in front of and one behind of the drive axle tires or between the axles.
6. Have the driver place the transmission in neutral and release all brakes.
7. Use extreme caution when inspecting between tandem axles, when checking tires, inside wheels and suspension components (particularly air spring suspension systems), or between front fender well and front tire when checking steering components.
8. Always inform the driver when you are going under the vehicle.
9. Always enter and exit the vehicle undercarriage in view of the driver. However, if you choose to conduct this inspection by the side of a road, it is best to exit the vehicle undercarriage on the curbside.
10. When under the vehicle, try to remain in a position parallel with the frame rail. Never position your body directly in front of or behind a tire.
11. Never position your body directly behind the spring brake chamber. When the spring brake is compressed (parking/emergency brakes released), the potential for explosion of the chamber exists. This potential is increased when there is any corrosion of the chamber. Never attempt to remove any clamps or bolts from these chambers.
12. Never position your body directly behind/beside a component that is defective to the extent that it poses a hazard to the inspector or public, including, but not limited to, non-manufactured holes in the spring brake chamber, broken lock rings, severely damaged/bulging tires, etc. If a violation poses a hazard to the inspector or the public, the inspection should be limited to an applicable inspection level.

Operational Policy 5

Inspection/CVSA Decal

13. If inspecting electric-drive commercial motor vehicles:

- Do not touch or come into contact with any exposed copper wires from orange cable or conduit, or inside compartments marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
- Do not attempt to open any compartment marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
- Do not poke fingers, screwdrivers or other tools into any holes, cracks, crevices or openings in compartments marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
- Do not touch any liquid that may be exuding from a battery (also called rechargeable energy storage system) regardless of low or high voltage.
- Do not inspect a vehicle that has a “High-voltage Fault” or “Stop Hybrid” or “Stop System” red light illuminated on the dashboard that could indicate loss of electrical isolation in the high-voltage system (these vehicles should not be operated).

PLANNING ROADSIDE INSPECTIONS

1. Selection of Check Sites

As a general rule, a check site should have enough volume of commercial motor vehicle traffic to support the work activity.

Select check sites that will provide safe working conditions for inspectors, drivers and other authorized personnel.

Each location selected should have sufficient space available or reasonably adjacent for the safe parking of vehicles declared out of service.

2. Assistance to Drivers

Ascertain the following information for future reference:

- Location and name of the check site
- Location of and distance to nearest public telephone
- Location of and distance to nearest cities or towns providing taxi service, meals and lodging
- Location of vehicle repair facilities and wrecker service for heavy commercial motor vehicles (in no case is an inspector to recommend a repair facility)
- Location and hours of relevant courthouse

3. Equipment

Calipers

Chalk

Coveralls

Creeper

Flashlight

Tire Pressure Gauge

Eye Protection

Head Protection

Scraper

6-12 Inch Ruler

Tread Depth Gauge

Wheel Chock Blocks

Operational Policy 5

Inspection/CVSA Decal

4. Applicable Forms

- A Driver-Vehicle Examination Report is to be used to report the results of driver, vehicle and cargo examinations. It is to be prepared even though no defects are discovered and a copy given to the driver regardless of whether or not the driver consents to sign the form.
- A vehicle out-of-service sticker shall be affixed to a vehicle that has been declared out of service as per jurisdictional regulations.
- CVSA decals are to be affixed to a vehicle that passes inspection.

REQUESTS FOR INSPECTIONS

Inspectors do not inspect vehicles on request. The North American Standard Inspection Program is not a periodic inspection program or a preventative maintenance program for motor carriers and drivers.

NOTE: This provision does not prohibit jurisdictions from conducting governmentally required inspections.

COLLECTING EVIDENCE

1. Statements from Drivers

The inspector should obtain signed statements from drivers or other carrier personnel at the examination side when such statements are of evidentiary value. Such statements can develop facts that are difficult or impractical to obtain at a later date.

2. Copies of Documents

The inspector should make copies of documents of evidentiary value. In many cases, the best, and sometimes only, opportunity to obtain documentary evidence is at the time of the vehicle examination.

3. Photographic Evidence

The inspector should take photographs whenever they can establish evidence material to the facts of the violation. Photographs can be used to substantiate such violations as defective and/or missing parts. Photographs can also be used to copy documents of evidentiary value.



Operational Policy

North American Standard Inspection Program

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Revised: Sept. 12, 2024

PURPOSE

The purpose of this policy is to enhance uniformity, consistency and thoroughness across all jurisdictions when documenting violations found during Commercial Vehicle Safety Alliance (CVSA) inspections. The most current regulations and North American Standard Out-of-Service Criteria (OOSC) shall be referred to when determining the appropriate code and when to declare a driver or vehicle out of service.

OBJECTIVE

This policy will provide guidance to inspectors for properly documenting violations to prevent erroneous violations against the driver and/or motor carrier. It will direct inspectors on how to use clear violation descriptions, which can be understood by all stakeholders, to avoid incorrect violations that may negatively affect the motor carrier's rating, reduce DataQ requests for review, and reduce the likelihood or perception of "stacking" violations.

