



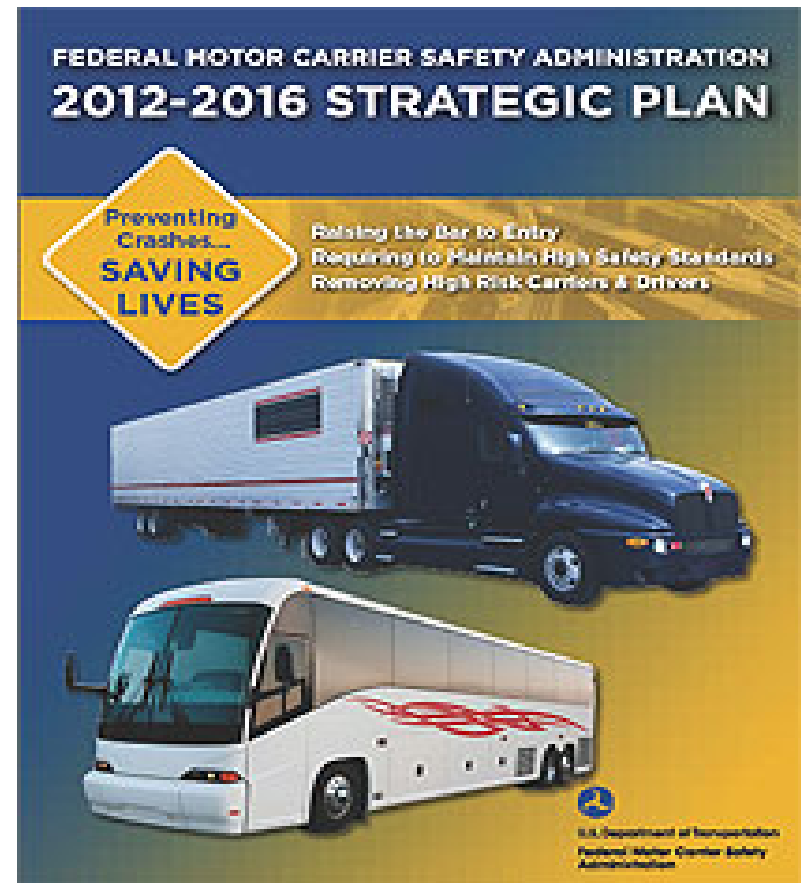
Federal Motor Carrier Safety Administration

**SAAMI Logistics Seminar
FMCSA Update
Las Vegas, Nevada
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Federal Motor Carrier Safety Administration

Strategic Plan Initiatives

- Raise the bar for motor carriers to enter the industry
- Maintain a high standard of safety and compliance to remain in the industry
- Remove unsafe drivers and carriers from the roadways



Top 3 HM Activities to Support the Initiatives

- Hazardous Materials Safety Permits: Change in Crash and OOS Rates
- Compliance, Safety and Accountability (CSA): HM Compliance BASIC
- MAP-21 for FMCSA

Hazardous Materials Safety Permits

- 1. Highway Route Controlled Class 7;**
- 2. >55 lbs.: 1.1, 1.2 or 1.3 Explosives, or Placarded 1.5;**
- 3. PIH Zone A - >1liter / package;**
- 4. PIH Zone B – Bulk Package >119 gal.;**
- 5. PIH Zones C or D – Bulk Package \geq 3,500 gal.; or**
- 6. Compressed or Refrigerated Liquefied Methane, Liquefied Natural Gas, or Other Liquefied Gas with a Methane Content of at least 85 percent – Bulk Package \geq 3,500 gal.**

FR /June 27, 2012 /38215:

– Fixed Rates for

- Crash: 0.136**
- Driver OOS: 9.68**
- Vehicle: 33.33**
- HM: 6.82**
- www.saftersys.org/HazMatRates.aspx**

HMSP: What You Need to Apply

- Application: MCS-150B
- Safety Program
 - Satisfactory Rating
 - Crash rate not in top 30% of national average
 - Driver, Vehicle, or HM out-of-service rate not in top 30% of national average
- Satisfactory Security Program – Self Certification
 - Security plan per 172.800 – 804
 - Security training

HMSA: What You Need to Apply

- Communications plan per 385.407
- PHMSA Registration per Part 107 Subpart G
- Public Liability Insurance Requirements Per Part 387 Subpart A
 - Limits are not applicable to intrastate carriers in vehicles < 10,000 pounds GVWR
 - Must be insured at the state-designated levels

Public Liability Insurance Requirements

\$5 Million is Required in 387.9 for:

IN BULK: Defined in 387.5 as ANY QUANTITY of Division 1.1, 1.2 or 1.3 Explosive.

- For-hire and private carriers;**
- Interstate or Foreign in vehicles of any GVWR; and**
- Intrastate in vehicles \geq 10,001 pounds GVWR**

HMSF Operational Requirements

- Information required in the vehicle (385.415):
 - HM Safety Permit or document with permit #;
 - Route plan for 1.1, 1.2 & 1.3 materials;
 - Phone number of carrier for routing verification;
 - Copy of Part 397 and Instructions for accident or delay for 1.1, 1.2 & 1.3 materials per 397.19

HMSP Communications

- Communications Plan (385.415(c)):
 - Contact must be made at the beginning and end of each duty tour; and at the pickup and delivery of each permitted load;
 - Contact may be by telephone, radio or an electronic tracking or monitoring system;
 - Record must be kept by either the motor carrier or driver for 6 months after initial acceptance of permitted load; and
 - Record must contain driver name, vehicle ID, HM transported, and date, location and time of each contact

