

# The Newsletter

In this issue

**Preventing Loss through  
Fleet Safety**

**Construction Vehicles:  
Assets or Liabilities?**

**Regulated by DOT?  
You Might be Surprised**

**CONSTRUCTION**  
SAFETY COUNCIL

  
**ZURICH**

Volume 1 - Spring 2010

## In this Issue:

	Preventing Loss through Fleet Safety	2
	Construction Vehicles: Assets or Liabilities	9
	Regulated by DOT? You might be surprised	17
	Work Zone and Fleet Management	19

**Volume 1 – Spring 2010**

*“The Newsletter”* is published by the  
**Construction Safety Council**  
and the  
**Chicagoland Construction Safety Council**  
4100 Madison St  
Hillside, IL 60162  
(708) 544-2082  
Fax (708) 544-2371  
[www.buildsafe.org](http://www.buildsafe.org)

**Editor-in-Chief**  
Daniel Murphy  
[daniel.murphy@zurichna.com](mailto:daniel.murphy@zurichna.com)

**Senior Editor**  
Beverlee Carrick  
[bcarrick@buildsafe.org](mailto:bcarrick@buildsafe.org)

**Editorial Staff**  
Kim Guentzel, Jack Kozina

Articles within this publication have been obtained by reliable sources and are the views of the authors. They are not necessarily the views of CCSC, CSC or Zurich. Accuracy and completeness are the responsibility of the individual author.

Zurich neither endorses nor rejects the recommendations of the discussion presented. Further, the comments contained in this newsletter are for general distribution and cannot apply to any single set of specific circumstances. If you have a legal issue to which you believe this article relates, we urge you to consult your own legal counsel. The subject matter of this publication is not tied to any specific insurance product nor will adopting these policies and procedures ensure coverage under any insurance policy.

Risk engineering services are provided by Zurich Services Corporation.

© 2010 Zurich Services Corporation

# Preventing Loss through Fleet Safety

*Paul Satti*  
*Construction Safety Council*

A company who operates a fleet of vehicles must have a safety program that specifically manages and controls the potential loss arising out of crashes. The Construction Safety Council and OSHA recommend the following model *Fleet Safety Program*.

*Remember*, only a qualified driver can operate a company vehicle and all vehicles must be properly maintained and serviced.

Fleet safety programs include, but are not limited to:

1. Senior Management Commitment & Employee Involvement
2. Written Policies & Procedures
3. Driver Agreements
4. Motor Vehicle Record (MVR) Checks
5. Crash Reporting & Investigation
6. Vehicle Selection, Maintenance & Inspection
7. Disciplinary Action System
8. Reward/Incentive Program
9. Driver Training/Communication
10. Regulatory Compliance

## ***1. Senior Management Commitment & Employee Involvement***

Top-level management support is important, and everyone in the organization must be told that risk taking and unacceptable behavior will not be tolerated. Also, workers must be assured that by reporting in good faith, an unsafe condition will not result in retaliation; and that an unsafe condition can not justify an unsafe behavior; *for the sake of getting the job done*. The worker must be encouraged to speak up so that management can fix the operational errors that allow near-misses, crashes and injuries to occur.

- Senior management can provide leadership, set policies and allocate resources (staff and budget) to create a safety culture.
- Encourage employee participation and involvement at all levels of the organization.
- Workers and their representatives must be involved in the initial planning phase.

## ***2. Written Policies & Procedures***

A written statement emphasizing the commitment to reducing traffic-related deaths and injuries is essential to a successful program. These statements are the cornerstones of an effective driver safety program.

- Create a clear, comprehensive and enforceable set of traffic safety policies and communicate them to all employees.
- Post policies throughout the workplace, distribute copies periodically, and discuss them at company meetings.
- Offer incentives for sticking to the rules and point out the consequences of disregarding them.

### ***Sample Policy***

(Name of Company/Organization) has a vital interest in maintaining safe, healthy and efficient working conditions for its employees. Therefore, the consumption of alcohol or illegal drugs by any employee during “duty hours” is prohibited. Duty hours consist of all working hours, including break periods and on-call periods, whether on or off company premises. The consumption of alcohol or illegal drugs while performing company business or while in a company facility is prohibited.

