

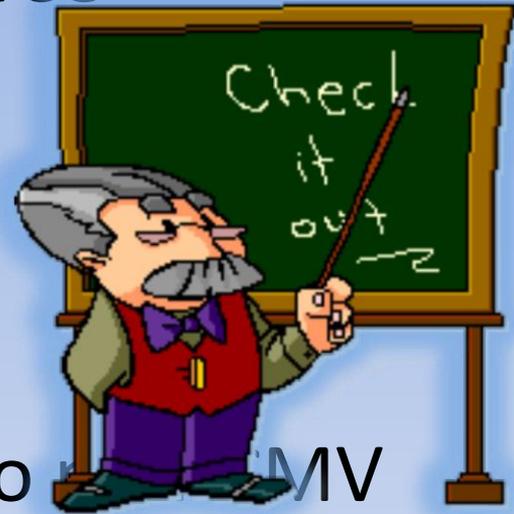


CMV Regulations Update

Inspector Troy Larsen
Wisconsin State Patrol

Today's Topics

- CDL Absolute sobriety
- CDL OWI changes relating to CDL MV operation
- Load securement
- Roadside inspection



CDL Absolute Sobriety



- 346.63(7)(a) No person may drive or operate or be on duty time with respect to a commercial motor vehicle in the following circumstances:

-
-
-

No matter how
Good the deal is
at the Kwik Trip

You can't have
Alcohol in the
truck!!



0.0.
t been under
ardless of its
gardless of its

Alcohol Limits for CD Operators

Minimum OWI fine is
\$803.00

You are
ed at

out less than



THIS IS THE SCENARIO

You are attending a Whitetails Unlimited Banquet tonight. When you arrive you have a couple beers before heading in for supper. At supper you have a couple old fashions. Next thing you know you just won the grand prize. An all expense paid whitetail hunt anywhere in the U.S. for yourself and the 3 buddies your with.



Back to the bar to celebrate with A few drinks!



Look at the time - 12 o'clock already

BETTER TAKE A TAX HOME



YOU GET TO BED AT 1 A.M.

AT A .145 BAC!!!!

RISE AND SHINE

IT'S 6 A.M.

STILL AT A .070 BAC!!



IN THE TRUCK AND READY TO DRIVE BY 7 A.M.

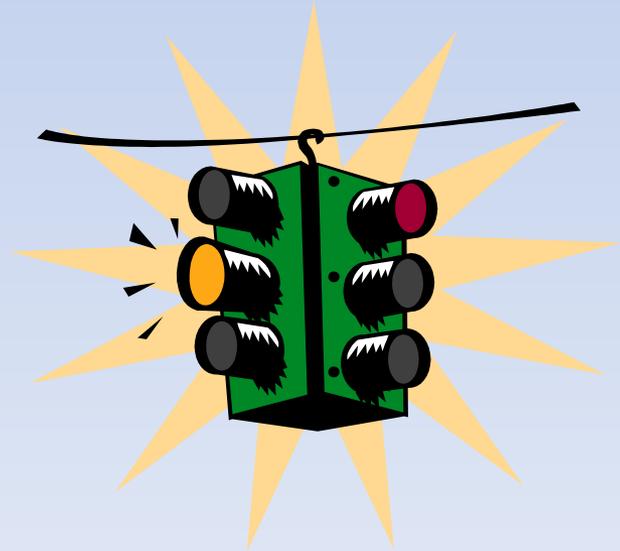
AT A .055 BAC!!!!



8:00 A.M. CAR PULLS OUT IN FRONT OF YOU

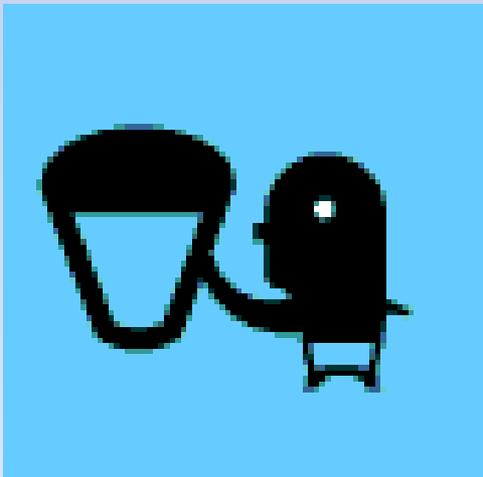
BOOM...NOT MY FAULT??

AT A .040 BAC!!



