DOT AUDIT WORKBOOK

Assess Your Risk in the 7 BASICs
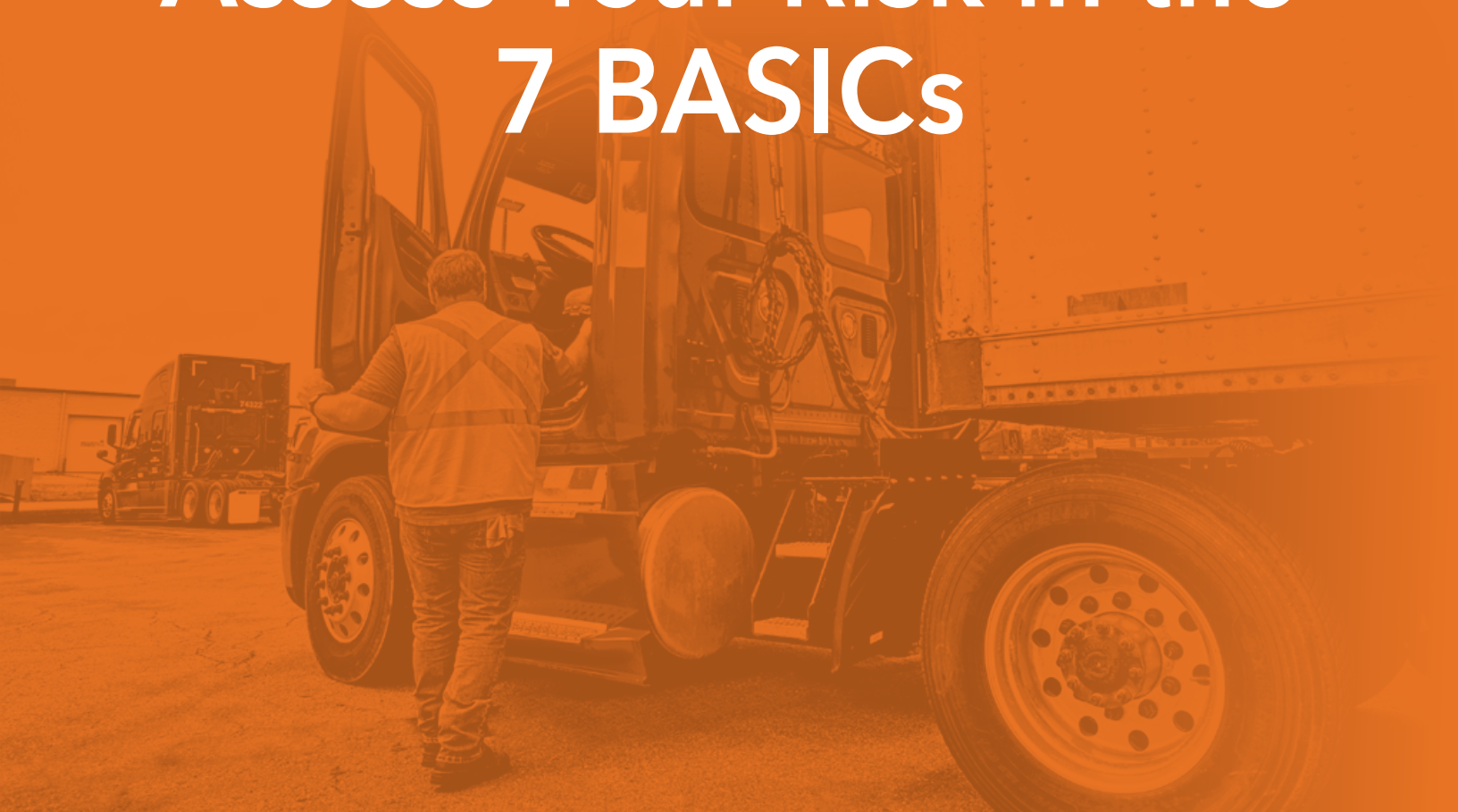
DON'T JUST PREPARE FOR A DOT AUDIT, AVOID IT!

This workbook was created to help you assess and reduce your fleet's DOT audit risk in the seven CSA BASICs by using the **FMCSA's Safety Management Cycle**. After filling out the information throughout this workbook, you'll not only be better prepared for a DOT audit, you'll be better prepared to avoid one!

TABLE OF CONTENTS

AUDITS 101

> ⚠ Preparing for a DOT audit may seem like a great idea, but it's like calling an attorney *after* you need one. By that time it may be too late. A far better idea is to focus on *avoiding* situations that are likely to cause an audit in the first place.

The Department of Transportation (DOT) conducts thousands of audits each year to enforce the motor carrier safety and hazardous materials regulations. The targets of these audits are interstate motor carriers, as well as in-state-only carriers that transport hazardous materials. Avoiding an audit requires you to first understand the elements impacting an audit, and then identify areas for improvement in your own safety program. So let's start at the beginning.

The industry tends to use the terms "safety audit" and "compliance review" interchangeably, yet they're quite different.

A **safety audit** is an examination of a motor carrier's operations that does not result in a safety rating. A **compliance review** determines whether a motor carrier meets the safety fitness standards and may result in the initiation of an enforcement action. Rather than splitting hairs between the two terms throughout this workbook, we'll use the generic term "audit" to discuss the entire examination process.

SAFETY MANAGEMENT CONTROLS AND THE SAFETY MANAGEMENT CYCLE

Violations found during an audit are indicators that a carrier doesn't have sufficient **safety management controls** in place.

As defined by the FMCSA, safety management controls are "the systems, policies, programs, practices, and procedures used by a motor carrier to ensure compliance with applicable safety and hazardous materials regulations which ensure the safe movement of products and passengers through the transportation system, and to reduce the risk of highway accidents and hazardous materials incidents resulting in fatalities, injuries, and property damage."