## ***3. Driver Agreements***

Establish a contract with all employees who drive for work purposes, whether they drive assigned company vehicles or drive their personal vehicles. By signing an agreement, the driver acknowledges awareness and understanding of the organization’s traffic safety policies, procedures and expectations regarding driver performance, vehicle maintenance and reporting of moving violations.

### **Driver agrees to:**

- Complete and sign this Vehicle Use Agreement (VUA) and consent form for Motor Vehicle Records checks.
- Have a valid drivers license in their possession at all times.
- Operate the vehicle in a safe, controlled and courteous manner, in compliance with all applicable traffic laws.
- Never place a vehicle in motion until the driver and all occupants are appropriately wearing safety belts. The driver must also assure that safety belts continue to be worn by all occupants throughout the time the vehicle is in motion.
- Always remove the keys and lock the vehicle when unattended.
- Never transport unauthorized passengers or cargo.
- Never allow an unauthorized person to drive the vehicle.

- Never drive the vehicle under the influence of ANY alcohol or drugs, including medications which may cause impairment.
- Inspect the vehicle prior to use for obvious safety concerns and significant damage that may exist to the vehicle. Any unsafe conditions or significant damage must be reported to the appropriate authority. In no event should the driver attempt to operate a vehicle with deficiencies that may make it unsafe to operate.
- Participate in any required driver safety training.
- Avoid distractions while driving. Do not engage in eating, smoking, personal grooming, reading, using a laptop, watching DVD players, **cell phone use, texting, emailing** or other distracting activities while driving.
- Drivers are personally responsible for all traffic violations and subsequent fines that may occur while driving a company vehicle.

I acknowledge that I have read and understand the contents of the Fleet Safety Policy and Guidelines.

I AUTHORIZE THE (Company) TO OBTAIN MY MOTOR VEHICLE RECORD (MVR) FROM ANY STATE WHERE I HAVE HELD A DRIVER'S LICENSE. I ALSO UNDERSTAND THAT MY MVR WILL BE OBTAINED AND REVIEWED NOT LESS THAN ANNUALLY IN CONJUNCTION WITH THIS VEHICLE USE AGREEMENT.

I agree to update this Agreement in the event of a change to any of the data supplied above. I also agree to inform (Company) in the event of any negative change in the status of my driving record, such as at fault accidents, major violations, multiple minor violations or license revocation, restriction or suspension. I understand that any negative change in the status of my driving record may result in the revocation of the privilege of driving (Company) vehicles.

## ***2. Distracted Driving***

Drivers must not allow themselves to be distracted while operating a vehicle.

**Policies should address the following potential distractions:**

- Cell phone use
- Eating or drinking
- Grooming
- Passengers
- Smoking
- Reading
- Texting
- Emailing
- Use of technology [e.g., Global Positioning Systems (GPS) and computers]

***Never Drive Distracted!***



## ***3. Aggressive Driving***

An aggressive driving attitude is often the root cause of vehicle crashes. Being late for a meeting or behind on schedule is what often causes a driver to act aggressively; make sure you give yourself plenty of time to get where you are going and account for weather changes.

**Aggressive driving can include, but is not limited to:**

- Speeding
- Tailgating
- Failure to signal a lane change
- Running red lights and stop signs
- Weaving in traffic
- Yelling
- Making obscene gestures



#### ***4. Motor Vehicle Record (MVR) Checks***

Check the driving records of all employees who drive for work purposes. Drivers who have poor records must reassure their employer that their past performance will not be an indicator of future operation. The MVR should be reviewed periodically to ensure that the driver maintains a good driving record. Clearly define the number of violations an employee/driver can have before losing the privilege of driving for work and provide training where indicated.

#### ***5. Crash Reporting & Investigation***

Establish and enforce a crash reporting and investigation process. All crashes, regardless of severity, should be reported to the employee's supervisor as soon as feasible after the incident. Company traffic safety policies and procedures should clearly guide drivers through their responsibilities in a crash situation. All crashes should be reviewed to determine their cause and whether or not the incidents were preventable. Understanding the root causes of crashes and why they are happening, regardless of fault, forms the basis for eliminating them in the future.