CDL Alcohol Changes 9-30-2005

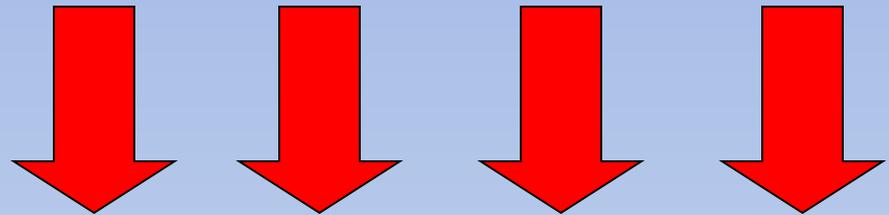
- Major changes to disqualifying offenses
- OWI in non-CMV will count against CDL



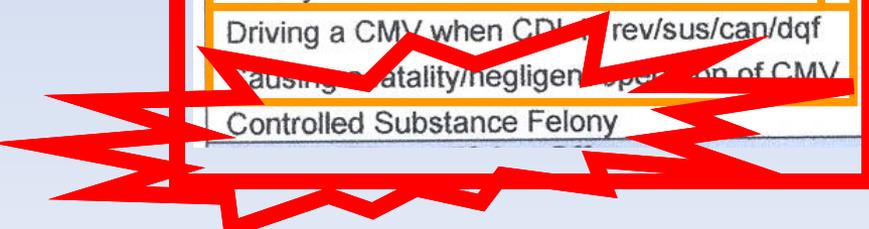
Disqualifying Offenses

- OWI
- OWI - Injury
- OWI – Great bodily harm
- OWI – Death
- Comm. Alcohol(CA) - .04-.07
- CA – Injury
- CA – Great bodily harm
- CA – Death
- Op. influence of controlled substance
- Refusal
- FT stop/report accident
- Felony
- Controlled substance Felony

Violations on or after 9/20/2005



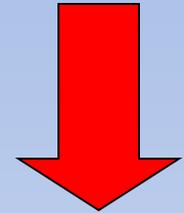
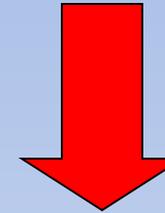
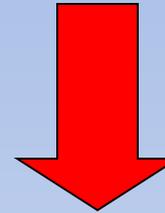
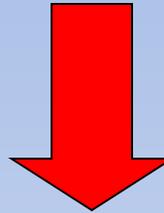
Disqualifying Offenses: Violations on or after 9/30/2005	Disqualify CDL 1 st CMV Conviction	Disqualify CDL 1 st non-CMV Conviction	Disqualify CDL 2nd CMV Conviction	Disqualify CDL 2 nd non-CMV Conviction
Operating While Intoxicated (OWI)		1 Year		Life
OWI Causing Injury		1 Year		Life
OWI Causing Great Bodily Harm		1 Year		Life
OWI Causing Death		1 Year		Life
Commercial Alcohol (CA) .04-.07	1 Year or, if HAZ MAT Conviction: 3 Years	N/A		N/A
Commercial Alcohol Causing Injury		N/A		N/A
CA Causing Great Bodily Harm		N/A	Life	N/A
CA Causing Death		N/A		N/A
Op. Under Influence of Controlled Substance			1 Year	
Refusal		1 Year		Life
Failure to Stop/Report Accident		1 Year		Life
Felony		1 Year		Life
Driving a CMV when CDL is rev/sus/can/dqf		N/A		N/A
Causing fatality/negligent operation of CMV		N/A		N/A
Controlled Substance Felony	Life	Life		Life



Serious Disqualifying Offenses – After 9-30-05

- Speeding 15 or more
- Reckless driving
- Passing illegally
- Improper/erratic lane change
- Following too closely
- Moving violation arising from a fatal accident
- Driving CMV without obtaining a CDL
- Driving a CMV without CDL in possession
- Driving a CMV without proper class or endorsement

Serious Disqualifying Offenses on or after 9/30/2005



Serious Disqualifying Offenses: Violations on or after 9/30/2005	Disqualify CDL 1 st CMV Conviction	Disqualify CDL 1 st non-CMV Conviction	Disqualify CDL 2 nd CMV Conviction	Disqualify CDL 2 nd non-CMV Conviction
Speeding 15 or more over the limit Reckless Driving Passing Illegally Improper or Erratic Lane Change Following to Closely Moving violation arising from a fatal accident Driving a CMV without obtaining a CDL Driving a CMV without a CDL in possession Driving a CMV without proper class/endorsement	N/A	2 offenses within 3 yrs: 60 days 3 offenses within 3 yrs: 120 days IF the conviction results in rev/sus or cancel of CDL, holder's license or non-CMV driving privileges	2 offenses within 3 yrs: 60 days 3 offenses within 3 yrs: 120 days	2 offenses within 3 yrs: 60 days 3 offenses within 3 yrs: 120 days IF the conviction results in rev/sus or cancel of CDL, holder's license or non-CMV driving privileges

Texting while driving- WI LAW



- 346.89(3)(a)
- No person may drive any motor vehicle while composing or sending an electronic text message or an electronic mail message.
- "Drive" means the exercise of physical control over the speed and direction of a motor vehicle while it is in motion.



