

# **Turn Signals**

The Latest News in Trucking Safety and Regulations

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***The Food and Drug Administration has released its long awaited regulations governing the sanitary transportation of food products.*** The proposed rules will apply to both interstate and intrastate carriers, but not to companies with annual revenues of less than \$500,000. The regulations *do not apply* to transportation of “fully packaged shelf-stable food” *not requiring* temperature control, such as boxed, canned and bagged foodstuffs ready to be placed on a grocer’s shelves. Carriers must develop written procedures and keep training records. New drivers and involved employees must be trained in sanitary operations upon hire and have later training “as needed”. Reefers must have continuous temperature recording devices installed and the carrier must provide the shipper a temperature log on every load. Shippers must inspect all trailers and “transportation equipment” like pallets or bins before loading starts. Shippers must provide written transportation requirements to the carrier before loading and the carrier must keep these instructions on file for a year. For large carriers (\$25.5MM/year+) these rules go into effect 1 year from that date they are finalized, and 2 years for smaller ones.

***The Government Accountability Office has released a report that is highly critical of the CSA methodology implemented by the Federal Motor Carrier Safety Administration.*** The GAO found that *most* FMCSA regulations used to calculate CSA scores *do not predict* the crash risk for any individual carrier, which is what the CSA system purports to do. The report states that FMCSA has insufficient safety data for most carriers and therefore cannot reliably compare them with other carriers. It also finds the CSA methodology systematically assigns higher scores to smaller carriers. The GAO concludes FMCSA identified many carriers as high risk that were not later involved in a crash, thereby causing FMCSA to miss opportunities to intervene with carriers that did have accidents. Based on this report’s findings, many trucking groups are stepping up their pleas urging FMCSA to remove the carriers’ CSA data and scores from public view.

***FMCSA has published its proposed rules for a national “clearinghouse”, or registry, of commercial motor vehicle drivers who have failed drug or alcohol tests or have refused to be tested.*** Motor carriers will have to check this database before hiring any driver, and will have to check it annually for all their drivers. Trucking companies will need to develop forms for applicants and existing drivers to give permission for their records to be accessed. Company drug and alcohol policies will have to be amended to inform drivers of the clearinghouse procedures. Motor carriers will have to report any driver DWI citations to the registry. Testing laboratories are required to give annual reports to FMCSA so the agency can determine which carriers are not testing its drivers. After a 60-day public comment period it is unknown when the regulations will become effective due to the complexity of executing the details of this program.

***Did you know.....*** There is an easy way to remember and teach the USDOT prohibitions concerning the use of mobile devices while operating a commercial motor vehicle:

***No reaching – No holding – No dialing – No texting – No Reading***