##### ***Crash Reporting & Investigation:***

- All employees and others involved in a collision should obtain appropriate medical attention.
- The involved employee, if physically able, should call for a police officer. The employee should also request that all parties and property concerned remain at the scene of the crash until the crash investigation is completed by law enforcement.
- The involved employee(s) should refrain from making statements regarding the crash with anyone other than the investigating officer. Statements should be confined to factual observations.
- The involved employee(s) should follow guidelines established by the company for crash reporting and investigation.
- All collisions should be immediately reported to the supervisor and company contact person as soon as the employee is physically able.

## ***6. Vehicle Selection, Maintenance & Inspection***

Selecting, properly maintaining and routinely inspecting company vehicles is an important part of preventing crashes and related losses.

- Routine preventive maintenance schedule for servicing and checking of safety-related equipment.
- Regular maintenance done at specific mileage intervals consistent with the manufacturer's recommendations.
- Thorough inspection of each vehicle at least annually with documented results placed in the vehicle's file.

### ***A complete preventative maintenance program on vehicles:***

- Is based on manufacturer's recommendations;
- Is completed by qualified persons;
- Includes accurate recordkeeping of all service and repairs performed;
- Includes pre- and post-trip inspections, conducted and documented, with defects noted and reported to supervisor or mechanic;
- Requires inspections including a review of all safety equipment;
- Require mechanics and/or service providers to document completion of repairs.

## ***7. Disciplinary Action System***

Develop a strategy to determine the course of action after the occurrence of a moving violation and/or "preventable" crash. There are a variety of corrective action programs available; the majority of these are based on a system that assigns points for moving violations. The system should provide for progressive discipline if a driver begins to develop a pattern of repeated traffic violations and/or preventable crashes. The system should describe what specific action(s) will be taken if a driver accumulates a certain number of violations or preventable crashes in any pre-defined period. Certain actions such as DUI on company time, may subject an employee to immediate termination of employment.

## ***8. Reward/Incentive Program***

Develop and implement a driver reward/incentive program to make safe driving an integral part of your business culture. Safe driving behaviors contribute directly to the bottom line and should be recognized as such. Positive results are realized when driving performance is incorporated into the overall evaluation of job performance. Reward and incentive programs typically involve recognition, monetary rewards, special privileges or

the use of incentives to motivate the achievement of a predetermined goal or to increase participation in a program or event.

### ***9. Driver Training & Communication***

Repeatedly provide continuous driver safety training and communication. Even experienced drivers benefit from periodic training and reminders of safe driving practices and skills. It is easy to become complacent and not think about the consequences of our driving habits.

### ***10. Regulatory Compliance***

Ensure adherence to highway safety regulations. It is important to clearly establish which, if any, local, state, and/or federal regulations govern your vehicles and/or drivers. These regulations may include, but may not necessarily be limited to, the following:

- Federal Motor Carrier Safety Administration (FMCSA)
- U.S. Department of Transportation (USDOT)
- National Highway Transportation Safety Administration (NHTSA)
- Federal Highway Administration (FHWA)
- Employment Standards Administration (ESA)

#### ***About the Author:***

Paul Satti has 10 years experience with the application of OSHA standards to both construction and general industries. Much of that experience was acquired at the Construction Safety Council where he is the Technical Director of projects and responsible for program development. Paul takes pride in his aptitude to conduct research and develop safety programs for the construction industry and finds training to be the most rewarding part of his job.

Paul holds a Master's degree in Industrial Management from Northern Illinois University and is an authorized OSHA Trainer for the Construction Industry and an OSHA Trainer for General Industry. He also has earned Instructor ranking for the Scaffold User Course, the American Red Cross Standard First Aid/CPR course, the ATSSA Qualified Flagger Course, and Powered Industrial Truck Operator Course, and many more. Paul is known for the demonstrations he sets up for the Construction Safety Council in courses and at expos, and for the program development and delivery of courses he offers nationwide.

# Construction Vehicles: Assets or Liabilities

*Gary H. Gokey*  
*Safety Management Group*

Are your company vehicles, either those that are incidental or primary to the business, costing you too much money to operate or are they actually a benefit to your overall business operations?

There are two distinct groups of company vehicles; primary and incidental. The primary vehicles are those that can be used to generate income for your business by being able to establish charges for their usage, which is billed to the customer. Incidental fleets or vehicles are those units that generate no operating charges, yet are essential for company personnel to conduct business, such as those company owned vehicles that are assigned to job foremen, superintendents, project engineers, sales, maintenance staff, or material delivery personnel.