Federal Cellphone Ban



- Does not apply to government entities
 - Many agencies ban the use by policy
- 392.82 Using a hand-held mobile telephone.
- No driver shall use a hand-held mobile telephone while driving a CMV.
- No motor carrier shall allow or require its drivers to use a hand-held mobile telephone while driving a CMV.

Federal Cellphone Ban



- Driving means operating a commercial motor vehicle on a highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays.
- Driving does not include
 - when the driver has moved the vehicle to the side of, or off, a highway where the vehicle can safely remain stationary.

Federal Cellphone Ban

Emergency exception.

- Using a hand-held mobile telephone is permissible by drivers of a CMV when necessary to communicate with law enforcement officials or other emergency services.

Speakerphones, hands-free and earpieces are OK

- One button operation only
- Can't move from normal seat belted location to operate single button
- Dialing must be by ONE button push or voice activated





Load Securement

ALL pieces on a trailer shall
be secured to the unit

- Gravity is not a form of load securement



TIE-DOWN STRAPS

Keeps The Gravel From Falling Off

DEMOTTVATINGPOSTERS.COM

General Requirements

- 393.100(b) Each commercial motor vehicle must, when transporting cargo on public roads, be loaded and equipped, and the cargo secured, in accordance with this subpart to prevent the cargo from leaking, spilling, blowing or falling from the motor vehicle.
- 393.100(c) Cargo must be contained, immobilized or secured in accordance with this part to prevent shifting upon or within the vehicle to such an extent that the vehicle's stability or maneuverability is adversely affected.





COMMON TYPES OF SECUREMENT

WEBBING STRAPS

- Webbing straps shall be free of cuts, holes, burns, and shall not be used if they exceed.
- 3/8" for webbing 2 inches wide.
- 5/8" for webbing 3 inches wide
- 3/4" for webbing 4 inches wide



Chain



- Shall be free of cracks, breaks, kinks, and separations.

Wire Cable



- May not be used if spliced or repaired or if 3 or more strands in the cable are broken or deteriorated.

Trailer Safety Chains



- Two separate lengths of safety chain or cable are required on all trailers.
- The chain must be so installed as to prevent the drawbar/tongue from dropping to the ground in the event of a failure to the drawbar connection.

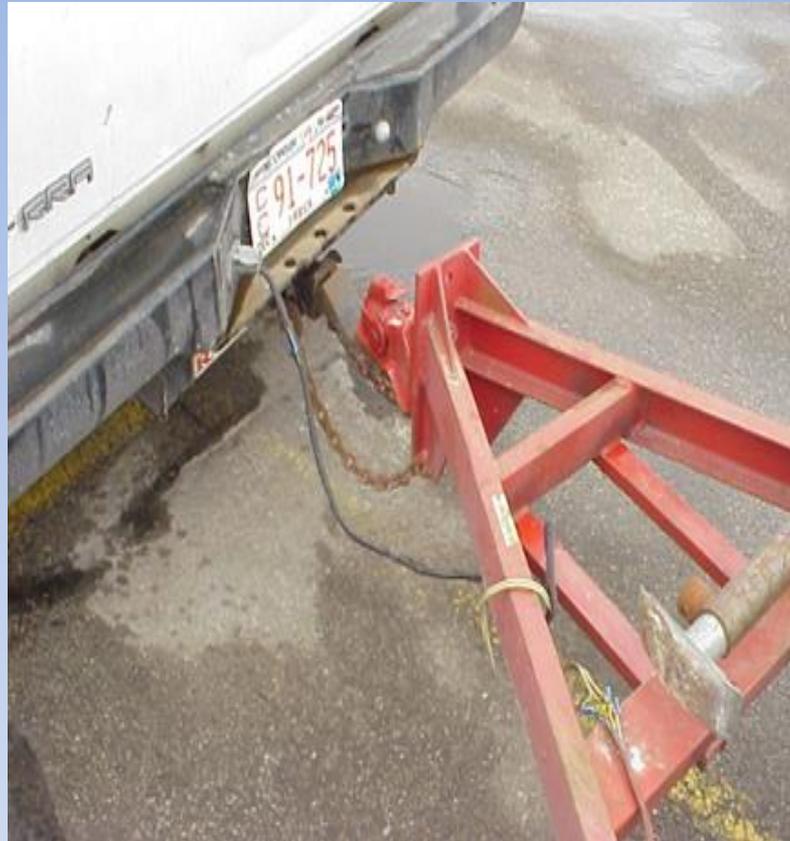
Exception

This requirement does not apply to a trailer connected by a fifth wheel/king pin assembly