NOTE: This guidance may not be used in a jurisdiction where documented violations do not affect a Compliance, Safety, Accountability (CSA) score.

DOCUMENTING VIOLATIONS

Inspection reports should be completed in a professional, precise manner. Motor carriers, drivers, mechanics, law enforcement, federal agencies and data quality personnel review inspection reports. Therefore, a clear, concise explanation must be provided in the description portion and accompanying notes of the inspection report. The use of acronyms or abbreviations that could be misunderstood should be avoided. Proofread the completed inspection report for accuracy and data quality, and correct misspellings.

When a violation is noted on an inspection report, indicate the location and description within the violation description field to provide sufficient information to a person not at the scene of the inspection.

EXAMPLES:

- Axle 2, driver-side (left side) inside tire has two inches of cord exposed in the sidewall
- Axle 3, passenger-side (right side), air leak found at air hose fitting at service brake chamber

It is also important to use language relevant to the regulations and out of service criteria.

EXAMPLE: Wheel fasteners (correct) vs. lug nuts (incorrect), or elongated (correct) vs. wallered (incorrect)

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Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

PART I – DRIVER

DRIVER'S LICENSE

Suspensions/Revocations/Disqualifications

A driver who is operating a commercial motor vehicle (CMV) while suspended, revoked or otherwise disqualified shall receive a violation of the applicable regulation (383.51(a) for commercial driver's license (CDL) or 391.15(a) for non-CDL). If the driver's license is not the appropriate class/type for the vehicle being driven, an additional violation shall be recorded for failing to have the proper license for the vehicle being driven.

EXAMPLE: A driver is operating a CDL-required vehicle but possesses a non-CDL operator's license. The operator's license is suspended for a safety-related reason. The driver shall receive a violation for 383.51(a) for the suspension and an additional violation for 383.23(a)(2) because both violations must be remedied before the driver can lawfully operate that vehicle.

EXAMPLE: A driver is operating a CDL-required vehicle and possesses a CDL of the proper class. The CDL is suspended for a safety-related reason. The driver shall receive a violation for 383.51(a). Once the driver remedies the suspension, the driver will already possess the proper license to lawfully operate that vehicle.

Driver's License Restrictions

Drivers who are operating a CMV while failing to comply with a corrective lens restriction as indicated on their driver's license shall receive a violation for failing to comply with a corrective lens restriction. An additional violation shall be documented for failing to comply with medical certification requirements if noted on the driver's medical examiner's certificate as these are two distinct regulatory requirements.

MEDICAL/PHYSICAL REQUIREMENTS

Corrective Lenses/Hearing Aids

Drivers who are operating a CMV while failing to comply with a corrective lens or hearing aid requirement as noted on their medical examiner's certificate shall receive a violation for failing to comply with a corrective lens/hearing aid requirement. An additional violation shall be documented for failing to comply with driver's license restrictions if noted on the driver's license as these are two distinct regulatory requirements.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

HOURS OF SERVICE – GENERAL

Hours-of-service (HOS) violations should have specific detailed information in the inspection report regarding the HOS violation. In addition to the default language, the inspector shall provide additional information detailing the specific violation.

HOS LIMITATIONS AND FALSIFICATIONS

Violations should be recorded in a manner so all individuals (e.g., government and company officials) can clearly understand where and how the violation occurred. This aids in the prevention of record of duty status (RODS) alterations and provides specific details for a compliance review investigator.

HOS limitation or falsification violations shall be documented for the 24-hour period indicated on the RODS. Each 24-hour period should be treated separately. If the violation begins on one 24-hour period day and continues into the second day, it would be recorded as two violations. Multiple instances of the same violation during the same 24-hour period shall be recorded as one violation. Proper documentation shall include the date and time of each occurrence.

EXAMPLE: Violation occurred on Jan. 8, 2024, at 10 a.m.-12 p.m.; 1-3 p.m.; 8-10 p.m.

A false RODS violation shall be documented in addition to any HOS limitation violations that occurred on that same day if the inspector can confirm the falsification disguised an HOS limitation violation.

An HOS inspection is limited to an eight-day sample review. Inspectors shall not report or document any violations occurring outside of that time period.

HOS violations shall not be indicated as a violation when an inspector has knowledge that a driver has been previously cited for the same HOS violation(s) on a driver/vehicle inspection report within the current day or previous seven consecutive days, unless a new HOS violation has occurred. The inspector should reference and record the previous inspection report number in the notes section of the driver/vehicle inspection report.

ELECTRONIC LOGGING DEVICE

Mounting

Any violations for improper mounting or visibility of an electronic logging device (ELD) shall be documented once per inspection.

In-Vehicle Information

Violations for failing to produce ELD operating instructions, transfer instructions, malfunction instructions and supplies of blank RODS shall **each** be documented only once per inspection, if applicable. Violations shall not be documented if the driver can present a paper or electronic version of these documents or retrieve them from within the ELD to display to the inspector upon request.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

ELD Transfer

Violations for failing to transfer an ELD record upon request shall be documented once per inspection. A violation shall only be cited if the inspector verifies adequate cellular service exists and the driver is unable to utilize the transfer instruction sheet and not able to transfer the ELD records upon request.