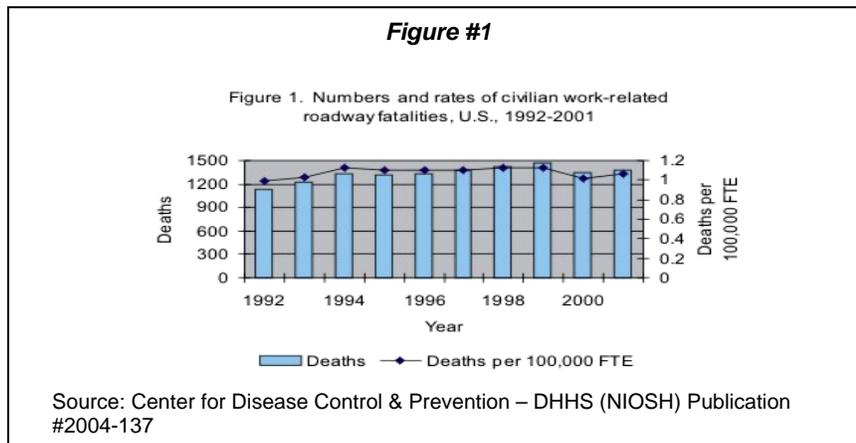


Source: OSHA-NHTSA-NETS Publication: "Guidelines for Employees to Reduce Motor Vehicles Crashes".

These vehicles may be costing your company more than the fuel, insurance, and upkeep that it takes to maintain them. Did you know that in addition to the normal expected costs, job related vehicle accidents are the leading cause of work-related fatalities and lost time injuries, which cost companies millions of dollars in additional expenses? As a company you may have a safety program in place with policies and procedures intended to help protect your employees from workplace hazards and exposures related to the job activities associated with your operations. Does your company safety program or risk control measures address the necessary steps to afford the same level of controls and protection for the company vehicles that are provided to employees in order to carry out their day to day activities?

Many times the importance for safety as related to company fleets, especially the incidental type, is not considered a top priority in the company's safety program. Yet statistics relating to job-related motor vehicle crashes cost companies thousands of dollars annually, both in direct and indirect costs. The direct costs are those related to the insurance coverage, whereas the indirect costs are those that cannot be covered and/or recovered through insurance programs. These could include costs relating to insurance deductibles, delays in meeting schedules due to loss or damage to equipment from an accident, replacement of employees that may have been injured in an auto related accident, additional administrative time for paper work or investigations regarding the accident, and other such factors that insurance does not cover. Of course, if litigation is involved as the result of the accident, then the costs paid directly could result in possible financial hardships for the company.

Statistics show that motor vehicle accidents are the leading cause of on-the-job fatalities. In the ten (10) year period between 1992 and 2001\*, workers' deaths from motor vehicles accidents accounted for twenty-two percent (22%) of all fatalities. This is compared with thirteen percent (13%) fatalities from workplace homicides and ten percent (10%) from falls. Work-related deaths from on the job motor vehicle accidents increased over this decade, despite declines in the overall number and rate of occupational fatalities from other causes. Fatality rates showed little change, staying steady at approximately one (1) fatality for every 100,000 full time employees (FTE) – Figure #1.



Further fatality data\*\* showed:

- Eighty-nine percent (89%) of victims were male (almost 6 times higher fatality rate than females at 0.3).
- The largest age group for roadway crash fatalities was 35 – 44 years (2,940 deaths), having approximately 25% of crash fatalities. (Figure #2)
- The age groups of 25 – 34 and 45 – 54 followed closely behind and with twenty-two percent (22%) each, with a combined fatality total of 5,803 victims.
- Drivers above 75 years old had the crash-related fatality rate of 6.4 per 100,000 FTE's, which was followed by the age group of 65 – 74 years old (3.8 rate).
- The highest percent of fatalities resulted from collisions between vehicles (49%) followed by single –vehicle incidents (26%), which did not involve a collision with another vehicle or with a pedestrian.
- Collisions between a vehicle and a stationary object in the roadside were the cause of 18% of all fatal crashes.
- For the period between 1997 and 2003\*\*\*, 28% of fatally injured workers were wearing seat belts and for those that weren't wearing seat belts the percentage doubled – 56%.
- Drinking was determined to have been involved in 8% of the crashes involving a fatality during this same time period.

