

JOB AID

# **DOT Driver Compliance**

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The Federal Department of Transportation regulates interstate vehicles if their Gross Vehicle Weight Rating (GVWR) or their Gross Combined Weight Rating (GCWR) is more than 10,000 pounds. Intrastate commercial motor vehicles are also subject to state DOT regulation. Most states have adopted intrastate regulations that are identical or similar to federal regulations.

## DOT Requirements

DOT requires:

- Complete driver qualifications on file
- Compliance with Hours-of-Service
- Annual DOT inspections
- Daily vehicle inspections
- Drug/alcohol testing

A qualified driver must have:

- Valid license for vehicle class
- Insurance/registration cards
- Road test certificate
- Statement of violations
- Annual driving record checks
- Drug/alcohol tests
- Inquiry to past employers (last three years)

A qualified driver must:

- Possess a current medical exam certificate
- Know how to safely drive and load, block, brace and secure cargo
- Be able to speak and read English

## Hours-of-Service Regulations

Regulations for drivers are very specific about the **amount of time** you can spend traveling and on-duty. DOT defines time in three categories: on-duty time, off-duty time, and travel time.

### On-duty Time

On-duty time includes any time you spend:

<ul style="list-style-type: none"><li>– Driving</li><li>– Waiting to be dispatched at a plant, terminal, facility or other property of a motor carrier or shipper</li><li>– Inspecting, servicing or conditioning any truck, including fueling it and washing it at any time</li><li>– Loading, unloading, supervising or attending to your truck</li><li>– Handling paperwork for shipments</li><li>– Attending to your truck when broken down</li></ul>	<ul style="list-style-type: none"><li>– Providing a breath, saliva or urine sample for drug/alcohol testing, including travel to and from the collection site</li><li>– Doing other work for a motor carrier, including giving or receiving training and driving a company car</li><li>– Doing paid work for anyone who is not a motor carrier, such as a part time job for another employer</li><li>– Riding in or on a commercial motor vehicle (as outlined in FMCSA Section 397.5)</li></ul>
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### Off-duty Time

Off-duty time refers to any time where you are:

- Relieved of all duty and responsibility for performing work
- Free to pursue activities of your own choosing
- Able to leave the place where your vehicle is parked
- Not doing work (paid or unpaid) for a motor carrier and not doing paid work for anyone else

### Travel Time

Travel time is any time when you are being transported to a new location as part of your job and **not performing any driving** on the trip. Any work you do at the direction of your motor carrier is

considered "on-duty" time. However, if you take at least 10 consecutive hours of off-duty time once you get to your destination, you may count all the time, including the travel time, as "off duty."

### **Daily Hours-of-Service Rules**

During any given day, drivers are only allowed to drive a vehicle for up to **11 total hours** within a 14-hour on-duty period, which can only begin after **10 hours of off-duty time**.

This 14-hour period does not extend based on any off-duty time you may take to comply with other Hours-of-Service rules we will cover later.

Drivers may break their 10 hours off into two periods if one off-duty period is at least 2 hours long and the other is at least 7 consecutive hours in the sleeper berth. If not, the 10 hours must happen in one period. This time off does not count against the maximum 14-hour driving window.

Once you have driven a total of 11 hours, you have reached the driving limit and must be off duty for another 10 hours before driving your truck again.

Driving is not permitted if more than **eight** hours have passed since the end of the driver's last off-duty period of at least 30 minutes.

### **Breaks**

If more than eight consecutive driving hours have passed without a 30-minute non-driving interruption, a driver **MUST** take a driving break of at least **30 minutes** before driving again. Meal breaks or any other off-duty time of at least 30 minutes qualifies as a break. The break does count against the 14 hours, as allowing off-duty time to extend the workday would cause drivers to drive long past the time when fatigue becomes extreme. Because of this short break provision, drivers will be able to work 13.5 hours in the 14-hour period (if they are driving after the 8th hour on duty).

### **Logging Hours**

A logbook is required for tracking hours of service whenever you are taking a trip of more than 100 air miles (115.08 miles on the map), or on duty more than 12 hours in one shift. Your company policy regarding tracking hours of service and use of logbooks may vary.