DOCUMENTING DRIVER OUT-OF-SERVICE CONDITIONS

Hours of Service

For HOS violations that result in an out-of-service (OOS) condition, the inspector should indicate the required off-duty and/or sleeper berth duration required to re-establish eligibility to drive. The only OOS condition for which a time would be acceptable is a 60/70-hour rule violation (e.g., Driver OOS until 12:01 a.m. on 09/01/2024).

EXAMPLE: Driver is OOS until two hours off-duty/sleeper berth is obtained or eight hours of sleeper berth is obtained.

For all other driver OOS conditions, inspectors should indicate what specifically needs to be corrected. Inspectors should avoid using the word “qualified.”

EXAMPLE: Driver is OOS until valid medical examiner’s certificate is in possession. Driver is OOS until proper class license for operating the vehicle is obtained.

Inspectors shall document the location where the driver was placed OOS on the inspection report.

CO-DRIVERS

NOTE: Refer to Operational Policy 13 for the inspection of co-drivers.

Co-driver violations that are discovered during a roadside inspection shall be documented on an inspection report if there is proof that the co-driver operated the vehicle during the current eight-day period and the violation existed at that time.

EXAMPLE: A co-driver does not possess the proper license for the vehicle, and the inspector can verify the co-driver operated the vehicle within the previous seven days according to the RODS.

A co-driver shall not be placed OOS under any circumstances on an inspection report. An inspector reserves the right to inform a co-driver that they are unable to lawfully operate a CMV under the laws of that jurisdiction, but the report should not indicate the co-driver was placed OOS.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

PART II – VEHICLE

BRAKE SYSTEMS

Defective Service Brakes

Each violation shall be documented separately.

EXAMPLE: A two-axle trailer with contaminated linings on all brakes shall have four violations of 393.47(a):

- Axle 3, driver-side, contaminated brake lining
- Axle 3, passenger-side, contaminated brake lining
- Axle 4, driver-side, contaminated brake lining
- Axle 4, passenger-side, contaminated brake lining

20% Criterion

All violations on the same wheel end shall be counted as one defective brake toward the 20% criterion. However, each violation shall be documented individually.

EXAMPLE: A three-axle truck with an inoperative brake and contaminated linings on the same wheel end on the third axle passenger-side:

- Axle 3, passenger-side, inoperative brake (393.48(a))
- Axle 3, passenger-side, contaminated lining (393.47(a))

For each violation that contributes to the 20% criterion, the violation description shall indicate the violation is “Part of 20% criterion.”

All Brakes Located on the Front Steering Axle

Each violation shall be documented separately.

NOTE: An oil-contaminated brake lining caused by an active wheel seal leak are two separate violations.

Individual Air Brake Violations

Air Loss Rate

One OOS violation shall be documented.

NOTE: This OOS violation is in addition to any air leaks discovered during the inspection.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Air Pressure Gauge

One violation per gauge shall be documented.

NOTE: A single gauge with two needles or digital displays represents two systems and shall be recorded as two separate violations.

Low Air Pressure Warning Device

One violation shall be documented.

Spring Brake Chambers

One violation shall be documented per wheel end.

Tractor Protection System/Bleed-back Valve

One violation per system shall be documented.

EXAMPLE: When the trailer supply valve fails to close before the air pressure in both gauges drops below 20 psi (138 kPa) and/or air escapes from either gladhand upon brake application, it shall be documented as one violation. If air escapes from the gladhand coupler at the front of the trailer(s), a separate violation shall be documented for a defective spring brake control valve.

Trailer Breakaway and Emergency Braking

All violations of the same regulatory section or subsection shall be grouped together as one violation per vehicle.

Air Reservoir (Tank)

One violation per air reservoir/tank shall be documented.

Air Compressor

One violation shall be documented.

Disconnected Gladhand (Air Brakes)

All required air brakes on towed vehicle(s) that are inoperative because the service gladhand is not connected to the trailer(s) shall be documented as one violation.

NOTE: After service gladhand connection is re-established, all towed vehicle(s) required brakes shall be inspected and, if applicable, documented as outlined in the brakes section in this policy.

EXAMPLE: After the gladhand connection is re-established, if two brakes are found inoperative, two violations for inoperative brakes shall be documented in addition to the disconnected gladhand violation.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Hydraulic Brakes

Master Cylinder

One violation per unit shall be documented.

Leaking Hydraulic Fluid

One violation per leaking component shall be documented.

NOTE: A violation shall be documented for each observable leaking hydraulic fluid in a brake system upon full application, including those systems utilizing power steering fluid for the brake booster assembly. This violation is separate from power steering fluid leaks discovered during the inspection.

Pedal Travel Reserve

One violation shall be documented.

Brake Power Assist/Hydraulic Brake Backup

One violation shall be documented.

Brake Failure Warning System

One violation shall be documented.

Vacuum Brakes

Vacuum Reserve

One violation shall be documented.

Electric Brakes

Disconnected Power Cord (Electric Brakes)

All required electric brakes on towed vehicle(s) inoperative due to no electrical connection shall be documented as one violation.