There are several costs related to on-the-job vehicle crashes. Indirect costs\*\*\*\* to employers, due to the loss or absence of any employee from work, for the year 2000 accounted for \$4.6 billion. This is in addition to an estimated \$61 billion for lost wages and benefits (occupational & non-occupational) for the crash victims.

**Figure #2**

**Work-related highway fatalities by age group, 1992–2000**

Age group (years)	Number	%*	Rate/100,000 FTEs†	% change in number of deaths from 1992 to 2000
< 15	30	0.3	—	—
15–19	326	2.7	0.86	32.3
20–24	873	7.3	0.85	11.1
25–34	2,597	21.7	0.90	10.1
35–44	2,940	24.6	0.93	19.7
45–54	2,586	21.6	1.12	44.7
55–64	1,687	14.1	1.64	38.9
65+	887	7.4	3.77	16.5
Unknown	26	0.2	—	—
<b>Total</b>	<b>11,952</b>	<b>100.0</b>	<b>1.08</b>	<b>18.7</b>

Source: CFOI special research file (excludes New York City).  
 \*Percentages may not add to 100 because of rounding.  
 †Full-time equivalent workers aged 15 or older (employment data from Current Population Survey). Employment data were not available for persons under age 15.

To break these figures down further shows that an on-the-job related motor vehicle crash with an injury costs an employer an average of \$74,000. The average is multiplied by a factor greater than 6.7 when a fatality is involved. In such a case, the costs can exceed over \$500,000 for a fatal work-related crash.

As you can see the statistics and costs related to work-related highway crashes are staggering. What can be done about work-related automobile accidents and the impact they have on your company? Having an active fleet safety program for addressing various aspects associated with the operation of company vehicles is the foundation for controlling automobile accidents and the costs related to them.

A basic four step fleet program is recommended. Of course each step is not straight forward, as each step would include sub-categories that need to be addressed to make your fleet program effective. Each step and its sub-categories outline procedures and define control measures to adequately address fleet management.

The four basic steps are:

- Administrative Commitment
- Driver Control
- Vehicles: Selection, Maintenance and Inspections
- Regulatory Compliance

The following information outlines each step along with additional criteria for establishing safety measures and/or best safety practices when dealing with company vehicles.

### **Step #1: Administrative Commitment**

Top management/ownership must be committed to fleet management, showing that they are genuinely concerned for the safety and well-being of all employees within the organization while operating and using company vehicles. This starts with a signed statement of policy from the Company President regarding this commitment. The statement needs to convey the current ownerships' desire that all company assets, including vehicles, will be in a safe operating condition and that those who operate company vehicles will be responsible in assuring they are in such condition.

The statement needs to further assure the employee that their safety and well-being while operating a company vehicle is a top priority. This could include comments regarding the company's concern when employee are not only driving for work related activities, but when driving to and from work, especially if take-home use is provided with the company vehicle. Lastly, the statement should emphasize the company's goal, which is to reduce traffic-related deaths and injuries that can occur during use and operation of company vehicles.

Senior management needs to provide leadership, establish policies, and allocate resources (staff and budgeting) in order to set the tone for an effective fleet safety program. Leadership not only includes the authoritative responsibilities, but is also conveyed by example. Senior management will the set example by using and practicing defensive driving techniques along with following highway laws, such as posted speed limits, using seatbelts, etc.

The next step in the process is to have written policies and procedures. Policies should be written and spelled out covering issues such as: Safe Use and Operations of Company Vehicles, Drug & Alcohol Usage, Driver Qualifications, Driver Screening, Personal Use, Distractions (electronics, cell phones, eating, etc.), Accident Reporting Procedures, and Disciplinary Measures.

