
SST NEWS & NOTES

Volume 1, Issue 4

August 12, 2016

Yay! We Passed!

Smith Systems Transportation, Inc. had a DOT auditor here on Tuesday August 9th and Wednesday August 10th for a compliance audit. Under regulation since SST carries a Safety Permit (Permit required for Class 7, Various class 1, and Class 2) we are required to undergo a compliance check every 4 years.

Our Auditor reviewed multiple files, and gave us wonderful tips on things to do going forward, but in the end, he found **NO VIOLATIONS** and gave us a **SATISFACTORY DOT rating !! ☺**

This is a group effort and everyone doing their job is what keeps us in compliance. Thank you to everyone!

BUT we have to keep moving forward and keep working towards clean roadside inspections to keep our numbers low. Our HM CSA scores are up but they can come down with everyone's efforts.

Notes from the desk of Helen.....

Finer than frog hair.....

Receipts for your 2016 Emergency Response Guidebook?

Have you RETURNED your receipts for your 2016 Emergency Response Guidebooks? We need those in our file to show you have received yours. If you have not received yours please contact Helen to confirm where it was sent. **THIS IS YOUR RESPONSIBILITY**-Please make sure YOU are in compliance.

Have you had a passenger in your truck lately?

If you have had a passenger in your truck please make sure you have them covered with a passenger policy. Heaven forbid if something were to happen and you had an unauthorized passenger traveling with you, they will not be covered in the event of an accident. Let's keep our loved ones protected and be sure to contact Helen to get a passenger policy in place. Cost is \$81 for the entire year (per passenger), and it only takes a

Holy Canoli's!! SCHOOL TIME IS HERE AGAIN!



We need to be aware of children and school buses being on the road ☺

ATTACHMENTS:

- ✓ Missouri Intrastate Authority for freight
- ✓ Q & A Driver Disqualification (please only return the quiz!)

WHEN FUELING:

If you have switched trucks-PLEASE make sure you enter the correct unit number when fueling! We are trying to get our fuel reports more accurate. If you enter the correct UNIT # it comes across the reports to assign the correct fuel to your unit. **THIS DOES NOT** affect your sign ins for your fuel cards. This is only the unit # prompt! Contact Sharisa or Helen in the office if you have any questions ☺

few days to put in place once you have returned your signed application. Contact Helen to request a form if needed for your passengers today!

Please read Regulation 383.31 in the Federal Motor Carrier Safety Regulations Handbook.

As a driver, you need to be aware of the regulation:

§ 383.31: Notification of convictions for driver violations

(a) Except as provided in paragraph (d) of this section, each person who operates a commercial motor vehicle, who has a commercial learner's permit or commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation) in a State or jurisdiction other than the one which issued his/her permit or license, shall notify an official designated by the State or jurisdiction which issued such permit or license, of such conviction. The notification must be made within 30 days after the date that the person has been convicted.

(b) Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation), shall notify his/her current employer of such conviction. The notification must be made within 30 days after the date that the person has been convicted. If the driver is not currently employed, he/she must notify the State or jurisdiction which issued the license according to § 383.31(a).

(c) **Notification.** The notification to the State official and employer must be made in writing and contain the following information:

- (1) Driver's full name;
- (2) Driver's license number;
- (3) Date of conviction;
- (4) The specific criminal or other offense(s), serious traffic violation(s), and other violation(s) of State or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges which resulted from such conviction(s);
- (5) Indication whether the violation was in a commercial motor vehicle;
- (6) Location of offense; and
- (7) Driver's signature.

(d) A person is considered to be in compliance with the requirements of paragraph (a) of this section if the conviction occurs in a State or jurisdiction that is in substantial

compliance with 49 CFR 384.209 and has not been de-certified in accordance with 49 CFR 384.405.

In essence: If you receive any Violation while operating a motor vehicle (other than parking violations) you are required to notify us your employer within 30 days. You are in violation of Federal Law and could lose your CDL if not found in compliance with the regulation. This notification must be provided in writing and must include the information listed above in the regulation.

Thank you!

Helen



Q & A

This edition of Q & A addresses the disqualification provisions for

drivers who hold a commercial driver's license (CDL). These provisions are located in Sec. 383.51 of the Federal Motor Carrier Safety Regulations (FMCSRs).

Q: Over the weekend, one of my CDL drivers received a ticket for operating while under the influence (OWI). He was not on duty and was not driving a company vehicle. Will he be disqualified?