NOTE: After electrical connection is re-established, all towed vehicle(s) required brakes shall be inspected and, if applicable, documented as per the defective service brake guidance in this policy.

Performance-Based Brake Test (PBBT)

One violation per commercial motor vehicle or combination shall be documented on the power unit.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

All Brake System Types

Anti-Lock Brake System

Power Unit - All violations of the same regulatory section or subsection shall be grouped together and documented as one violation per vehicle.

NOTE: When documenting power unit anti-lock brake system (ABS) malfunction lamp violations on the dash, indicate whether it is the power unit or trailer ABS lamp.

Towed Vehicles - All violations of the same regulatory section or subsection shall be grouped together and documented as one violation per vehicle.

Brake Drums or Rotors (Discs)

One violation shall be documented per wheel end.

Brake Smoke/Fire

One violation shall be documented per wheel end.

Brake Hose/Tubing

All violations of the same regulatory section or subsection shall be grouped together as one violation per hose/tube.

NOTE: Refer to Operational Policy 5 for defective emergency or service brake hoses/tubing between towing vehicle and trailers.

Parking Brake

One violation per commercial motor vehicle shall be documented.

BUSES, MOTORCOACHES, PASSENGER CARRIER VANS OR OTHER PASSENGER-CARRYING VEHICLES – EMERGENCY EXITS/ELECTRICAL CABLES AND SYSTEMS IN ENGINE AND BATTERY COMPARTMENTS/SEATING (TEMPORARY AND AISLE SEATS)

Emergency Exits

Identification marking violations shall be documented as one violation per vehicle.

Operating instruction marking violations shall be documented as one violation per vehicle.

Release handle label violations shall be documented as one violation per vehicle.

Missing required exit violations shall be documented as one violation per vehicle.

Obstructed required/marked exit violations shall be documented as one violation per vehicle.

Inoperative required/marked exit violations shall be documented as one violation per vehicle.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Electrical Cable or Line

Electrical cable or line violations shall be documented as one violation per vehicle.

Loose and/or Temporary Seating

Seat violations shall be documented as one violation per vehicle.

CAB AND BODY COMPONENTS

All violations of the same regulatory section or subsection shall be grouped together and documented as one violation per vehicle.

CARGO SECUREMENT

General Provisions (OOS Violations)

All OOS violations found in sections 393.100, 393.106 or 393.110 shall be documented as one OOS violation per section on each transport unit.

Specific Commodity (OOS Violations)

Each OOS violation found in sections 393.116 through 393.136 shall be documented as one OOS violation per section on each transport unit.

NOTE: All violations of any subsections of the same regulatory section for a specific commodity will be grouped together and documented as one violation per load under the section number (e.g., load of metal coils loaded eyes lengthwise – 393.120(d)(1)(i) indicates the metal coil must be supported off the deck of the trailer – 393. 120(d)(1)(iv) must have one tiedown attached transversely over the top of the coil). This OOS violation would be cited as 393.120(d). Separate issues within the section should be outlined in the remarks.

In addition to commodity-specific violations, a violation of Title 49 Code of Federal Regulations (CFR) 393.106 and/or 393.110 (National Safety Code, Standard 10, Section 10 or 22) may exist.

EXAMPLE: A heavy vehicle/machinery with four chain tiedowns, one of which is loose, shall be documented as follows:

- Loose tiedown, 393.104(f)(3)
- Does not meet minimum of four tiedowns, 393.130(c)
- Does not meet minimum aggregate working load limit for tiedowns, 393.106(d)

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Defective Tiedowns

All violations of the same regulatory section or subsection shall be grouped together as one violation per vehicle.

EXAMPLES:

- All 393.104(b) violations shall be grouped together.
- All 393.104(f)(2) violations shall be grouped together.
- All 393.104(f)(4) violations shall be grouped together.
- All 393.106(d) violations shall be grouped together.
- One knotted tiedown (393.104(f)(1)) and one damaged tiedown (393.104(b)) on the same vehicle shall be documented as separate violations.
- Multiple violations on the same tiedown shall be documented as one violation per tiedown. All the violations within the tiedown shall be included in the violation description.

A tiedown or anchor point that is found to have a defect as outlined in the “Tiedown Defect Table” shall not be considered when determining the weight and/or length requirements and documented as a violation of 393.104.

Individual tiedowns being used to secure cargo found in conditions outlined in the table are not OOS, only violations. If these tiedowns are required to meet the requirements for length and/or weight, the OOS condition(s) shall be documented under the applicable weight and/or length and/or the specific commodity.

COUPLING DEVICES

Defective Coupling Device (fifth wheel):

- Each OOS violation shall be documented separately.
- One violation shall be documented for each type of violation, per device, per side.

Defective Coupling Device (all others):

- Each OOS violation shall be documented separately.
- One violation shall be documented for each type of violation per device.

NOTE: Refer to Operational Policy 5 for defective coupling devices between the towing vehicle and trailer(s).

DRIVELINE/DRIVESHAFT

Document each violation separately.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

DRIVER'S SEAT

One violation per seat shall be documented.