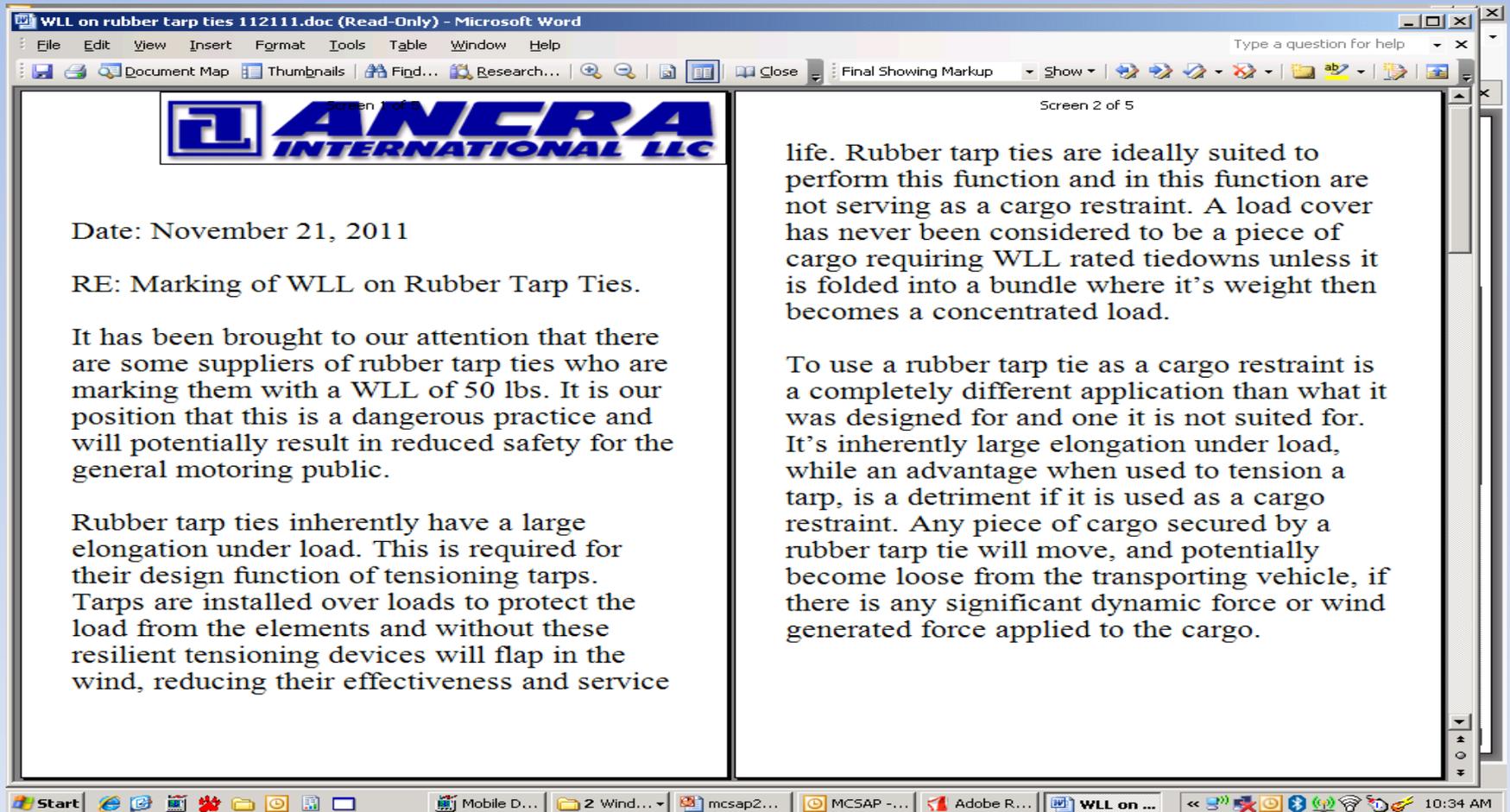
Trailer Safety Chains

To twist or not to twist

<https://www.youtube.com/watch?v=clj42no4DxY>



Rubber Straps (Bungee Cords) for Load Securement – (Document in I: drive folder)



Bungee cords can ONLY be used for tarp tensions.