A: A CDL holder convicted of operating any motor vehicle (work or personal) while under the influence of alcohol as prescribed by state law is disqualified.

Please read! take quiz & return that page. Thanks Helen?
Please read the info on the reverse side of the quiz.

Driver disqualification

A first offense disqualifies a CDL holder from operating a CMV for one year. A second conviction disqualifies the driver for life.

Q: What exactly is a conviction?

A: Section 383.5 of the FMCSRs defines a conviction as:

- An unvacated adjudication of guilt;
- A determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal;
- An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;
- A plea of guilty or nolo contendere accepted by the court;
- The payment of a fine or court cost; or

- Violation of a condition of release without bail.

A conviction would stand regardless of whether or not the penalty is rebated, suspended, or probated.

Q: Can a motor carrier disqualify a driver?

A: No, per the Sec. 383.51 provisions, only a federal, state, or other government entity may disqualify a driver. A motor carrier may, however, remove a driver from service based on its policies.

Q: How about my non-CDL drivers? I thought they could be disqualified as well if they commit certain violations.

A: Yes, a non-CDL driver is also subject to disqualification, but under a different section of regulation and different criteria.

Drivers of vehicles that meet the definition of a commercial motor vehicle in Sec. 390.5 are subject to the disqualification provisions in Sec. 391.15.

The definition of a commercial motor vehicle in Sec. 390.5 includes vehicles and combinations of vehicles at 10,001 pounds or more, a vehicle of any size transporting placardable hazardous materials, and certain types of passenger-carrying vehicles.

The offenses listed in Sec. 391.15 only apply toward disqualification if committed in a commercial motor vehicle as defined in Sec. 390.5.



TRAINING BLUEPRINT

CDL disqualification: Understanding the provisions

Driver disqualification is a serious issue. A driver holding a commercial driver's license (CDL) or commercial learner's permit (CLP) can be disqualified from driving a commercial motor vehicle (CMV) if convicted of certain violations while driving any type of vehicle.

This includes violations committed in a personal vehicle on personal time.

It is important for your drivers to understand the disqualification provisions, as certain actions and choices, whether on or off the job, can have an impact on a driving career.

Trainer's Note: *This training blueprint addresses the driver disqualification provisions in Part 383 of the Federal Motor Carrier Safety Regulations (FMCSRs). These provisions apply to drivers who possess a CDL.*

This training blueprint does not address the disqualification provisions in Part 391 of the FMCSRs. The Part 391 disqualification provisions apply to drivers while operating a CMV as defined in Sec. 390.5. This includes vehicles or combinations of vehicles weighing or rated at 10,001 pounds or more.

Major offenses

The holder of a CDL or CLP is disqualified from operating a CMV if he/she is convicted of any of the following major offenses while driving any type of vehicle:

- Being under the influence of alcohol as prescribed by state law;
- Being under the influence of a controlled substance;
- Refusing to take an alcohol test as requested by a state or jurisdiction under its implied consent laws or regulations;
- Leaving the scene of an accident;
- Using a vehicle to commit a felony; or
- Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance.

A driver is disqualified from operating a CMV if he/she is convicted of any of the following major offenses while driving a CMV:



- Having an alcohol concentration of 0.04 or greater;
- Driving a CMV when, as a result of prior violations committed operating a CMV, the driver's CDL or CLP is revoked, suspended, or cancelled, or he/she is disqualified from operating a CMV; or
- Causing a fatality through the negligent operation of a CMV.



Even one conviction for a major offense has serious consequences when it comes to a professional driver's career.

The disqualification period for the first conviction (with the exception of using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance) is 1 year, provided the driver is not transporting hazardous materials. If the driver is transporting hazardous materials, the disqualification period for a first conviction is 3 years.

The disqualification period for a second conviction is life.

If a driver is convicted of using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance, the driver is disqualified for life and is not eligible for reinstatement.