SEAT BELT ASSEMBLIES

One violation per seat belt assembly shall be documented.

ELECTRICAL (wires exposed)

One violation per electrical wire/cable shall be documented.

EMERGENCY EQUIPMENT

Fire Extinguisher

All violations shall be grouped together as one violation.

Spare Fuses

All violations shall be grouped together as one violation.

NOTE: See Operational Policy 15, XX. Miscellaneous - Spare fuses.

Warning Devices

All violations shall be grouped together as one violation.

EXHAUST

One violation shall be documented per exhaust system.

FRAMES

One violation shall be documented per frame rail.

EXAMPLES:

- Two cracks in the same frame rail shall be documented as one violation.
- Two cracks, one on each frame rail (non-OOS or OOS), shall be documented as two violations.

FLOORS

One violation shall be documented.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

NOTE: A floor violation is separate from an exhaust violation that allows fumes into the driver/sleeper compartment.

FUEL SYSTEMS

One violation shall be documented per violation type.

HORN

One violation shall be documented.

NOTE: A violation shall not be documented if at least one horn (air or electric) is operable.

LIGHTING DEVICES

Lamp Mounting/Steady Burning Lamps/Flashing Lamps

Headlamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit. (393.24).

Lamps other than Headlamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit. (393.25).

Critical Lamps (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting lamps)

NOTE: When all required lights on the towed vehicle are inoperative due to no electrical connection, one violation of 393.23PT shall be documented on the rearmost unit, when applicable.

Headlamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit. (393.9 or 393.11, as appropriate).

EXAMPLES:

- All inoperative headlamps shall be documented as one OOS violation of 393.9(a) when lights are required to be on.
- One obscured required headlamp shall be documented as one violation of 393.9(b).
- One missing required headlamp shall be documented as one violation of 393.11.

Stop Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit. (393.9 or 393.11, as appropriate).

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

EXAMPLES:

- All stop lamps inoperative on the rearmost unit shall be documented as one OOS violation of 393.9(a).
- Two obscured required stop lamps shall be documented as one violation of 393.9(b).
- One missing required stop lamp shall be documented as one violation of 393.11.

Tail Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

EXAMPLES:

- All inoperative required tail lamps on the rearmost unit shall be documented as one OOS violation of 393.9(a) when lights are required to be on.
- Two obscured required tail lamps on the lead unit shall be documented as one violation of 393.9(b).
- One missing required tail lamp at the rear of any trailing unit shall be documented as one violation of 393.11.

Turn Signals

Each violation of the same regulatory section or subsection is documented as a separate violation.

EXAMPLES:

- Each inoperative required turn signal on the rearmost unit shall be documented as one OOS violation each of 393.9(a).
- Any obscured required turn signal on either the power unit or rear of any trailing unit (other than the rearmost trailing unit) shall be documented separately as 393.9(b).
- Any missing required turn signal on the front of the lead or at the rear of any trailing unit (other than the rearmost trailing unit) shall be documented separately as 393.11.
- Two turn signal violations on the power unit and two turn signal violations on the trailing unit shall be documented as four separate violations. Only the rearmost trailing unit turn signals are OOS violations.

Non-Critical Lamps (identification, clearance, side marker, license plate, reverse lamps)

Backup Lamp (Reverse Lamp)

One violation shall be documented.

NOTE: A minimum of one lamp anywhere on the rear of a power unit is required. A violation shall not be documented until no lamps are operable or present on the power unit. While some trailers may be equipped with backup lamps, there is no violation for a trailer with an inoperative backup lamp.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Clearance Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

EXAMPLES:

- Two inoperative clearance lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.9(a).
- Two obscured clearance lamps obscured on each vehicle (one front and one rear) shall be documented as one violation of 393.9(b).
- Two missing clearance lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.11.

Identification Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

EXAMPLES:

- Two inoperative identification lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.9(a).
- Two obscured identification lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.9(b).
- Two missing identification lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.11.

License Plate Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

NOTE: A required license plate must be present and properly affixed to the rear of the vehicle for a violation to exist.

Side Marker Lamps (front, intermediate and rear)

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

EXAMPLES:

- Two inoperative side marker lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.9(a).
- Two obscured side marker lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.9(b).
- Two missing side marker lamps on each vehicle (one front and one rear) shall be documented as one violation of 393.11.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Vehicular Hazard Warning Signal Flasher Lamps

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit (393.9 or 393.11, as appropriate).

LED Lights

No violation exists for the number of burned-out diodes as long as visibility requirements for that specific lamp are met.

Conspicuity Systems/Retro-reflective Sheeting

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

EXAMPLES:

- One or both missing lower rear conspicuity treatments for a truck-tractor manufactured on/after July 1, 1997, shall be documented as one violation of 393.11TL.
- One or both missing upper rear conspicuity treatments for a truck-tractor manufactured on/after July 1, 1997, shall be documented as one violation of 393.11TU.
- One or both missing side conspicuity treatments for a trailer manufactured on/after Dec. 1, 1993, shall be documented as one violation of 393.11S.
- One or both missing lower rear conspicuity treatments for a trailer manufactured on/after Dec. 1, 1993, shall be documented as one violation of 393.11LR.
- One or both missing upper rear conspicuity treatments for a trailer manufactured on/after Dec. 1, 1993, shall be documented as one violation of 393.11UR.

