DOT POLICIES & PROCEDURES

How They Can Reduce Your Risk in the 7 CSA BASICs

Avoiding the risks related to DOT noncompliance requires the careful preparation of comprehensive policies and procedures. There are three key reasons why:

1. **They Help You Satisfy the FMCSA Regulatory Requirements**

   Avoiding violations protects your scores under the Compliance, Safety, Accountability (CSA) program, which protects your fleet from being a target for increased inspections or audits.

2. **They Simplify the Management of Your Compliance Program**

   It's impossible to efficiently manage a compliance program without having policies and procedures to guide your decisions.

3. **They Safeguard Your Company**

   Strong policies and procedures ensure that everyone in your organization is aware of the importance of compliance on their safety and the work environment.

In a nutshell, policies establish the guidelines for how motor carriers and their employees should behave in a given situation. Procedures explain how to put those policies into action.

POLICY DEVELOPMENT

When developing DOT policies, the best ones are those that are simple, to the point, provide a measurement mechanism, and have "teeth." An easy way to develop a policy is to use the **ABCDE** method:

A – The **audience** to whom the policy applies.

B – The **behavior**, or action, that you want or require.

C – The **conditions** under which the policy applies.

D – The **discipline** that will be taken if the policy is not complied with (the "teeth").

E – The **exceptions** that might apply.

Remember that you're not explaining every possible situation, you're simply laying down your expectations, what you will and will not allow, and what will happen if the policy is not followed.

The details on how drivers need to comply, what you're going to do to make sure everyone is complying, and all the other details related to the policy, will be in the procedures that back up the policy.

POLICIES, PROCEDURES AND CSA SCORES

The FMCSA's CSA program collects data from your drivers' accidents and safety-related violations found at roadside inspections to track and evaluate your safety performance. The data is divided into seven Behavior Analysis and Safety improvement Categories (BASICs). Every roadside inspection report attributed to your company and your driver — with or without a violation — is factored into your CSA scores for the next 24 or 36 months, respectively.

To make sure that your drivers perform well in the seven BASICs, you need to make sure you have the proper policies and procedures in place to prevent violations in each area.

Listed below are common areas that your policies and procedures should cover within each BASIC.

UNSAFE DRIVING BASIC:
PARTS 392 AND 397

The FMCSA views unsafe driving violations as the number one indicator of a carrier's risk of having an accident. Carriers with many unsafe driving violations often have higher accident rates than carriers with few violations in the category.

Do you have policies and procedures related to:		
☐ Company speed limit for the drivers	☐ Prohibited driving practices	
☐ Moving violations	☐ Log auditing for speeding	
☐ Reviewing PSPs as part of onboarding	☐ Use of electronic equipment while driving	
☐ Safety Performance History as part of onboarding	☐ Inattentive driving	
☐ Reviewing MVRs	☐ Safe driving recognition and incentives	
☐ Annual reviews	☐ Review telematics data for unsafe driving events	

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CRASH INDICATOR BASIC

Many times, upon review, good defensive driving may well have prevented an accident — even ones that are deemed the other driver's fault. In any case, when accident prevention becomes a focus of a carrier, the accident rate typically goes down.

Do you have policies and procedures related to:	
☐ Accident filing and tracking	☐ Reviewing driver's accident record at least annually
☐ Accident review (preventability - contributing factors)	☐ Accident-free recognition and incentives
☐ Accident investigation (on scene - risk assessment)	☐ Progressive disciplinary action
☐ Accident preventability evaluations	☐ Remedial training programs
☐ Reviewing driver's accident record prior to onboard	☐ Formal fleet safety program
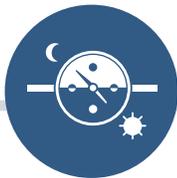
HOURS-OF-SERVICE COMPLIANCE BASIC:
PARTS 395 AND 392

This is a compliance area that requires daily, if not hourly, monitoring by both the motor carrier and the drivers to ensure they have enough available time to safely and legally operate a commercial motor vehicle (CMV).

Do you have policies and procedures related to:	
☐ Supporting documents	☐ Operating ill or fatigued
☐ Log auditing	☐ Personal conveyance
☐ General HOS limits and recording	☐ Off-highway (yard movements)
☐ Electronic logging	☐ Roadside inspections
☐ Adverse driving - emergencies	☐ Log falsification
☐ Short-haul	☐ Driver availability/productivity
☐ Acceptable HOS exceptions/rule sets	☐ Customer delays

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VEHICLE MAINTENANCE BASIC:
PARTS 393, 396, AND APPENDIX A TO PART 396

With over 60% of violations issued at roadside inspections due to this one category, it would be wise for you to examine your fleet's vehicle maintenance and inspection policies and procedures.