Although the FMCSA doesn't require a specific set of safety management controls, they have created the Safety Management Cycle (SMC) as their recommended approach. We'll use the Hours-of-Service Compliance BASIC to demonstrate how the SMC incorporates the following six steps:

1. POLICIES AND PROCEDURES

Policies and procedures define the "what" and "how" of a motor carrier's operations. Policies establish the guidelines for how motor carriers and their employees behave in a given situation. Procedures explain how to accomplish those policies.

EXAMPLE
Accurate hours-of-service (HOS) records are critical to ensure compliance and lower civil litigation risk. To that end, log falsification will not be tolerated and records must be up to date, certified and submitted daily.

> "Encompass® Fleet Management is a comprehensive solution that can help you manage risk and compliance by applying the Safety Management Cycle controls."
>
> *Rick Malchow,*
> *J. J. Keller Industry*
> *Business Advisor*

SAFETY MANAGEMENT CYCLE

6 • Improvement areas
• Compliance program review — Meaningful Action

1 • Commitment to safety & compliance
• Audit protection — Policies & Procedures

2 • Assign ownership
• Define metrics — Roles & Responsibilities

5 • Performance at employee, location level
• Driver & vehicle data — Monitoring & Tracking

4 • Long term investment/payoff
• Create tenured team — Training & Communication

3 • Tight control on DQ files
• Scrutinize new hires & keep them — Qualification & Hiring

2. ROLES AND RESPONSIBILITIES

Roles and responsibilities clearly define what each employee should do to successfully implement the policies and procedures.

EXAMPLE

Drivers will use a company supplied electronic logging device (ELD) to record off-duty, sleeper-berth, driving, and on-duty times. These records are to be maintained to the last duty status change. Drivers will alert their manager of any unfeasible assignment or situation that may lead to an hours-of-service limit being exceeded. Driver managers will electronically monitor all drivers that they are responsible for and proactively work to a solution before the driver is out of hours. Customer service will work with suppliers, shippers, and receivers to resolve any unrealistic delivery windows, driver detention, or driver parking concerns.
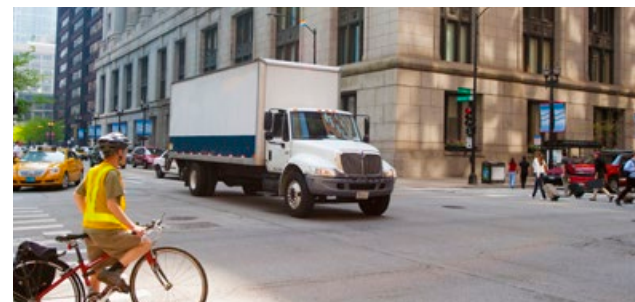
3. QUALIFICATION AND HIRING

Driver qualification and hiring covers recruiting and screening applicants to fulfill the roles and responsibilities for positions.

EXAMPLE

Drivers, driver managers and dispatchers must demonstrate proficiency regarding the regulatory limits for drivers found in 49 CFR 395.3. On the company's "New Hire HOS Exam," all new associates must receive a score of 100%. Before a driver hiring decision, a potential driver's Pre-Employment Screening Program (PSP) report will be obtained and checked for excessive HOS violations (more than 2 in any 30-day period). An offer of employment may not be extended without written approval from the location's Safety Manager if the PSP indicates excessive HOS violations.

4. TRAINING AND COMMUNICATION

Training and communication functions outline a motor carrier's communication of its policies, procedures, roles, and responsibilities so that everyone understands the expectations and has the adequate skills and knowledge to perform their assigned function.

EXAMPLE

No later than two hours before an HOS limit is reached, drivers are required to communicate any potential HOS non-compliance event. Driver managers will review every recorded violation flag and unassigned driving event within 24 hours of occurrence to determine root cause. If the violation occurred due to lack of training or communication, appropriate remedial training of the responsible associate will be executed within five business days.

5. MONITORING AND TRACKING

Monitoring and tracking controls concentrate on the need to have a system in place to monitor and track employee performance that enables companies to be aware of their employees' safety performance and compliance with its policies and procedures and how they execute their roles and responsibilities. Monitoring represents the motor carrier looking at the performance of the operation, and tracking is assessing the data collected.

EXAMPLE

Driver managers will daily track, annotate, or correct each flagged violation or unassigned driving event. Safety managers will prepare a monthly violation report indicating all violations, unassigned driving, and edits. This report's hierarchy will be at the driver and driver manager level. They'll also prepare a quarterly HOS violation summary report indicating all violations by type, unassigned events, and HOS edits at the terminal and driver manager's hierarchy level.

6. MEANINGFUL ACTION

The meaningful action component of the Safety Management Cycle gives motor carriers the tools to correct or improve employee behavior. This could include refresher training and positive reinforcement, such as rewards or bonuses, in order to improve the motor carrier's overall safety performance.

EXAMPLE

This carrier has a no tolerance for log falsification. Any associate that falsifies or alters an HOS record with the intent to falsify will be terminated. All excessive violations (in any 30-day period more than two for a driver, five for driver manager, or 10 for a safety manager) will be recorded and a corrective action plan devised and implemented.

THE FLEET PROFESSIONAL'S CHOICE

Encompass® Fleet Management is the fleet professional's choice because it takes the complexity out of compliance, reduces risk, improves operations, and saves time.
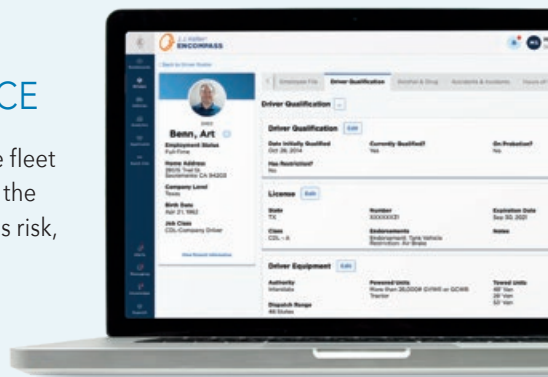
Encompass provides:

✔ Online application & consent forms
✔ 500+ training topics
✔ DOT compliance checklists
✔ Track drug & alcohol testing results
✔ eDVIRs & defect resolution tracking
✔ Vehicle costs & utilization
✔ Maintenance tracking & scheduling
✔ Fleet legalization, and a lot more

ROADSIDE INSPECTIONS AND YOUR CSA SCORES

Roadside inspections are a critical component of the CSA program, which relies on data from well **over 3 million roadside inspections every year** to grade motor carriers and drivers on their on-the-road safety performance. This is where the rubber meets the road. During a roadside inspection, there are several opportunities for violations to be discovered beyond the item(s) that may have originally warranted the inspection, and these can be directly tied to your safety management controls.