MIRRORS

One violation shall be documented.

OIL/GREASE LEAKS (OTHER THAN WHEEL SEALS)

One violation per vehicle shall be documented.

NOTE: Refer to Operational Policy 15, Item XX. b. (3), for oil and grease leaks.

PERIODIC INSPECTION

One violation per vehicle shall be documented and be as descriptive as possible.

EXAMPLES:

- No inspection decal or copy of inspection on vehicle or located by driver
- Annual inspection expired on March 23, 2024

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

NOTE: A violation shall not be documented until the first day of the 13th month after the inspection. For example, if a periodic inspection was completed on March 15, enforcement action shall not be taken until April 1 of the following year.

NOTE: Documentation of a valid periodic inspection may be in the form of a decal on the vehicle, a paper or electronic copy of the inspection, or a state-equivalent inspection.

RAISED LIFT AXLES

For violations on raised lift axles, refer to Operational Policy 5, Raised lift axle(s).

REAR IMPACT GUARDS

All violations of the same regulatory section or subsection shall be grouped together as one violation per vehicle.

SLEEPER BERTH

All violations of the same regulatory section or subsection shall be grouped together as one violation.

STEERING MECHANISMS

One violation shall be documented per violation type.

SUSPENSIONS

Document each OOS violation separately; however, only one OOS violation shall be documented for each leaf spring assembly.

EXAMPLE: A broken main leaf of a three-spring assembly shall only be documented as one OOS violation.

Document each violation type separately per axle end.

TIRES

Document each violation separately.

NOTE: If a violation of state/province/territory weight laws (e.g., 2,500 lbs. over axle weight) is discovered, and the tire load is in excess of the tire weight rating, the violations shall be documented separately.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

VAN AND OPEN-TOP TRAILER BODIES

One violation shall be documented per violation type.

WARNING FLAGS/LAMPS ON PROJECTING LOADS

All violations of the same regulatory section or subsection shall be grouped together as one violation per vehicle.

WHEELS/RIMS/HUBS

Each wheel, rim or hub violation shall be documented separately.

EXAMPLE: A cracked wheel and a leaking wheel seal on the same wheel shall be documented as two separate violations.

NOTE: A brake lining contaminated with oil or grease due to an active wheel seal leak are two separate violations.

Document each violation type as one violation per wheel end.

EXAMPLE: Three missing wheel fasteners on one wheel end shall be documented as one violation, or multiple cracks on the same wheel shall be documented as one violation.

WINDOWS AND WINDSHIELDS

All violations of the same regulatory section or subsection shall be grouped together as one violation regardless of whether it is a single windshield or multi-piece windshield.

EXAMPLE: A damaged windshield (393.60(c)) and a tinted windshield (393.60(d)) shall be documented as two separate violations.

WINDSHIELD WIPERS

One violation shall be documented on the power unit.

FAILURE TO CORRECT VIOLATIONS/OPERATING AN OUT OF SERVICE VEHICLE

One violation shall be documented per vehicle.

NOTE: Failing to correct violations or operating an out of service vehicle will not result in a driver violation.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

PART III – HAZARDOUS MATERIALS/DANGEROUS GOODS

Violations relating to the hazardous materials section should be cited against the carrier or shipper/offeror in accordance with agency/department policy. Violations cited under Title 49 Code of Federal Regulations Part 177 should include a reference to the specific section, subsection or subparagraph.

Stacking of violations is prohibited on roadside inspections in accordance with Operational Policy 17.

If the below guidance would result in a combination of an out-of-service violation with a non-out-of-service violation, then each violation shall be documented separately.

TRANSPORT VEHICLE (PLACARDING OR MARKING)/PACKAGING/MEANS OF CONTAINMENT

All violations of the same regulatory section, subsection or subparagraphs shall be grouped together as one violation per transport vehicle. Multiple violations of the same regulatory sections, subsections or subparagraphs should be listed in the notes section.

Examples including but not limited to: supports, anchors, inspection test dates, manholes

NOTE: For securement of hazardous materials, refer to the Cargo Securement Section of this policy.

HAZARDOUS MATERIALS/DANGEROUS GOODS COMMUNICATION

1. Markings

All violations of the same regulatory section, subsection or subparagraphs relating to markings shall be documented as one violation per shipper/offeror. Multiple violations of the same regulatory sections, subsections or subparagraphs should be listed in the notes section.

NOTE: For transport vehicle markings, refer to Transport Vehicle guidance section of this policy.

Packaging Marking Example 1:

A transport vehicle contains packages of the same class from two different shippers/offerors. ABC Shipping has a package of Class 8 hazardous material with the improper size UN number for that package. XYZ Shipping has three packages of Class 8 hazardous material with the improper size UN number for that package. This should be listed as one violation for ABC Shipping and one violation for XYZ Shipping on the inspection report.