Do you have policies and procedures related to:		
☐ Pre-trip inspections	☐	Preventative maintenance
☐ Post-trip inspections	☐	Over-the-road breakdowns
☐ Enroute inspections	☐	Cargo securement
☐ Roadside inspections	☐	Maintenance records
☐ Annual/periodic inspections	☐	Roadside inspection vehicle out-of-service order
☐ Emergency equipment inspections	☐	Vehicle bad order tags
☐ Driver vehicle inspection report (DVIR)		

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CONTROLLED SUBSTANCES & ALCOHOL BASIC:
PARTS 382 AND 392

"Failing to implement an alcohol and/or drug testing program" consistently ranks as the top acute violation cited by the Federal Motor Carrier Safety Administration (FMCSA) during investigations. And no other BASIC comes close to the out-of-service rate of nearly 100%.

Do you have policies and procedures related to:	
☐ Pre-employment controlled substance testing	☐ Refusal to submit to a required alcohol or controlled substances test
☐ Pre-employment and annual queries of the Clearinghouse	☐ Handling of test results, record retention, and confidentiality
☐ DOT drug and alcohol history from previous employers	☐ Reporting of results in a management information system
☐ Random testing	☐ Reporting violations under Part 382 to the Clearinghouse
☐ Post-accident testing	☐ Reporting negative return-to-duty tests to the Clearinghouse
☐ Reasonable suspicion testing	☐ Reporting completed follow-up testing to the Clearinghouse
☐ Return-to-duty testing	☐ Removal from safety-related function
☐ Follow-up testing	☐ Progressive discipline
☐ Testing procedures	☐ Non-CDL drivers obligations under Part 392
☐ Prohibitive use	

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HAZARDOUS MATERIALS (HM) COMPLIANCE BASIC:
PARTS 171-173, 177-180 AND 397

Year after year, the top hazardous materials roadside inspection violations include inadequate cargo securement of hazardous materials packages; damaged, deteriorated, or obscured placards; missing shipping papers; and vehicle placarding issues. Taking an objective look at your policies and procedures in this BASIC gives you the necessary information to find the root cause(s) of violations.

Do you have policies and procedures related to:

☐ Registration with FMCSA and PHMSA as a hazardous material carrier	☐ Cargo tank inspection and testing	
☐ Security plan	☐ Package labeling and marking	
☐ Incident and accident risk mitigation and reporting	☐ Hazardous materials plan (General)	
☐ Spill/release prevention and procedures	☐ Hazmat employee training	
☐ Shipping documents	☐ Loading procedures	
☐ Vehicle placarding	☐ Loading segregation	
☐ Vehicle washout/cleanout	☐ Enroute inspections	

DRIVER FITNESS BASIC: PARTS 391 AND 383

While having the lowest relationship to crash risk, approximately 33% of the Driver Fitness violations result in an OOS. What's worse, there's often no "fixing it" at the roadside, so you have to recover the vehicle and driver. In addition, due to the long retention periods of driver qualification, it's an area that is thoroughly reviewed during a DOT audit.

Do you have policies and procedures related to:

☐ Creation of new driver qualification files - DQ file checklists	☐ Driver license requirements (CDL/endorsements/restrictions)	
☐ Driver Investigation History (DIH) discovery and review	☐ Driver disqualifications	
☐ Contents of driver files (periodic review)	☐ Obtaining MVRs and PSPs	
☐ Accessibility and security of driver's data	☐ Driver road tests	
☐ Annual driver safety review	☐ Driver medical certification	
☐ Written examination and certificate	☐ Driver submission of violations, citations, suspension, or revocation	
☐ Driver training	☐ CDLIS MVR for CDL holders	

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BE PROACTIVE ABOUT POLICIES & PROCEDURES

When you're proactive with your fleet's DOT policies and procedures, you have considerable control over your CSA scores. And in the words of Benjamin Franklin, "an ounce of prevention is worth a pound of cure."

IMPROVE
DOT COMPLIANCE
with a CUSTOMIZED PROGRAM

J. J. Keller's **DOT Compliance & Safety Program Management** gives you a J. J. Keller® Consultant working with you at your facilities to build and implement a DOT compliance program based on your unique risks.

Through this comprehensive service, **our Consultants will review (or create) your DOT policies and procedures to ensure compliance.** And then we'll help you implement your policies and procedures, measuring their effectiveness on an ongoing basis.

THIS CONSULTING SERVICE ALSO INCLUDES:

- Ongoing onsite assessments
- Custom compliance plan
- Comprehensive audit protection
- Unlimited regulatory support via phone & email

And you get all of this at a predictable monthly expense with no hidden fees. It's the industry's most in-depth approach for reducing risk!

Contact us today to get started.

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