## **FLEET MANAGEMENT (Outline)**

### **1) Administrative Commitment**

- Statement of Policy
- Fleet Safety Policies/Procedures
  - Operation of Company Vehicles (General Rules)
  - Alcohol & Drug Policy
  - Seat Belt Policy
  - Driver Qualifications
  - Driver Screening
  - Accident Reporting & Investigations
  - Disciplinary Measures
  - Personal Usage
  - Non-Owned Vehicles for Company Business
  - Distractions (Cell Phones, TV's, Computers, Eating, etc.)
  - Training

### **2) Driver Control**

- Company Requirements
- Licensing (Type- CDL, Chauffeurs, Regular)
- Screening [Testing, Background Checks, including Motor Vehicle Reports (MVR's)]
- Driver Agreements

### **3) Vehicles: Selection, Maintenance & Inspections**

- Types (Autos, Pickups, Trucks, Tractor; provided with necessary safety features)
- Maintenance (Intervals: when, how and whom)
- Inspections (Frequency, reporting: when, who and how)

### **4) Regulatory Compliance**

- Qualified Drivers
- Inspected Vehicles
- Insurance
- State/Federal Filings
- D.O.T. Regulations

## **Step #2: Driver Control**

The company needs to establish the necessary controls to assure that they are allowing only qualified employees to operate company vehicles. Qualified means not only meeting state and federal regulations for having the proper license to drive, but they also meet other qualifying requirements established by the company.

Other qualifying criteria, in addition to a valid driver's license, include age requirements, physical capabilities, experience, passing company written and road tests, and an acceptable driving history. A driver's prior driving history should be verified through a current motor vehicle report (MVR) secured through the state where their license was issued.

Specifics regarding your company driver requirements should be spelled out in the fleet policies. “Acceptable” driving history should also be outlined. What constitutes a “non-acceptable” driving history should be included in the company policy. Some non-acceptable criteria generally include items for prior convictions within a specified period such as: Driving Under the Influence (DUI’s) or Driving While Intoxicated (DWI’s). Five (5) years prior history is usually the recommended time period for DUI’s or DWI’s. Suspension or revoked driver’s license within the last three years, along with convictions for causing a death while operating a vehicle, hit and run or careless/reckless driving are other infractions that should make the unacceptable category.

As part of driver controls, driver agreements should be used. These are contracts signed between the company and employees who drive for work purposes, whether driving company owned vehicles or their own vehicles in the course of work duties. These contracts state that the employee acknowledges awareness of and has an understanding of the company’s fleet safety policies/procedures, expectations of driving performance, vehicle maintenance/inspections requirements, and disciplinary action for violation of company fleet policies.

#### **Actions of other motorists may cause work-related crashes**

During a non-emergency medical transport, a 26-year-old emergency medical technician (EMT) died when the ambulance she was in was struck head-on by a pickup truck traveling in excess of 70 miles per hour in the wrong lane of a two-lane roadway. Attending a patient, the EMT was unrestrained when the incident occurred. The EMT struck the front bulkhead and died of head and chest injuries en route to the hospital.

*Source: NIOSH FACE Report 2001-11*



Photo by NIOSH FACE Program

*Photo by NIOSH Face Program*

### **Step #3 Vehicles: Selection, Maintenance and Inspections**

Company vehicles should be properly elected based on type and usage. A vehicle safety features should be included in the selection process. Vehicles that carry a high rating for crash worthiness, ease of repairs, and overall safety should be given top priority when purchasing vehicles for company use.

Maintenance intervals should be established and conveyed to the drivers. Tracking and follow-up with the drivers to assure that these intervals are met reinforces the company’s commitment of having safe, well-kept vehicles in the hands of those operating them. Like maintaining company vehicles, inspecting them on a regular basis is equally important. States generally require annual inspection of vehicles, but your program should not rely solely on these inspections. Documented inspections by drivers at scheduled intervals,

with spot checks by management or designated individuals, assures basic vehicle elements are properly functioning or defects/problems will be reported in a timely fashion in order for repairs to be made, possibly preventing a costly accident.

#### **Step #4 Regulatory Compliance**

Determine whether the company vehicles fall under the scope of Federal Motor Carrier Safety Regulations because of their usage, vehicle size (weight), and/or materials transported, handled or towed. Drivers of company vehicles, based on the factors previously noted, may be required to carry a commercial driver's license (CDL). Additional endorsements for the CDL may also be required for specific driving operations, including chauffeuring more than 15 people.

Beyond just the drivers licensing requirements, there are other documentation requirements necessary to comply with the D.O.T. regulations. This documentation includes previous employment verification, drug and alcohol screening, and driving history verification.

There you have it, fleet management as easy as 1-2-3-4. Fleet management like other exposures your company may have or encounter from the business activities conducted, takes planning, monitoring, reviewing, and implementing controls to help avoid accidents that could cause hardship on the company's bottom line.