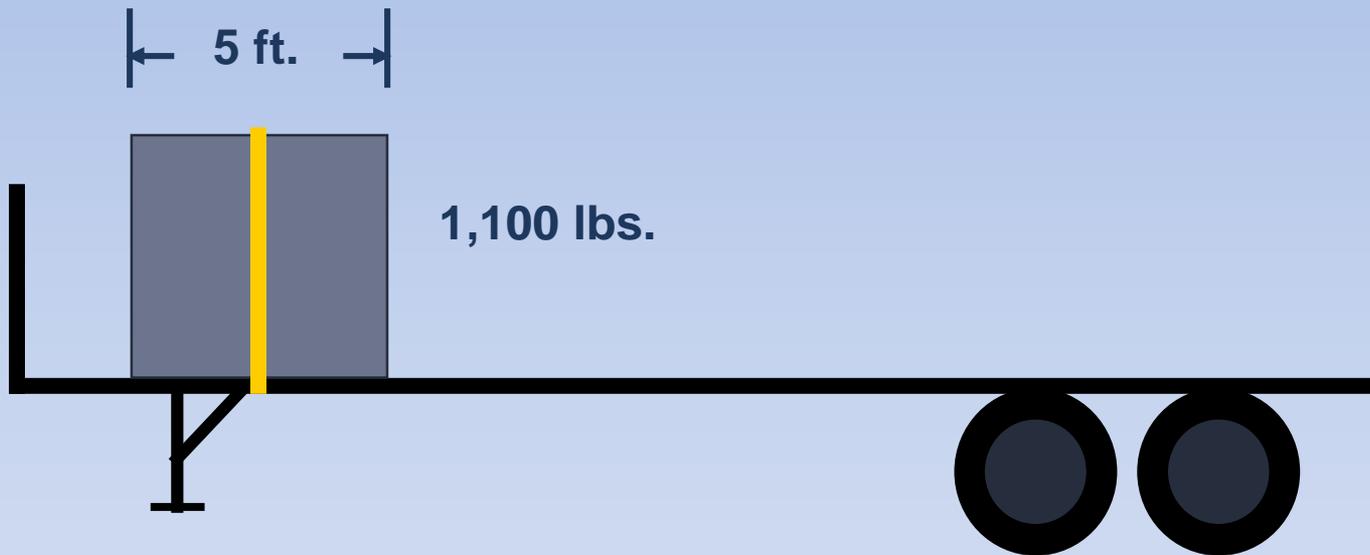
Length Requirements for Securement

- When an article is not blocked or positioned against a headerboard:
 - 1 tiedown for articles 5 feet or less in length and 1,100 pounds in weight
 - 2 tiedowns if the article is-
 - 5 feet or less in length and more than 1,100 pounds
 - Longer than 5 feet but less than or equal to 10 feet, irrespective of weight
 - 2 tiedowns if the article is longer than 10 feet and one additional tiedown for every 10 feet of article length or fraction thereof beyond the first 10 feet of length.