Trainer's Note: *Discuss the serious consequences that a driver faces when convicted of one major offense while operating any type of vehicle. Stress that under this regulation, driver conduct in a personal vehicle is just as important as conduct in a company vehicle.*



Serious traffic violations

A driver is disqualified from operating a CMV if convicted of any combination of two or more of the following serious traffic violations while operating a CMV or non-CMV:

- Excessive speeding, 15 mph or more above the posted speed limit;
- Reckless driving;
- Making improper or erratic traffic lane changes;
- Following the vehicle ahead too closely; or
- Violating a state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

A driver is disqualified from operating a CMV if convicted of any combination of two or more of the following serious traffic violations while operating a CMV:

- Driving a CMV without obtaining a CDL or CLP;
- Driving a CMV without a CDL or CLP in the driver's possession;

- Driving a CMV without the proper class of CDL or CLP and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported;
- Violating a state or local law or ordinance on motor vehicle traffic control prohibiting texting while driving a CMV; or
- Violating a state or local law or ordinance on motor vehicle traffic control restricting or prohibiting the use of a hand-held mobile telephone while driving a CMV.

If a driver is convicted of two serious traffic violations in separate incidents during any three-year period, he/she is disqualified for 60 days.

If a driver is convicted of three serious traffic violations in separate incidents during any three-year period, he/she is disqualified for 120 days.

Trainer's Note: A driver convicted of two or more serious traffic violations while operating a non-CMV is disqualified only if the convictions result in the revocation, cancellation, or suspension of the driver's license or driving privileges.

Out-of-service orders

If during a trip, a driver is placed out of service by a law enforcement officer for a certain period of time or until a problem has been corrected, he/she may not violate the officer's out-of-service order.

If the driver violates that order and is convicted of this violation, he/she is subject to a disqualification period of 180 days to five years. Fines for violating an out-of-service order range from \$2,750 to \$5,500.

Railroad-highway grade crossing offenses

A driver is disqualified if he/she is convicted of operating a CMV in violation of a federal, state, or local law or regulation pertaining to any of six railroad-highway grade crossing requirements listed in Sec. 383.51(d).

A driver who violates one of these six railroad-highway grade crossing requirements is subject to a disqualification period of 60 days to one year.

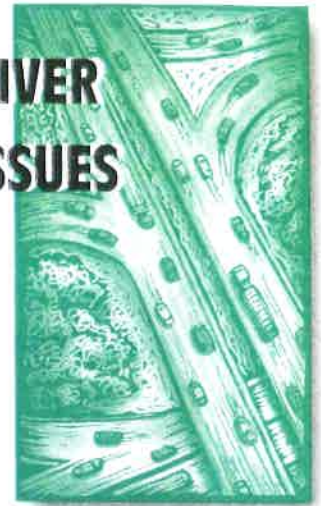
Trainer's Note: Distribute and discuss any policies your company may have that address this issue.

Conclude your training with a question and answer session.



CDL DISQUALIFICATION

DRIVER ISSUES



Major offenses

- Driving under the influence of alcohol or drugs
- Refusing an alcohol test
- Leaving the scene of an accident
- Using a vehicle to commit a felony
- Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance
- Driving a CMV with an alcohol concentration of 0.04 or greater*
- Driving a CMV when, as a result of prior violations committed operating a CMV, the driver's CDL or CLP is revoked, suspended, or cancelled, or he/she is disqualified from operating a CMV*
- Causing a fatality through the negligent operation of a CMV*



Serious traffic violations

- Excessive speeding (15 mph or more above the posted speed limit)
- Reckless driving, improper/erratic traffic lane change, following the vehicle ahead too closely
- Violating a state/local law relating to motor vehicle traffic control in connection with a fatal accident
- Driving a CMV without obtaining a CDL/CLP*
- Driving a CMV without a CDL/CLP in the driver's possession*
- Driving a CMV without the proper class of CDL/CLP and/or endorsements*
- Violating a state or local law or ordinance on motor vehicle traffic control prohibiting texting or hand-held phone use while driving a CMV*

**Only applies to a conviction for an offense while driving a CMV*

Violations in any type of vehicle can lead to disqualification

CDL DISQUALIFICATION

Directions: Read each statement carefully and mark the response that best answers the question.

DRIVER ISSUES



1. **Only major offenses committed while operating a company vehicle can disqualify a driver.**
 - A. True
 - B. False

2. _____ is a major offense.
 - A. Excessive speeding
 - B. Violating an out-of-service order
 - C. Leaving the scene of an accident
 - D. All of the above

3. **A conviction for driving under the influence of alcohol in a personal vehicle is a major offense.**
 - A. True
 - B. False

4. _____ is a serious traffic violation.
 - A. Violating a railroad-highway grade crossing regulation or law
 - B. Using a vehicle to commit a felony
 - C. Reckless driving
 - D. All of the above

5. **Receiving a citation for operating 15 mph or more over the speed limit is a serious traffic violation.**
 - A. True
 - B. False



*Please read!
reverse side!
Important*

Print
Name: _____

Sign

Date: _____

(47963)

SAFETY FIRST

08/04/2016

CONSTRUCTION ZONES!!!!