If you have a fleet management program in place with similar criteria to the basic steps outlined here, you know that you have in place an effective program providing you are committed to it as part of your overall business plan. You know that you did everything reasonably expected to assure that drivers for your company are qualified, trained and experienced. You know those drivers are operating safely maintained vehicles and are in compliance with state, federal and local regulations. And you know the comfort level you have handing over a set of keys to an employee that will be driving on behalf of the company.

Many issues and concerns were raised regarding your company fleet and the programs that should be in place to effectively manage this exposure. Although it was mentioned that fleet safety was as easy as counting one through four, you know the work and commitment it takes to effectively control your fleet exposure and risks involved with operating them. Thinking you may need to review your fleet management program to determine just where you are? Besides this information, there's additional help available. The American Society of Safety Engineers (ASSE) recently developed information regarding fleet management. The American National Standards Institute (ANSI) just approved and released this as a new approved standard – Z15.1 - 2006: Safe Practices for Motor Vehicle Operations. This standard is intended to help companies reduce roadway crashes and the high costs associated with them. It provides guidelines for developing a motor vehicle safety program for companies having a few vehicles or for those having hundreds. Information on this new standard or how to acquire this can be found on ANSI's website: [www.ansi.org](http://www.ansi.org).

***Sources:***

- \*Bureau of Labor Statistics (BLS) – Census of Fatal Occupational Injuries (COFI)*
- \*\* Bureau of Labor Statistics (BLS): Census of Fatal Occupational Injuries (COFI)*
- \*\*\*National Highway Traffic Safety Administration: Fatality Analysis Reporting Systems (FARS)*
- \*\*\*\* National Highway Traffic Safety Administration: DOT HS #809-682*

***About the Author:***

Gary H. Gokey, CSP, ARM (GaryGokey@SafetyManagementGroup.com) is a Safety Advisor for Safety Management Group, an Indianapolis-based professional service organization that provides nationwide workplace safety consulting, training, staffing, program planning, and implementation. Information is available at [www.safetymanagementgroup.com/pub](http://www.safetymanagementgroup.com/pub) or by calling 800.435.8850.

# Regulated by DOT?

## You might be surprised

*David Stauffer, CSP, ARM  
Safety Advisor  
Safety Management Group*

You operate one of those companies that takes great pride in doing things by the book. When OSHA arrives on one of your jobsites, you don't worry, because you know that you have the right procedures and documentation in place. Following the rules may require some extra work and recordkeeping, but you (and your employees) sleep soundly.

At least you did until this morning, when a highway patrol cruiser stopped one of your crews just across the state line. They were driving a full-size pickup pulling a piece of equipment on a trailer. Now the driver is calling you, saying that he's being cited for not having a DOT number on the truck and not being able to produce the right paperwork. The officer says he isn't going to impound the truck – this time – but the ticket carries a \$250 fine and is going to dent the driver's perfect driving record.

That's the hard way to discover that your company is subject to Department of Transportation regulations – but it's a lesson more companies are learning with each passing month. Since 9/11, DOT has stepped up efforts to regulate commercial vehicles, and as awareness of the tougher standards grows, many law enforcement agencies are taking a closer look at vehicles used by construction companies and others. That includes vehicles you may think are exempt from regulation.

Federal law says that DOT regulations – starting with displaying a DOT number sticker – apply to commercial vehicles that have a gross vehicle weight (GVW) of at least 10,001 pounds. While some heavy-duty pickups surpass that weight limit on their own, even much lighter trucks can trigger the rules. That's because DOT can also regulate vehicles whose gross combination vehicle weight (GCVW) exceeds the threshold. Your 7,000-pound truck may sidestep the regulations, but when it's pulling a 3,500-pound trailer, that's a GCVW of 10,500 pounds.

The rules also apply to vehicles rated at more than 10,000 pounds, so if your truck is rated at 12,000 pounds with a trailer, it needs a number. The same thing applies if the truck is plated for more than 10,000 pounds, regardless of its actual weight. That technicality is creating headaches for many business owners. (Lighter vehicles may require DOT numbers if they transport enough hazardous material to be placarded or if they carry 16 or more people.)