For example, any time your driver is inspected, their credentials are checked and can result in a violation that falls under the Driver Fitness BASIC, some of which are:

> ❯ A CDL lacks proper endorsements

> ❯ The driver's license is expired

> ❯ The driver does not have the correct CDL for the vehicle being driven

> ❯ The medical certification may be expired. (Non-CDL driver medical card or the CDL driver's medical certification status on the MVR)

Every roadside inspection report attributed to your company and your driver – with or without a scored violation – is factored into your CSA scores for the next 24 or 36 months, respectively.
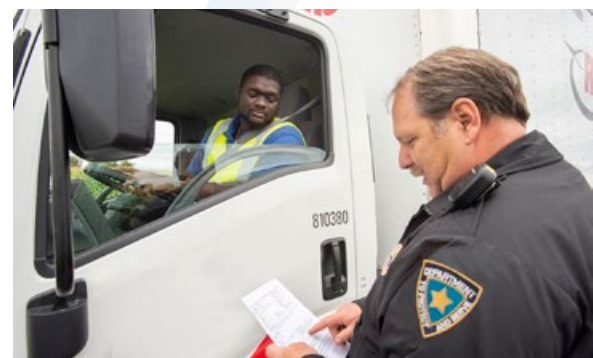
THE CSA 7 BASICS

The FMCSA's **Compliance, Safety, Accountability (CSA) program** collects data from drivers' accidents and safety-related violations found at roadside inspections to track and evaluate a carrier's safety performance. The data is divided into seven **Behavior Analysis and Safety Improvement Categories (BASICs)**, which consist of:

Unsafe Driving – Parts 392 and 397

Crash Indicator

Hours-of-Service Compliance – Parts 395 and 392

Vehicle Maintenance – Parts 393, 396, and Appendix G

Controlled Substances/Alcohol – Parts 382 and 392

Hazardous Materials (HM) Compliance – Parts 171-173, 177-180, and 397

Driver Fitness – Parts 383 and 391

ASSESSING YOUR RISK

By filling out the information in this workbook, you'll be able to more accurately assess your DOT audit risk in the seven CSA BASICs.

(!) Within each **BASIC section are fill-in-the-blank questions for identifying** the practices your fleet should have in place to ensure compliance with the regulations. These practices are based on the six steps in the FMCSA's Safety Management Cycle.

MY BASIC SCORE

Need help? See page 10.

At the beginning of each BASIC chapter you'll have an opportunity to **record your CSA score** for that BASIC to give you a better picture of your risk. You can view your fleet's CSA score in each BASIC by visiting the FMCSA website at **https://ai.fmcsa.dot.gov/Login/** and entering your User ID and Password.

UNSAFE DRIVING BASIC:
PARTS 392 AND 397

A commercial driver representing your company that is operating his or her commercial motor vehicle in an unsafe manner is a reflection upon your company and its safety management controls. Because of this, the **Unsafe Driving BASIC** draws much attention from multiple stakeholders in the transportation industry, including shippers, insurance providers, enforcement, and a plaintiff's attorneys in the event of a high-profile crash.

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. When carriers have a lot of unsafe driving events compared to their mileage and number of power units, it's not a matter of *if* an accident will occur, but when and how serious.

EXAMPLES OF UNSAFE DRIVING VIOLATIONS

VIOLATION	SEVERITY
Driving a CMV while texting or using a hand-held cell phone	10
Speeding: 11-14 mph over limit	7
Driving a CMV without a seatbelt	7

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

| Do you have policies and procedures related to?	
Company speed limit for the drivers	☐ Y ☐ N ☐ UNSURE
Moving violations	☐ Y ☐ N ☐ UNSURE
Reviewing PSPs as part of onboarding	☐ Y ☐ N ☐ UNSURE
Safety Performance History as part of onboarding	☐ Y ☐ N ☐ UNSURE
Reviewing MVRs	☐ Y ☐ N ☐ UNSURE
Annual reviews	☐ Y ☐ N ☐ UNSURE
Prohibited driving practices	☐ Y ☐ N ☐ UNSURE
Log auditing for speeding	☐ Y ☐ N ☐ UNSURE
Use of electronic equipment while driving	☐ Y ☐ N ☐ UNSURE
Inattentive driving	☐ Y ☐ N ☐ UNSURE
Safe driving recognition and incentives	☐ Y ☐ N ☐ UNSURE

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Company speed limit for the drivers	
Moving violations	
Reviewing PSPs as part of onboarding	
Safety Performance History as part of onboarding	
Reviewing MVRs	
Annual reviews	
Prohibited driving practices	
Log auditing for speeding	
Use of electronic equipment while driving	
Inattentive driving	
Safe driving recognition and incentives	

Did You Know?

There are almost **130,000 CMV speeding violations** reported each year – **over 2 times more** than any other Unsafe Driving violation.
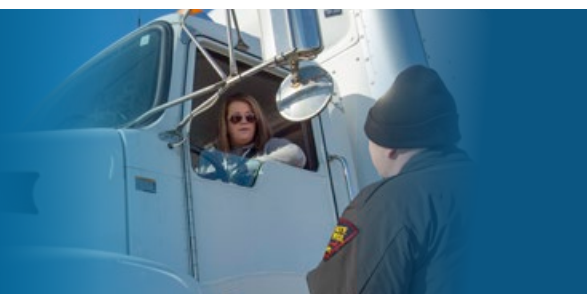
QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the Unsafe Driving BASIC?
	Example: Have no more than three Unsafe Driving violations in the previous three years.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the Unsafe Driving BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On-Demand		☐ Y ☐ N ☐ UNSURE

J. J. KELLER® ENCOMPASS® TRAINING

Many carriers struggle to proactively manage safety and training. **Encompass® Training** and recordkeeping provides a better way to fulfill DOT compliance requirements and maintain efficient operations.