Packaging Marking Example 2:

A single dry van transport vehicle has three packages containing three different hazard class materials on board, all missing required proper technical names. This should only be listed as a single violation of this subsection on the report.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

2. Labeling

All violations of the same regulatory section, subsection, or subparagraphs relating to labeling shall be documented as one violation per shipper/offendor. Multiple violations of the same regulatory sections, subsections, or subparagraphs should be listed in the notes section.

Labeling Example 1:

A straight truck is transporting a single package of hazardous material requiring a primary and subsidiary label on the package. The primary and subsidiary labels are placed on a different surface of the package than the proper shipping name, and the subsidiary label is more than 6 inches from the primary label. The package is of sufficient size to properly label according to regulations. This should be listed as two violations, one for the 172.406(a)(ii) violation for the label on a different surface than proper shipping name. A second violation for the 172.406(c) violation for labels not within 6 inches of each other.

Labeling Example 2:

A single dry van is transporting three packages of the same Hazardous materials from the same shipper/offendor. Each package is found with a label that does not meet the size requirements listed in Part 172.407(c). Only one violation should be listed on the inspection report.

3. Packaging Placarding

All violations of the same regulatory section, subsection or subparagraphs relating to the communication of hazardous materials shall be grouped together as one violation per transport vehicle or shipper/offendor as appropriate. Multiple violations of the same regulatory sections, subsections or subparagraphs should be listed in the notes section.

NOTE: For transport vehicle placards, refer to Transport Vehicle guidance section of this policy.

Examples to include but not limited to:

1. All Part 172.516(c)(1) violations are grouped together per transport vehicle.
2. All Part 172.516(c)(6) violations are grouped together per transport vehicle.
3. All Part 172.519(b)(1) violations are grouped together per transport vehicle.
4. All Part 172.519(b)(4) violations are grouped together per transport vehicle.
5. All Part 172.519(c)(1) violations are grouped together per transport vehicle.

4. Shipping Papers

All violations of the same regulatory section, subsection or subparagraphs relating to shipping papers shall be documented as one violation per shipper/offendor. Multiple violations of the same regulatory sections, subsections or subparagraphs should be listed in the notes section.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

Examples including but not limited to:

Shipping Paper Example 1:

You stop XYZ Transport for an inspection and the driver presents you with a three-page shipping paper from #1 Chemical Company. You observe a shipping paper violation on pages one and two; both violations are of the same regulatory section. This would be documented as only one violation.

Shipping Paper Example 2: You stop XYZ Transport for an inspection and the driver presents you with three separate shipping papers. One from #1 Chemical Company, one from #2 Chemical Company, and one from #3 Chemical Company. You observe a shipping paper violation on the shipping paper from #1 Chemical Company and #2 Chemical Company; both violations are of the same regulatory section. Because the violations occurred on SEPARATE shipping papers, this would be documented as two separate violations.

SECUREMENT OF HAZARDOUS MATERIALS/DANGEROUS GOODS

All violations of the same regulatory section or subsection shall be grouped together as one violation per unit.

Proper hazardous materials/dangerous goods (HM/DG) package cargo securement shall ensure that relative motion between packages is kept to a minimum. Any movement that will adversely affect the safety of the HM/DG packages during normal transportation shall not be allowed. Relative motion between packages consistent with vehicle motion during normal transportation is not a violation unless package integrity could be affected since a motor vehicle in motion is not a rigid structure.

Operational Policy 14

Enhancing Roadside Inspection and Enforcement Data Uniformity

PART IV – ADMINISTRATIVE

MOTOR CARRIER NAME AND USDOT NUMBER/MARKING

One violation shall be documented.

NOTE: If the motor carrier has not been issued a USDOT number, a violation shall not be documented for failing to display a USDOT number. However, a violation for failing to display the motor carrier name shall be documented if the name was not displayed on the power unit in accordance with 49 CFR § 390.21.

INACTIVE/NO USDOT NUMBER

One violation shall be documented.

OPERATING AUTHORITY

One violation shall be documented.

NOTE: Operating authority only applies to for-hire motor carriers operating CMVs transporting non-exempt commodities (refer to FMCSA’s Administrative Ruling 119 for the composite commodity list and 49 CFR § 372.115, commodities that are not exempt). Empty CMVs are not subject to operating authority.

NOTE: Operating authority, when applicable, shall be documented separately from the out of service order violations.

U.S. FEDERAL OUT-OF-SERVICE ORDERS

One violation shall be documented per regulatory section.

NOTE: Out-of-service orders, when applicable, shall be documented separately from operating authority violations.



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.