Applying for DOT numbers is as easy as completing two forms you'll find on DOT's Web site, but having a number is just the first step in complying with the law. You'll have to maintain all of the records DOT requires to verify that drivers of your vehicles

are qualified, and that they're not operating those vehicles for an excessive number of hours. An inspector will expect to see detailed logs for each driver, as well as proof that the vehicle has been inspected regularly.

Thanks to new legislation, companies obtaining DOT numbers for the first time – whether they're brand-new companies or have just failed to do so – will have to follow even tougher standards regarding vehicle safety. The Federal Motor Carrier Safety Administration's rules call for an audit sometime during the first 18 months that a company falls under DOT's regulation. During that audit, FMCSA will look for 16 specific violations that include everything from not having a program to randomly test drivers for alcohol and other substance abuse, to using drivers who don't have a Commercial Driver's License (CDL), to failing to keep records of each driver's time behind the wheel.

As DOT adds to its staff, there are indications that the agency is paying closer attention to transportation issues, such as checking for DOT numbers on vehicles at construction sites.

Your vehicle operations may be so small that DOT may not show any interest, especially if you don't cross state lines. But state and local law enforcement is another story. Commercial vehicles that may not meet compliance are an easy target for traffic stops, and the hefty fines that many law enforcement agencies assess are a welcome source of revenue to cash-strapped states and counties.

Complying with these rules is a lot like following safe practices in the workplace. You're probably already doing the right things. You simply need to get better at documenting your processes and procedures, and ensuring that your employees follow them. If your company's transportation practices are audited, being able to access all that documentation and demonstrating that you're actually following policies improves the odds of a positive outcome, and may deter a more in-depth audit or hefty fines.

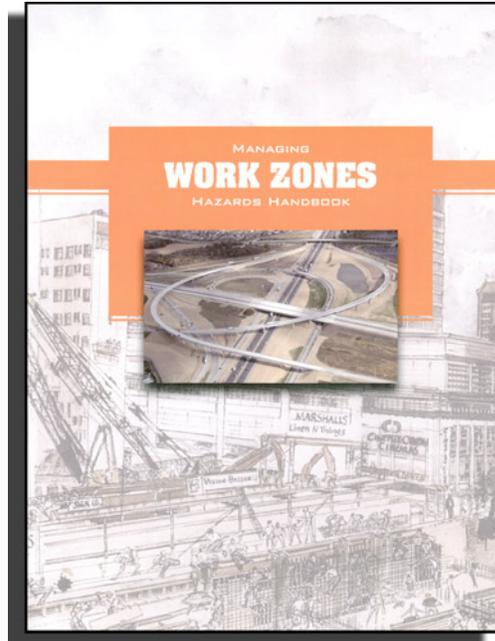
Are you confident that your company is in compliance with all these rules? If you're less than 100 percent sure, or if you just want to verify that your processes and procedures are up to date, consider bringing a transportation safety expert in to review your operations and help you address any gaps. That way, you'll be able to sleep soundly once again.

***About the Author:***

David Stauffer, CSP, ARM (DStauffer@SafetyManagementGroup.com) is a Safety Advisor for Safety Management Group, an Indianapolis-based professional service organization that provides nationwide workplace safety consulting, training, staffing, program planning, and implementation. Information is available at [www.safetymanagementgroup.com/pub](http://www.safetymanagementgroup.com/pub) or by calling 800.435.8850.

# Work Zone and Fleet Management Safety

Employees being struck by vehicles or mobile equipment lead to many work zone fatalities and injuries. A work zone activity is dangerous business. This is not the place to cut corners or cheat on safety. It's your life on the line so pay attention and know what it takes to keep you safe.



This publication contains:

- An explanation of the Manual of Uniform Traffic Control Devices (MUTCD) and how they are applied to temporary traffic control.
- Important terms and definitions within the MUTCD and how they are applied to temporary traffic control.
- Requirements for high visibility safety apparel.
- Procedures for how to set-up, maintain and inspect temporary traffic control work zones and devices.
- Training requirements for those who work in and around traffic, streets and highways, including flagger qualifications
- Policies for motor vehicle operations (fleet safety program)
- General construction safety and health for work zone operations, including fall protection, utility location, overhead power lines, excavation safety, and health hazards
- Emergency planning and response procedures for work zone operation and crash investigation.

To purchase a copy of this book, or the complete training program,  
Visit our website [www.buildsafe.org](http://www.buildsafe.org)