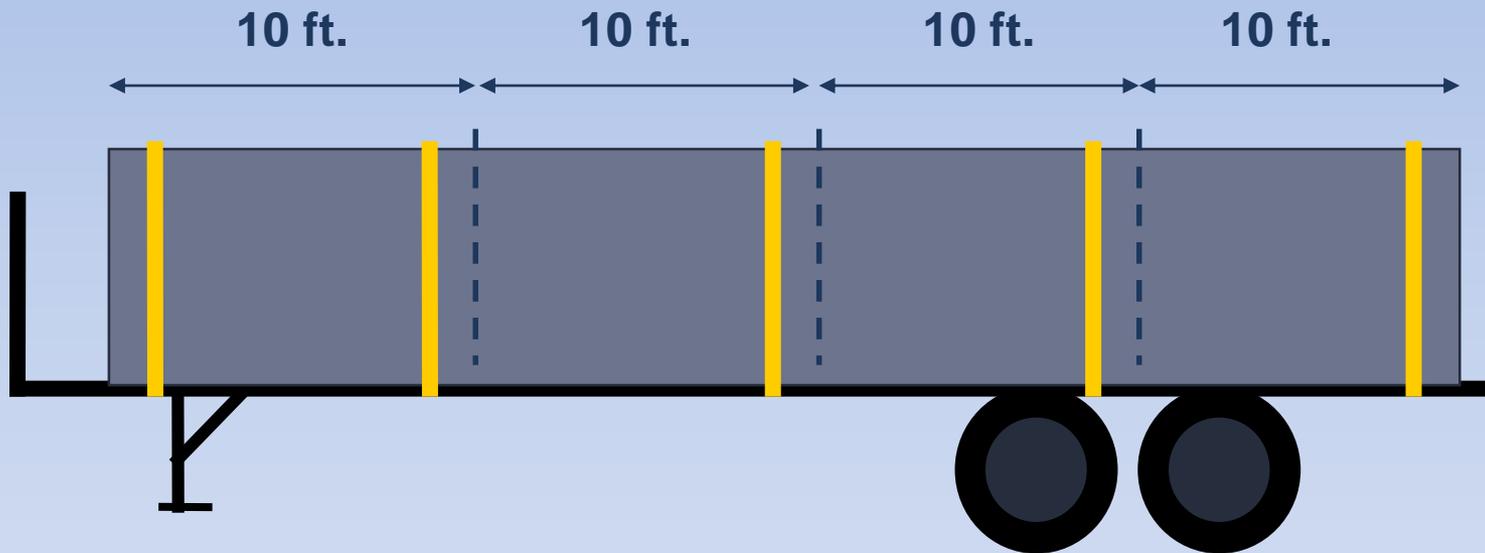
WITH HEADACHE RACK

- If an article is blocked, braced, or immobilized to prevent movement in the forward direction by a headerboard, bulkhead, other articles which are adequately secured or by an appropriate blocking or immobilization method, it must be secured by at least one tiedown for every 10 feet of article length or fraction thereof.

Example of 110(b)(1)

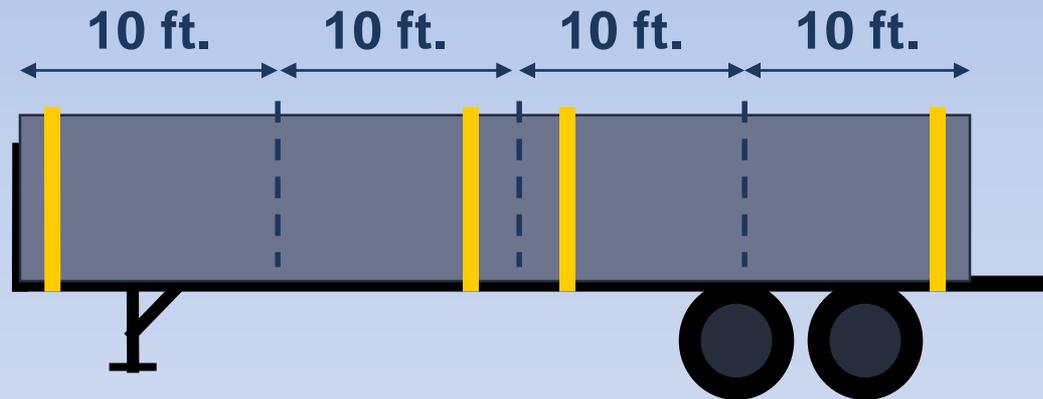


Example of 110(b)(3)



393.110(c)

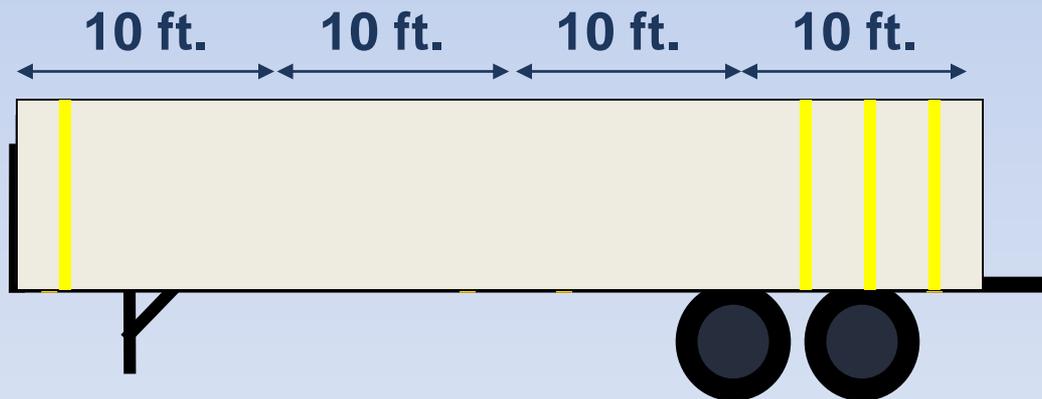
- If required to be blocked to the front by a headerboard or other like device.



- Then one device for each 10 ft. of load or fraction thereof.

OOSC Note: Tiedowns shall be positioned as follows:

iii) To accommodate anchor points or cargo damage considerations, tiedowns may be spaced or grouped at lengths greater or less than 10 feet (3.04 m).



“The regulation states “for every 10 feet of cargo” therefore, the placement of the tiedowns is better left up to the carrier”.