You can assign video and on-demand training to your drivers via email or text. Drivers complete training at their convenience using the J. J. Keller® Training mobile app, on the road or at home. They can even download courses to complete them at a later time without an internet connection!

J. J. Keller® Encompass is the only fleet management system that delivers best-in-class DOT compliance with award-winning training to help you mitigate risk and comply with FMCSA requirements.

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
Unsafe Driving BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
Unsafe Driving BASIC roadside inspection violations *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE
Unsafe Driving BASIC roadside inspection violations *by location*	☐ Y ☐ N ☐ UNSURE
Unsafe Driving BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
Top 10 Unsafe Driving BASIC violations weighted *by count and severity*	☐ Y ☐ N ☐ UNSURE
Using in cab technology - hard braking	☐ Y ☐ N ☐ UNSURE
Using in cab technology - speeding	☐ Y ☐ N ☐ UNSURE
Each driver's driving score card	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
Unsafe Driving BASIC roadside inspection violations *by driver*	
Unsafe Driving BASIC roadside inspection violations *by driver manager/dispatcher*	
Unsafe Driving BASIC roadside inspection violations *by location*	
Unsafe Driving BASIC roadside inspection violations *by USDOT number*	
Top 10 Unsafe Driving BASIC violations weighted *by count and severity*	
Using in cab technology - hard braking	
Using in cab technology - speeding	
Each driver's driving score card	

CRASH INDICATOR BASIC

By performing a self-audit of the details surrounding your crashes within the past 36 months (those that appear on your accident register), you may be able to **reduce the probability of being involved in another (more serious) crash**. Tracking your data is not an option in the case of accidents. Per §390.15(b) all motor carriers must maintain an accident register containing specific information for each accident.

Because some feel that it is unfair that "preventability" is considered in the calculation of the **Crash Indicator BASIC** score, the FMCSA developed the **Crash Preventability Determination Program** (CPDP). The program allows certain types of non-preventable accidents to be removed from consideration when calculating the carrier's Crash Indicator BASIC measure or percentile. But why do insurance companies look at all accidents to determine risk? It's because if a driver or carrier is in the wrong place at the wrong time, and are in those times and places often, maybe it's them. A driver may not be cited, but accidents are often a result of a chain of events. 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.**

EXAMPLES OF CRASH INDICATOR VIOLATIONS

VIOLATION	SEVERITY
Injury or fatality with hazmat release	3
Tow-away with hazmat release	2
Tow-away with no injuries or fatalities	1

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

Do you have policies and procedures related to?	
Accident filing and tracking	☐ Y ☐ N ☐ UNSURE
Accident review (preventability - contributing factors)	☐ Y ☐ N ☐ UNSURE
Accident investigation (on scene - risk assessment)	☐ Y ☐ N ☐ UNSURE
Accident preventability evaluations	☐ Y ☐ N ☐ UNSURE
Reviewing driver's accident record prior to onboard	☐ Y ☐ N ☐ UNSURE
Reviewing driver's accident record at least annually	☐ Y ☐ N ☐ UNSURE
Accident-free recognition and incentives	☐ Y ☐ N ☐ UNSURE
Progressive disciplinary action	☐ Y ☐ N ☐ UNSURE
Remedial training programs	☐ Y ☐ N ☐ UNSURE
Formal fleet safety program	☐ Y ☐ N ☐ UNSURE

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Accident filing and tracking	
Accident review (preventability - contributing factors)	
Accident investigation (on scene - risk assessment)	
Accident preventability evaluations	
Reviewing driver's accident record prior to onboard	
Reviewing driver's accident record at least annually	
Accident-free recognition and incentives	
Progressive disciplinary action	
Remedial training programs	
Formal fleet safety program	

Did You Know?

A reportable crash involves vehicles being towed from the scene, an injury treated immediately away from the scene, or a fatality.

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the Crash Indicator BASIC?
	Example: Demonstrate defensive driving skills during their preemployment road test.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the Crash Indicator BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
Serious, injury, and fatal accidents	☐ Y ☐ N ☐ UNSURE
Slow maneuvering and non-reportable accidents	☐ Y ☐ N ☐ UNSURE
Crash rate tracked *by driver*	☐ Y ☐ N ☐ UNSURE
Crash rate tracked *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE
Crash rate tracked *by location*	☐ Y ☐ N ☐ UNSURE
Crash rate tracked *by USDOT number*	☐ Y ☐ N ☐ UNSURE
Each driver's accident score card	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
Serious, injury, and fatal accidents	
Slow maneuvering and non-reportable accidents	
Crash rate tracked *by driver*	
Crash rate tracked *by driver manager/dispatcher*	
Crash rate tracked *by location*	
Crash rate tracked *by USDOT number*	
Each driver's accident score card	

ENCOMPASS® WITH ELOGS

J. J. Keller® ELogs provide a comprehensive, secure, and mandate-compliant solution that works in every vehicle class (1-8). The three-part system – an easy-to-install ELD, the Encompass® ELD mobile app, and the Encompass® back-office – offers driver-friendly features, multiple hours-of-service rulesets, and it supports exempt and non-regulated operations. Optional performance management and automated IFTA reporting are available.

The **Encompass® Platform** helps carriers and private fleets manage their DOT-required compliance recordkeeping, like:

- Hours of service,
- Driver qualification and hiring,
- Fleet legalization,
- DVIRs,
- Maintenance, and more.

Visibility of driver and vehicle data through analytics and reporting allows fleet professionals to run a safer, smarter, and more compliant business.