To log your hours of service:

- The time record must have the driver's name, start time, end time and all hours worked
- You must start and end the shift within 14 consecutive hours and must have at least 10 hours off duty between shifts (minor exceptions for short haul drivers and adverse driving conditions)
- Log your total off-duty, sleeper berth, driving and on-duty hours
- Log total miles for the day and the states in which they were driven
- Make sure that all entries on your daily log are legible

### **Electronic Logging Devices (ELDs)**

Electronic Logging Devices are the latest form of onboard technology for hours of service and duty status tracking. ELDs synchronize with vehicle engine controls, automatically recording driving time, mileage, engine hours, location and more. Drivers new to ELDs can expect familiarization training.

ELDs simplify a previously burdensome manual process, but there are a few specific new requirements to be mindful of. Each supporting document must have the driver's name, identification number, or vehicle unit number; date; location; and time.

### **Driver Fatigue**

The Hours-of-Service regulations changed to address the problem of driver fatigue, a major cause of traffic accidents. Look for warning signs and prevent drowsy driving.

### **Inspections and Safety Requirements**

**Annual inspections** are a DOT requirement. If DOT approves your state's program, you can use state inspection facilities. You can self-inspect if you meet minimum requirements. The completed inspection form or sticker must remain in or on the vehicle. Remember, all trailers must also be inspected.

In addition to the required annual inspections, **daily vehicle inspections** must be performed by the driver before and after each trip. Fill out an inspection report and file it if any vehicle defects or deficiencies are found.

### **Safety Equipment**

Safety equipment is required on all vehicles, including a fire extinguisher, three DOT-approved triangles or six 30-minute flares, and spare fuses or circuit breakers. A first aid kit is highly recommended. Some states issue citations for surge brakes on trailers.

### **Your Responsibilities**

You are responsible for making sure the vehicle you drive is in safe operating condition. During a trip, monitor the condition of vehicle components that may affect the safety of the vehicle. If something seems to be wrong with the vehicle, stop and check it out. Do not continue with the trip until you are satisfied it is safe to do so.

### **Drug/Alcohol Testing**

DOT requirements for drug and alcohol testing apply to drivers of vehicles over 26,000 Gross Vehicle Weight Rating only. The Pipeline and Hazardous Materials Safety Administration (PHMSA) also has requirements that apply to drivers transporting hazardous materials. Drug and alcohol testing can occur during pre-hire screening, at random, post-accident, or it can be based on a reasonable suspicion.

### **HAZMAT Compliance**

DOT regulates the transportation of hazardous materials. Registration is required if you are shipping or offering a shipment requiring a placard. Employers are required to train all employees who handle HAZMAT in commerce. There are rules regarding the marking and labeling of hazardous materials, the use of placards, and the shipping papers that must accompany them.

### **Reporting Safety Issues**

Drivers need to report safety concerns to their employers. Personnel can contact the Department of Transportation regarding possible violations of commercial vehicle safety regulations at (888) 368-7238 or (888) DOT-SAFT.

Drivers are fully protected by law against being discharged, disciplined, or discriminated against regarding compensation, terms or privileges of employment because of filing a report. There are also whistleblower protections. To qualify, employees must have alerted their employer to the hazardous safety or security condition and must have asked for and been unable to obtain a resolution to the issue.

## DOT Audits

DOT auditors review documents, including:

- Listing of regulated vehicles and drivers
- Qualification files
- Drug/alcohol testing summaries
- Reportable accident register
- Hours-of-Service records
- Routine maintenance records
- Training records for HAZMAT and drug/alcohol program
- Daily inspection reports showing vehicle defects or deficiencies
- HAZMAT shipping documents
- Annual inspection records

## CSA Program

The Compliance, Safety, Accountability (CSA) program is intended to reduce commercial motor vehicle incidents through early identification and correction of at-risk carrier and driver behaviors. In this program, carriers and drivers are rated based on seven categories of performance data extending beyond on-site program compliance reviews.

Safety ratings WILL be visible through DOT's information system. Poor carrier ratings result in fines, higher insurance premiums, and increased scrutiny (for example, targeted roadside inspections). Safety ratings are associated with **specific drivers** and these ratings are visible to DOT as well as your present and future employers. Poor driver safety ratings can affect a driver's ability to work or get a job.