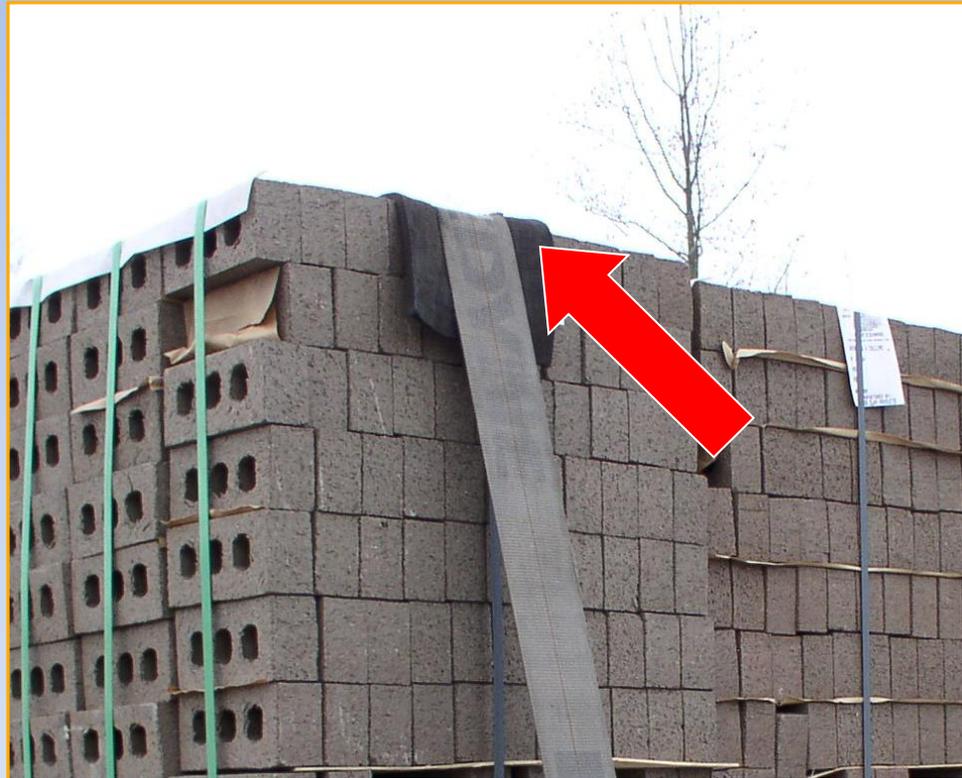
Adjustability



Adjustability



Edge Protection



Front End Structure?



Substitute Device



Heavy Vehicles, Equipment and Machinery (393.130) (excess of 10,000 lbs.)



Heavy Equipment Requirements

393.130(b)(1) Accessory equipment, such as hydraulic shovels, must be completely LOWERD and SECURED to the vehicle.

393.130(b)(2) Articulated vehicles shall be restrained in a manner that prevents articulation while in transit.

393.130(c)(1) Heavy equipment or machinery with crawler tracks or wheels must be restrained against movement in the lateral, forward, rearward, and vertical direction using a minimum of FOUR tiedowns.

393.130(c)(2) Each of the tiedowns must be affixed as close as practicable to the front and rear of the vehicle, or mounting points on the vehicle that have been specifically designed for that purpose.

- Accessory equipment i.e. buckets, blades, forklift tines, do not have to be secured to the trailer if they have a locking device or mechanism that prevents them from moving up and down and side to side while in transport.
- Hydraulics do not count as a locking device.

How much securement do I need?

- Aggregate working load limit of tiedowns must be at least **ONE-HALF** times the **weight** of the article or group of articles.
- BACKHOE= 50,000 LBS
- TOTAL WORKING LOAD LIMIT OF ALL TIEDOWNS MUST BE AT LEAST 25,000 LBS.

HOW DO I KNOW THE WORKING LOAD LIMIT OF MY TIEDOWNS?



WLL of Tiedowns

- Use marking on tiedown
- Not required to be marked
- If not marked, use 393.108 table
- Welded chain 393.108(d)
- Friction mats
- Determine weight of cargo

Binders



Straps



Chains



Chain

Size mm (inches)	WLL in kg (pounds)				
	Grade 30 proof coil	Grade 43 high test	Grade 70 transport	Grade 80 alloy	Grade 100 alloy
1. 7 (1/4)	580(1,300)	1,180(2,600)	1,430(3,150)	1,570(3,500)	1,950(4,300)
2. 8 (5/16)	860(1,900)	1,770(3,900)	2,130(4,700)	2,000(4,500)	2,600(5,700)
3. 10 (3/8)	1,200(2,650)	2,450(5,400)	2,990(6,600)	3,200(7,100)	4,000(8,800)
4. 11 (7/16)	1,680(3,700)	3,270(7,200)	3,970(8,750)	 	
5. 13 (1/2)	2,030(4,500)	4,170(9,200)	5,130(11,300)	5,400(12,000)	6,800(15,000)
6. 16 (5/8)	3,130(6,900)	5,910(13,000)	7,170(15,800)	8,200(18,100)	10,300(22,600)
Chain Mark Examples:					
Example 1	3	4	7	8	10
Example 2	30	43	70	80	100
Example 3	300	430	700	800	1000

IF working load limit not marked on a binder:
 Measure chain on binder than use grade 30 proof
 Coil if no marking is legible.