Plus, J. J. Keller® ELogs are backed by 68 years of regulatory expertise, a dedicated in-house support team, and includes 24/7 driver assistance, a roadside inspection hotline, DOT expert help, online training resources, and our DataQs challenge service.

To learn more, call **833-708-4634** or visit **JJKeller.com/EncompassELD**

J. J. Keller® ENCOMPASS

NEW!	DRIVER TRAINING COURSES	REGULATORY LIBRARY	DRIVER QUALIFICATION	FLEET LEGALIZATION	VEHICLE TRACKING	DASH CAMS	ELOGS & EDVIRS
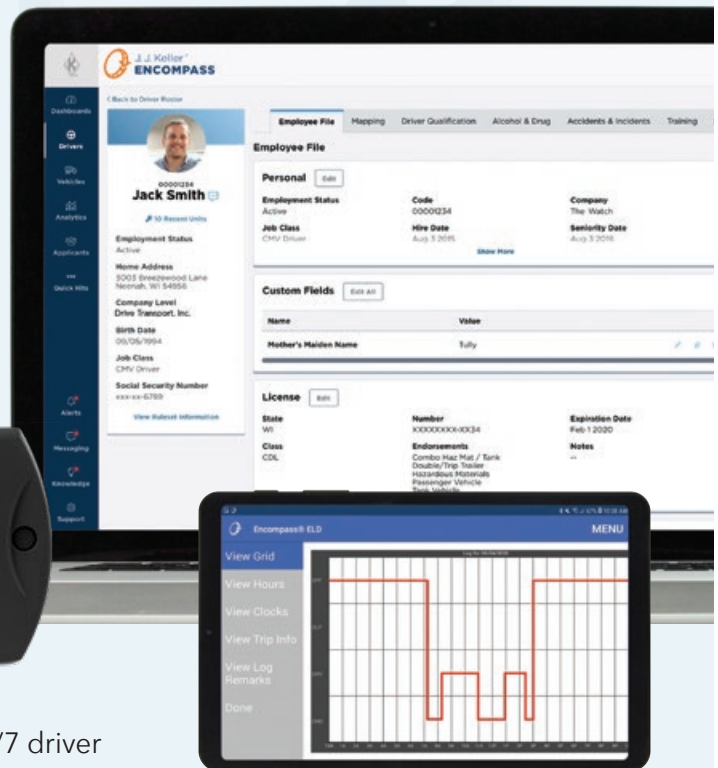
HOURS-OF-SERVICE COMPLIANCE BASIC:
PARTS 395 AND 392

Hours of Service (HOS) is a compliance area that **requires daily, if not hourly, monitoring** by both the motor carrier and driver to ensure they have enough available time to safely and legally operate a commercial motor vehicle (CMV). Multiple departments – for example, safety, operations, and sales – may need to come together when determining realistic pickup and delivery times, taking into consideration customer expectations, travel conditions, traffic delays, and HOS limits.

During an actual investigation, FMCSA enforcement personnel will use the safety management cycle as a means of determining the root cause of an HOS violation. A deficiency in a safety program will have its origin within one of the categories of safety management controls in the model. **These are areas in which a motor carrier is called upon to continuously improve its safety compliance efforts.**

You may want to view the **Hours-of-Service Compliance BASIC** as the fraternal twin of the Vehicle Maintenance BASIC. **The scores of these two BASICs tend to rise and fall together.** Pay attention to the details in one and the other will come along for the ride. Ignore one, and the focus on the other will also wane. Keep this in mind and see if it's not true for your operation as well.

EXAMPLES OF HOURS OF SERVICE VIOLATIONS

VIOLATION	SEVERITY
Operating a CMV while ill or fatigued	10
Violating any federal or state hours-of-service limits	7
Failing to keep log current	5

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

Do you have policies and procedures related to?			
Supporting documents	☐ Y	☐ N	☐ UNSURE
Log auditing	☐ Y	☐ N	☐ UNSURE
General HOS limits and recording	☐ Y	☐ N	☐ UNSURE
Electronic logging	☐ Y	☐ N	☐ UNSURE
Split sleeper-berth	☐ Y	☐ N	☐ UNSURE
Adverse driving - emergencies	☐ Y	☐ N	☐ UNSURE
Short-haul	☐ Y	☐ N	☐ UNSURE
Acceptable HOS exceptions/rule sets	☐ Y	☐ N	☐ UNSURE
Operating ill or fatigued	☐ Y	☐ N	☐ UNSURE
Personal conveyance	☐ Y	☐ N	☐ UNSURE
Off-highway (yard movements)	☐ Y	☐ N	☐ UNSURE
Roadside inspections	☐ Y	☐ N	☐ UNSURE
Log falsification	☐ Y	☐ N	☐ UNSURE

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Supporting documents	
Log auditing	
General HOS limits and recording	
Electronic logging	
Split sleeper-berth	
Adverse driving - emergencies	
Short-haul	
Acceptable HOS exceptions/rule sets	
Operating ill or fatigued	
Personal conveyance	
Off-highway (yard movements)	
Roadside inspections	
Log falsification	

Did You Know?
More than 40% of all driver violations cited during roadside inspections are for hours of service?

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the HOS BASIC?
	Example: Possess planning skills sufficient to ensure when operation can occur or stopping is either required or prudent.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the HOS BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
HOS BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
HOS BASIC roadside inspection violations *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE
HOS BASIC roadside inspection violations *by location*	☐ Y ☐ N ☐ UNSURE
HOS BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
HOS BASIC violations found by electronic or manual log audits	☐ Y ☐ N ☐ UNSURE
Top 10 HOS BASIC violations weighted *by count and severity*	☐ Y ☐ N ☐ UNSURE
Each driver's HOS score card	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
HOS BASIC roadside inspection violations *by driver*	
HOS BASIC roadside inspection violations *by driver manager/dispatcher*	
HOS BASIC roadside inspection violations *by location*	
HOS BASIC roadside inspection violations *by USDOT number*	
HOS BASIC violations found *by electronic or manual log audits*	
Top 10 HOS BASIC violations weighted *by count and severity*	
Each driver's HOS score card	

VEHICLE MAINTENANCE BASIC:
PARTS 393, 396, AND APPENDIX G

Year over year, there are more violations issued in the **Vehicle Maintenance BASIC** than all other BASICs combined. **Over 65% of violations issued at roadside inspections are due to this one category**. With nearly a 1 out of 5 statistical chance of being placed out of service due to a mechanical defect or cargo securement violation, it would be wise for a motor carrier to examine its vehicle maintenance and inspection program and cargo securement devices and training.