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

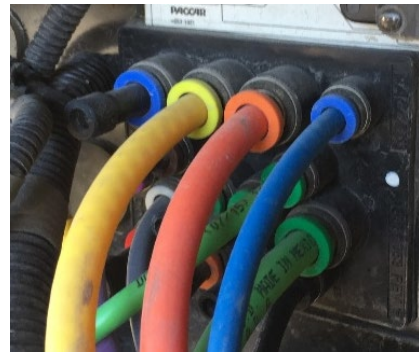
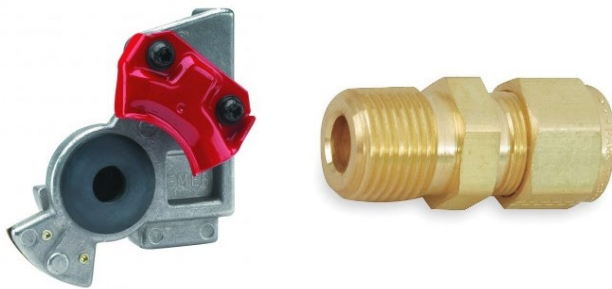
PART II – VEHICLE

1. BRAKE SYSTEMS

OOS Frequently Asked Questions

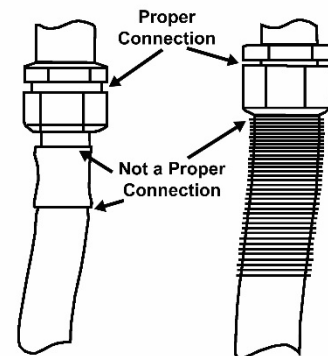
a.(1) What is considered a proper air brake connection?

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

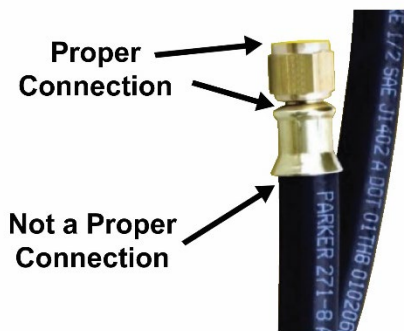


a.(2) When an air leak is found at a fitting, when should it be placed out of service?

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.

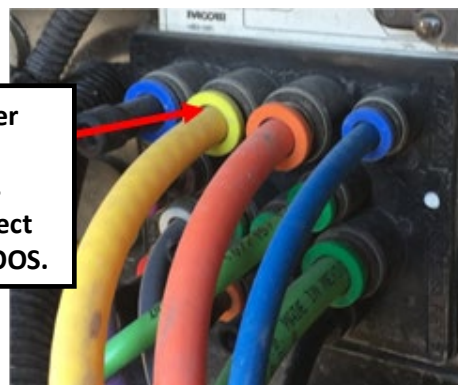


Non-Swivel Fitting



Swivel Fitting

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



Push-to-Connect Fitting

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

- 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.

Operational Policy 15

Inspection and Regulatory Guidance

- 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.

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

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

Operational Policy 15

Inspection and Regulatory Guidance

- 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?

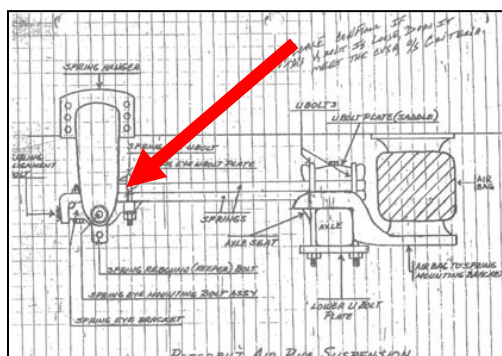
ANSWER: A violation should not be noted until motion, other than rotational, between any linkage member and its attachment point exceeds the limit prescribed in the CVSA OOSC, 1/8 inch (3.2 millimeter), measured with hand pressure only.

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?

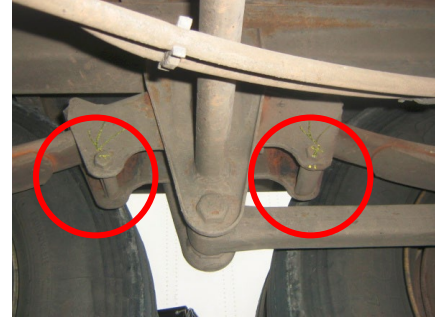


ANSWER: No, not unless it has somehow resulted in axle displacement.

Operational Policy 15

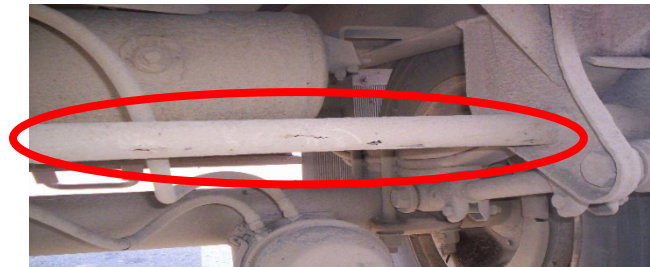
Inspection and Regulatory Guidance

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.

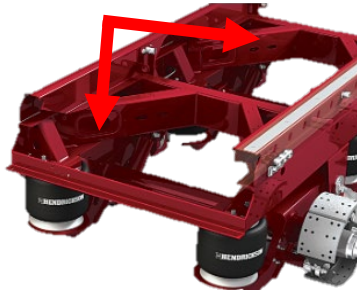
Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

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.

Operational Policy 15

Inspection and Regulatory Guidance

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)).

Operational Policy 15

Inspection and Regulatory Guidance

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