Loss of HMSP

- Fail to renew HMSP
- Provide false information
- Fail to have a final safety rating of satisfactory
- Fail to maintain satisfactory security plan
- Fail to comply with regulations or orders in a manner showing motor carrier is not fit to transport hazmat

Loss of HMSP

- Fail to comply with OOS order
- Fail to maintain minimum insurance
- Fail to maintain PHMSA registration
- Loss of operating rights or suspended USDOT registration

Other Requirements for 1.3 C Explosives

- CDL: HM Endorsement due to placarding of any amount. (383.5)
- Attendance Required (397.5(a)):
 - At all times;
 - By the driver or a qualified representative of the motor carrier

Other Requirements for 1.3 C Explosives

- Attendance Exception
 - If the vehicle is on the motor carrier's property, a shipper's or consignee's property or in a safe haven; or
 - There is 50 pounds or less at a construction or survey site

AND

 - The lawful bailee is aware of the presence and danger of the material;
 - Has been instructed in emergency procedures; and
 - Is within an unobstructed view or in a safe haven

Other Requirements for 1.3 C Explosives

- Parking (397.7):
 - No parking within 5' of the travelled portion of a public street or highway;
 - No parking on private property without knowledge and permission of the property owner: or
 - No parking within 300' of a bridge, tunnel, dwelling, or place where people work, congregate or assemble unless for a short time and it is necessary to do so

CSA Changes: July / November 2012

- Strengthening the Vehicle Maintenance BASIC
- **Changing the Cargo-Related BASIC to the Hazardous Materials (HM) Compliance BASIC**
- Better aligning the SMS with Intermodal Equipment Provider (IEP) regulations
- Aligning violations that are included in the SMS with Commercial Vehicle Safety Alliance (CVSA) inspection levels

CSA Changes: Continued

- More accurately identifying carriers involved in transporting HM
- More accurately identifying carriers involved in transporting passengers
- Modify the SMS display

CSA Changes: Website URLs

- Download the foundational document at:
https://csa.fmcsa.dot.gov/Documents/SMS_FoundationalDoc_Final.pdf ; or
- Review the entire SMS Methodology document at:
http://csa.fmcsa.dot.gov/Documents/SMS_Methodology_Carrier_V3-0.pdf.

CSA BASIC THRESHOLD PERCENTILES

BASIC	Passenger Carriers	HM Carriers	All Other Carriers
Unsafe Driving			
Fatigued Driving	50	60	65
Crash			

Driver Fitness			
Controlled Sub/Alc	65	75	80
Vehicle Maintenance			

Hazmat Compliance	80	80	80

SMS HM Threshold Definition

- Received 2 roadside inspections within last 24-months, with 1 in last 12-months, where “placarding required” is indicated;
- Placarded inspections must represent at least 5% of total inspections for the carrier; or
- **Holds a valid Hazardous Materials Safety Permit per 49 CFR Part 385**

SMS HM BASIC Carrier Definition

- Received 5 inspections in last 24-months where placards were indicated
- CVSA Inspection Levels:
 - I – Full Inspection
 - II – Driver / Vehicle Walk-Around
 - V – Vehicle Only
 - VI – RAM

Data Quality

DataQs - Login - Windows Internet Explorer

https://dataqs.fmcsa.dot.gov/login.asp


palazzo las vegas

File Edit View Favorites Tools Help


Convert Select

Favorites DataQs - Login

Page Safety Tools



DataQs
A system to record and monitor challenges to FMCSA data



FMCSA
Federal Motor Carrier Safety Administration

The DataQs system is an electronic means for filing concerns about Federal and State data released to the public by the Federal Motor Carrier Safety Administration (FMCSA). Through this system, data concerns are automatically forwarded to the appropriate office for resolution. The system also allows filers to monitor the status of each filing.

Account Login [? Help](#)

User Name:
(Case Sensitive)

Password:
(Case Sensitive)

LOGIN

[Forgot your user name or password?](#)

New to DataQs?

Register Online

WARNING:
You are accessing a U.S. Government information system. This information system, including all related equipment, networks, and network devices, is provided for U.S.

Who May Register?

Any user can enter data challenges into the system including: general public users, commercial drivers, motor carriers, FMCSA/State Agency users, and FMCSA Administrative level users.

Commercial drivers may file challenges to their commercial driver data. To obtain their data, commercial drivers may request the information via the [pre-employment screening program \(PSP\)](#) or [Freedom of Information Act \(FOIA\)](#) websites.

Motor carrier users may file challenges to data found on their carrier profile, SAFER information, and SafeStat Online record.

What Data Is Subject To A Challenge?

The DataQs system is to be used to challenge data issued by FMCSA. Information disseminated by the FMCSA includes data reported to FMCSA through the requirements of Federal and State programs. Release of these data is done in the interest of information exchange and to satisfy the requirements of the Freedom of Information Act. The United States government assumes no liability for the use of the data.

Trusted sites | Protected Mode: Off

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MAP-21 For FMCSA

- 91 sections that require FMCSA to:
 - Initiate Rulemaking
 - Initiate Policy
 - Amend Existing Policy
 - Change an Existing Program
 - Change or Add an IT Requirement
 - Change or Add Penalty Assessments

MAP-21 For FMCSA: HM Specific

- Section 33008 – Hazmat Enforcement Training
- Section 33009 – Perishable Loads
- Section 33013 – Highway Routing of HM
 - Addition of State requirements for reporting new routes
 - Requires States to supply POC information for routing
- Section 33014 – HM Safety Permits
 - Report to Congress on whether rulemaking is necessary
 - Rulemaking, if study shows that it is necessary

The Goal

To reduce the number of serious highway incidents and fatalities that involve hazardous materials.



Summary

- Raise the bar to entry
- Raise the bar for continuing operations
- Remove bad drivers from the road

Contact Information

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