There are **three primary expenses** every time a driver shuts down due to a mechanical issue. These hold true whether the downtime was a result of a breakdown or being placed out of service:

❯ Cost of sending help
❯ Increased cost of repair at the roadside as opposed to a trusted shop or vendor
❯ Lost revenue generated by the equipment and driver

There are also **three variable costs:**

❯ Impact on customer service and relationship
❯ The cost of a "patch" job vs. how the repair would be done at the "home" shop
❯ If repetitive, the impact on driver turnover

While expensive, these "costs" pale in comparison to your liability exposure if maintenance issues were a contributing factor in an accident.

EXAMPLES OF VEHICLE MAINTENANCE VIOLATIONS

VIOLATION	SEVERITY	MY BASIC SCORE
Violating a vehicle out-of-service order	10	✎
Improper load securement	7	
Brake-related violations	4	Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

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

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Pre-trip inspections	
Post-trip inspections	
Enroute inspections	
Roadside inspections	
Annual/periodic inspections	
Emergency equipment inspections	
Driver vehicle inspection report (DVIR)	
Preventative maintenance	
Over-the-road breakdowns	
Cargo securement	
Maintenance records	
Roadside inspection vehicle out-of-service order	
Vehicle bad order tags	

Did You Know?
Nearly 25% of the violations in the Vehicle Maintenance BASIC involve lamps or lights?

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the Vehicle Maintenance BASIC?
	Example: Their application captures all the types of cargo they have loaded, secured and transported, as well as the configuration of the vehicles operated.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the Vehicle Maintenance BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
Vehicle Maintenance BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
Vehicle Maintenance BASIC roadside inspection violations *by driver manager*	☐ Y ☐ N ☐ UNSURE
Vehicle Maintenance BASIC roadside inspection violations *by location*	☐ Y ☐ N ☐ UNSURE
Vehicle Maintenance BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
OOS vehicle violations *by driver, leader, and location*	☐ Y ☐ N ☐ UNSURE
Top 10 Vehicle Maintenance BASIC violations weighted *by count and severity*	☐ Y ☐ N ☐ UNSURE
Cargo claims due to lack of load securement	☐ Y ☐ N ☐ UNSURE
Each driver has a vehicle maintenance score card	☐ Y ☐ N ☐ UNSURE
Each shop has a vehicle maintenance score card	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
Vehicle Maintenance BASIC roadside inspection violations *by driver*	
Vehicle Maintenance BASIC roadside inspection violations *by driver manager*	
Vehicle Maintenance BASIC roadside inspection violations *by location*	
Vehicle Maintenance BASIC roadside inspection violations *by USDOT number*	
OOS vehicle violations *by driver, leader, and location*	
Top 10 Vehicle Maintenance BASIC violations weighted *by count and severity*	
Cargo claims due to lack of load securement	
Each driver has a vehicle maintenance score card	
Each shop has a vehicle maintenance score card	

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. In addition, "using a driver who has tested positive for a drug" typically ranks within the top 10 of all acute violations. Plus, "using a driver before receiving a pre-employment result" is usually within the top 10 of all critical violations. Based on this enforcement data, the FMCSA takes the issue of drug use and alcohol misuse by commercial drivers very seriously. **No other BASIC comes close to the out-of-service rate of nearly 100%.**

A carrier can go from no score in this BASIC to being over the threshold with just one violation. There is generally no trendline to let you know that there is risk exposure. The carrier's Safety Management Cycle must stay in front of what's happening on the road. Since there are no offsetting "clean" inspections, only time "heals the wounds" of having a high **Controlled Substances & Alcohol BASIC** score compared to your peer group.

DOT ALCOHOL & DRUG PROGRAM COMPLIANCE

Keeping track of your tests is tough. Requests, results, deadlines – you need to stay on top of it all.

The Encompass® Platform can help. Easily import and upload documents, track tests, MRO information, and return-to-work status.

Encompass requires and supports user roles to protect safety-sensitive information.

Schedule a demo to learn more.

EXAMPLES OF CONTROLLED SUBSTANCES & ALCOHOL VIOLATIONS

VIOLATION	SEVERITY
Violating an out-of-service order related to drug and alcohol use	10
Using or possessing controlled substances	10
Possessing alcohol when on duty	3

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

Do you have policies and procedures related to?	
Pre-employment controlled substance testing and checklist	☐Y ☐N ☐UNSURE
Clearinghouse queries & reporting	☐Y ☐N ☐UNSURE
Random testing	☐Y ☐N ☐UNSURE
Reasonable suspicion testing	☐Y ☐N ☐UNSURE
Return-to-duty testing	☐Y ☐N ☐UNSURE
Follow-up testing	☐Y ☐N ☐UNSURE
Testing procedures	☐Y ☐N ☐UNSURE
Prohibitive use	☐Y ☐N ☐UNSURE
Refusal to submit to a required alcohol or controlled substances test	☐Y ☐N ☐UNSURE
Handling of test results, record retention, and confidentiality	☐Y ☐N ☐UNSURE
Reporting of results in a management information system	☐Y ☐N ☐UNSURE
Removal from safety related function	☐Y ☐N ☐UNSURE

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Pre-employment controlled substance testing and checklist	
Clearinghouse queries & reporting	
Random testing	
Reasonable suspicion testing	
Return-to-duty testing	
Follow-up testing	
Testing procedures	
Prohibitive use	
Refusal to submit to a required alcohol or controlled substances test	
Handling of test results, record retention, and confidentiality	
Reporting of results in a management information system	
Removal from safety related function	

Did You Know?