PLEASE SLOW DOWN AND DO NOT FOLLOW CLOSE. ALLOW EXTRA DISTANCE BETWEEN YOU AND THE VEHICLE IN FRONT OF YOU. ALWAYS DRIVE ON THE SIDE OF CAUTION! USE COMMON SENSE AND GOOD JUDGEMENT. JUST RECENTLY A FAMILY OF FIVE (HUSBAND AND WIFE AND THREE CHILDREN UNDER THE AGE OF THREE) WERE KILLED WHEN A TRUCK HIT THEM FROM BEHIND IN A CONSTRUCTION ZONE. THE CAR CAUGHT ON FIRE. THAT CAR THEN HIT THE CAR IN FRONT OF HIM AND THAT DRIVER ALSO DIED AS A RESULT OF THE ACCIDENT. SEVERAL MORE CARS WERE INVOLVED. THE DRIVER OF THE TRUCK IS IN JAIL ON CHARGES. DON'T LET THIS HAPPEN TO YOU!!!!!! WE WANT YOU AND EVERYONE AROUND YOU TO BE SAFE!

SAFETY IN THE SHOP! DRIVERS, WHEN YOU HAVE A TRAILER IN THE SHOP FOR REPAIR, PLEASE MAKE SURE THE MECHANIC IS NOT UNDER THE TRAILER OR IN THE TRAILER WHEN YOU PULL OUT. PLEASE WALK AROUND AND LOOK. ALSO, MECHANICS ARE ADVISED TO PULL THE KEY OUT OF THE TRUCK UNTIL THEY ARE DONE WORKING ON THE TRAILER. LOCKOUT OR TAGOUT SAFETY SHOULD BE USED.

Think!



Missouri Department of Transportation

Motor Carrier Services

Jefferson City, Missouri
573-751-7100

PROPERTY CARRIER REGISTRATION

File No: USDOT 472690

Name: SMITH SYSTEMS TRANSPORTATION INC

D/B/A:

City: GERING

State: NE

Expiration Date: Not Applicable

Effective Date: August 5, 2016

The Department has determined that the above-named carrier is qualified to be a registered motor carrier as provided in Sections 390.250-390.350 and 622.600-622.620, RSMo, and is in compliance with the applicable requirements for the issuance of this document. Beginning on the effective date shown above, this carrier may engage in transportation for hire as follows:

INTRASTATE: Property Carrier Registration

Property (Except Household Goods):

Operations as a registered property carrier my motor vehicle upon the public highways in Missouri intrastate commerce, transporting property, including hazardous materials with the following hazard classes/divisions as designated in 49 CFR Parts 100-142: Division 1.4; Division Explosive 1.4; Division 1.5 Explosive 1.5; Division 1.6 Explosive 1.6; Division 2.1 Flammable Gas; Division 2.2 Non-Flammable Gas; Class 3 Flammable Liquid; Division 4.1 Flammable Solid; Division 4.3 Dangerous When Wet; Division 5.1 Oxidizers; Division 5.2 Organic Peroxides; Class 5 Oxidizers and Organic Peroxides; Division 6.1 Poison Other Than Inhalation Hazard - Zone A or B; Division 6.2 Infectious Substance; Class 8 Corrosives; Class 9 Miscellaneous; ORM-D (Other Regulated Materials), (except household goods and all other hazardous materials as designated in 49 CFR section, 172.101 which are regulated under 49 CFR Parts 100-172).

Opportunity for Hearing: You may request a hearing on the validity or correctness of this grant of operating authority. Requests for hearing shall be filed in writing, not later than 30 days after the effective date shown above, with the Missouri Administrative Hearing Commission, Truman Building, Room 640, 301 W. High St., P.O. Box 1557, Jefferson City, MO 65102-1557. Telephone (573) 751-2422. Fax (573) 751-5018.

Issued at 830 MoDOT Drive
Post Office Box 270
Jefferson City, MO 65109-0270
On August 5, 2016

Director of Motor Carrier Services