Two DUI or DWI convictions in any type of vehicle can result in a lifetime disqualification for your CDL drivers.

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the Controlled Substances & Alcohol BASIC?
	Example: Explains gaps of employment of more than 30 days to alleviate suspicion of unreported controlled substance and/or alcohol abuse or positive test result.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the Controlled Substances & Alcohol BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
Controlled Substances & Alcohol BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
Controlled Substances & Alcohol BASIC roadside inspection violations *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE
Controlled Substances & Alcohol BASIC roadside inspection violations *by location*	☐ Y ☐ N ☐ UNSURE
Controlled Substances & Alcohol BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
Random testing completion rates *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/next day/weekly/monthly/quarterly/yearly/unsure
Controlled Substances & Alcohol BASIC roadside inspection violations *by driver*	
Controlled Substances & Alcohol BASIC roadside inspection violations *by driver manager/dispatcher*	
Controlled Substances & Alcohol BASIC roadside inspection violations *by location*	
Controlled Substances & Alcohol BASIC roadside inspection violations *by USDOT number*	
Random testing completion rates *by driver manager/dispatcher*	

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.

Performing a self-audit of your hazmat records is a proactive measure so that your company does not have to fear the results of an investigation. Taking an objective look at your areas of weakness in the **HM Compliance BASIC** through a self-assessment gives you the necessary information to find the root cause(s) of violations.

EXAMPLES OF HAZARDOUS MATERIALS COMPLIANCE VIOLATIONS

VIOLATION	SEVERITY
HM load securement	10
HM package integrity violations	8
HM labeling violations	5

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

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

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Registration with FMCSA and PHMSA as a hazardous material carrier	
Security plan	
Incident and accident risk mitigation and reporting	
Spill/release prevention and procedures	
Shipping documents	
Vehicle placarding	
Vehicle washout/cleanout	
Cargo tank inspection and testing	
Package labeling and marking	
Hazardous materials plan (General)	
Hazmat employee training	
Loading procedures	
Load segregation	
Enroute inspections	

Did You Know?
Most high-severity violations in this BASIC relate to securement or packaging, so a low score depends on proper packaging and securement.

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the HM Compliance BASIC?
	Example: Explains gaps of employment of more than 30 days to alleviate suspicion of unreported controlled substance and/or alcohol abuse or positive test result.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the HM Compliance BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
HM Compliance BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
HM Compliance BASIC roadside inspection violations *by driver manager*	☐ Y ☐ N ☐ UNSURE
HM Compliance BASIC roadside inspection violations *by location*	☐ Y ☐ N ☐ UNSURE
HM Compliance BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
Top 10 HM Compliance	☐ Y ☐ N ☐ UNSURE
BASIC violations weighted *by count and severity*	☐ Y ☐ N ☐ UNSURE
Hazardous material incidents and accidents	☐ Y ☐ N ☐ UNSURE
Each driver's HM score card	☐ Y ☐ N ☐ UNSURE
Hazmat employee training	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
HM Compliance BASIC roadside inspection violations *by driver*	
HM Compliance BASIC roadside inspection violations *by driver manager*	
HM Compliance BASIC roadside inspection violations *by location*	
HM Compliance BASIC roadside inspection violations *by USDOT number*	
Top 10 HM Compliance	
BASIC violations weighted *by count and severity*	
Hazardous material incidents and accidents	
Each driver's HM score card	
Hazmat employee training	

DRIVER FITNESS BASIC:
PARTS 391 AND 383

Motor carriers can become overwhelmed by the sheer volume of records they're expected to maintain on a single commercial driver. Each piece of paper has a role in ensuring that only qualified, competent drivers are behind the controls of a commercial motor vehicle. If the recordkeeping falls behind, an unqualified driver is operating a regulated vehicle. Some violations are evident during a routine roadside inspection, such as an expired medical exam. Other violations, such as a missing annual motor vehicle record (MVR), will be discovered during an audit. Compliance will be scrutinized in the event this driver is involved in a crash that results in a lawsuit. Even if your driver was not at fault, the fact that they are incompletely qualified can result in an argument that they should not have been driving.

While having the lowest relationship to crash risk, driver qualification causes much angst for many carriers. Almost one-half of the **Driver Fitness violations** result in an OOS. What's worse, there's often no "fixing it" at the roadside, so there's the risk of having to recover the vehicle and driver. In addition, due to the long retention periods of driver qualification files, it's an area that is thoroughly reviewed during a DOT audit.

EXAMPLES OF DRIVER FITNESS VIOLATIONS

VIOLATION	SEVERITY
Failing to comply with an out-of-service order	10
Driving a CMV without a CDL	8
CDL endorsement violations	8

MY BASIC SCORE

Need help? See page 10.

POLICIES AND PROCEDURES
See page 4 for more information

Do you have policies and procedures related to?	
Creation of new driver qualification files - DQ file checklists	☐Y ☐N ☐UNSURE
Driver Investigation History (DIH) discovery and review	☐Y ☐N ☐UNSURE
Contents of driver files (periodic review)	☐Y ☐N ☐UNSURE
Accessibility and security of driver's data	☐Y ☐N ☐UNSURE
Annual driver safety review	☐Y ☐N ☐UNSURE
Written examination and certificate	☐Y ☐N ☐UNSURE
Driver training	☐Y ☐N ☐UNSURE
Driver license requirements (CDL/endorsements/restrictions)	☐Y ☐N ☐UNSURE
Driver disqualifications	☐Y ☐N ☐UNSURE
Obtaining MVRs and PSPs	☐Y ☐N ☐UNSURE
Driver road tests	☐Y ☐N ☐UNSURE
Driver medical certification	☐Y ☐N ☐UNSURE
Driver submission of violations, citations, suspension, or revocation	☐Y ☐N ☐UNSURE

ROLES AND RESPONSIBILITIES
See page 5 for more information

Who is assigned in your procedures to address these areas?	HR/Driver/Manager/ Safety/Leadership/ Other/ Unsure
Creation of new driver qualification files - DQ file checklists	
Driver Investigation History (DIH) discovery and review	
Contents of driver files (periodic review)	
Accessibility and security of driver's data	
Annual driver safety review	
Written examination and certificate	
Driver training	
Driver license requirements (CDL/endorsements/restrictions)	
Driver disqualifications	
Obtaining MVRs and PSPs	
Driver road tests	
Driver medical certification	
Driver submission of violations, citations, suspension, or revocation	

Did You Know?

Most of the "top severity" violations in this BASIC relate to drivers not having a single, valid license of the proper type with all required endorsements.

QUALIFICATIONS AND HIRING
See page 6 for more information

Candidates	What qualifications are candidates expected to have regarding the Driver Fitness BASIC?
	Example: Explains gaps of employment of more than 30 days to alleviate suspicion of unreported controlled substance and/or alcohol abuse or positive test result.
Driver	
Human Resources	
Driver Manager/Dispatcher	
Safety	
Leadership	

TRAINING AND COMMUNICATIONS
See page 6 for more information

Training formats	List specific training used at your company that addresses the Driver Fitness BASIC	Does training documentation list trainer, trainee, date, and topic?
Classroom		☐ Y ☐ N ☐ UNSURE
DVD		☐ Y ☐ N ☐ UNSURE
On Demand		☐ Y ☐ N ☐ UNSURE

"I use Encompass to handle all my driver files."

"Every new hire goes into Encompass. I even use it for non-CDL employees to document their drug & alcohol test during onboarding, and to keep track of any training they need to complete.

The reporting features in Encompass are great and easy to use. I like that I'm able to manage and edit our files myself, whenever I need to. I use the expiration reports frequently to track which driver qualification files are going to expire in 30 and 60 days.

Their compliance experts are happy to answer my regulatory questions in less than 24 hours, sometimes in just a few hours.

I've been using Encompass for 6 years, and **it's a great system**. The dashboard makes it simple to view all our driver files. Encompass gives me the ability to monitor everything at a glance.

Compared to other DOT recordkeeping methods, **Encompass saves me 10-15 hours per week**."

Ysela D'Ambrosio, Safety Assistant, SC Fuels

MONITOR AND TRACKING
See page 7 for more information

We monitor and track:	
Driver Fitness BASIC roadside inspection violations *by driver*	☐ Y ☐ N ☐ UNSURE
Driver Fitness BASIC roadside inspection violations *by driver manager/dispatcher*	☐ Y ☐ N ☐ UNSURE
Driver Fitness BASIC roadside inspection violations by location	☐ Y ☐ N ☐ UNSURE
Driver Fitness BASIC roadside inspection violations *by USDOT number*	☐ Y ☐ N ☐ UNSURE
Top 10 Driver Fitness BASIC violations weighted *by count and severity*	☐ Y ☐ N ☐ UNSURE
Driver endorsements and restrictions	☐ Y ☐ N ☐ UNSURE
MVR required date	☐ Y ☐ N ☐ UNSURE
Medical certification required date	☐ Y ☐ N ☐ UNSURE
Each driver's qualification score card	☐ Y ☐ N ☐ UNSURE
Annual review due	☐ Y ☐ N ☐ UNSURE
Driver training due	☐ Y ☐ N ☐ UNSURE

MEANINGFUL ACTION
See page 7 for more information

We take action regarding:	We take action the same day/ next day/weekly/monthly/ quarterly/yearly/unsure
Driver Fitness BASIC roadside inspection violations *by driver*	
Driver Fitness BASIC roadside inspection violations *by driver manager/dispatcher*	
Driver Fitness BASIC roadside inspection violations by location	
Driver Fitness BASIC roadside inspection violations *by USDOT number*	
Top 10 Driver Fitness BASIC violations weighted *by count and severity*	
Driver endorsements and restrictions	
MVR required date	
Medical certification required date	
Each driver's qualification score card	
Annual review due	
Driver training due	

J. J. KELLER® ENCOMPASS SUPPORT

Encompass is supported by hundreds of J. J. Keller associates. Our federal and state regulatory experts, implementation and support teams, product developers, and analysts serve as an extension of your compliance team and offer essential services, like:

✔ API integration
✔ 24/7 driver support and roadside inspection hotline
✔ Implementation services
✔ Customer care and a robust online support site
✔ Expert Help with 24-hour turnaround on your DOT questions

AN OUNCE OF PREVENTION

In the words of Benjamin Franklin, **"an ounce of prevention is worth a pound of cure."** Being proactive about safety and compliance gives you considerable control over whether a DOT audit is in your future or not – particularly since the vast majority of audits and compliance reviews are not random. Even more important, you have absolute control regarding the outcome of the review. This workbook can help you identify areas that require action and oversight.

Then it's time to put your own safety management controls in place to create effective policies and procedures … assign roles and responsibilities for tasks … improve employee hiring … deliver relevant training … monitor employee performance … and continue to drive meaningful action to run a safer, more compliant fleet. Not only will you be prepared for a DOT audit, you'll be prepared to avoid an audit altogether.
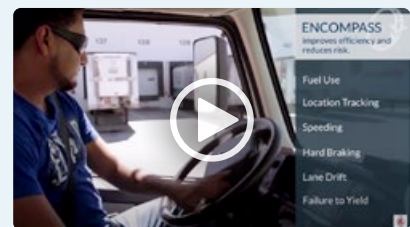
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Encompass® Platform

Rick Malchow, Industry Business Advisor

Rick joined J. J. Keller & Associates, in the spring of 2013 as a transportation management editor. Beginning in the Spring of 2020, Rick transitioned into an industry business advisor role to help transportation operations understand the regulations in plain English while advising on any resulting impact to the operation. Rick's areas of specialty are the Federal Motor Carrier Safety Regulations with an emphasis on fleet legalization, hours of service, vehicle inspections, and vehicle sizes and weights. In addition to being responsible for developing and updating content for existing materials and new products, Rick is a sought-after speaker for industry trade shows, seminars, and webcasts.

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