**REMEMBER THE WEAKEST LINK ASPECT.
BINDER IS RATED AT 10,000 POUNDS BUT CHAIN IS
RATED AT 8,000 POUNDS **YOU ONLY GET 8,000
POUNDS!****



So if I have 4 half inch grade 70 chains they count as 45,200 lbs of securement right??

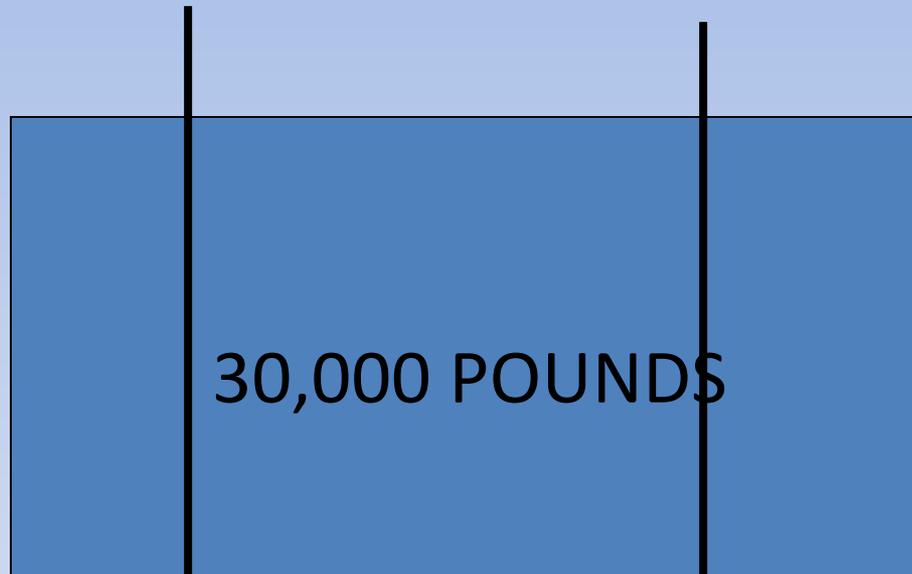
11,300 lbs times 4= 45,200 lbs.

NO

HOW COME???

INDIRECT SECUREMENT

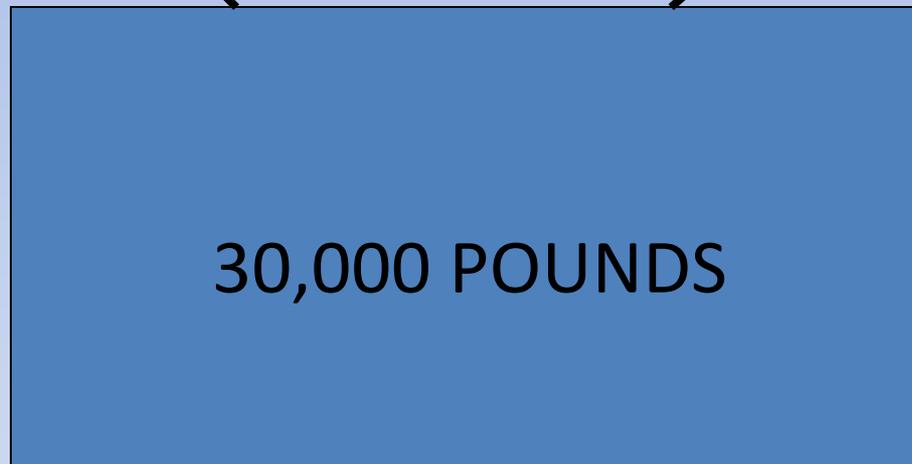
**FULL WORKING LOAD LIMIT GIVEN FOR EACH
SECUREMENT DEVICE**



**Goes from an anchor point on the vehicle, through, over,
or around the article of cargo, and then attaches to another
point on the other side of the vehicle.**

DIRECT SECUREMENT

**½ THE WORKING LOAD LIMIT FOR EACH
SECUREMENT DEVICE**



One-half the WLL of each tiedown that goes from an anchor point on the vehicle to an anchor point on an article of cargo.

DIRECT VS. INDIRECT

17.

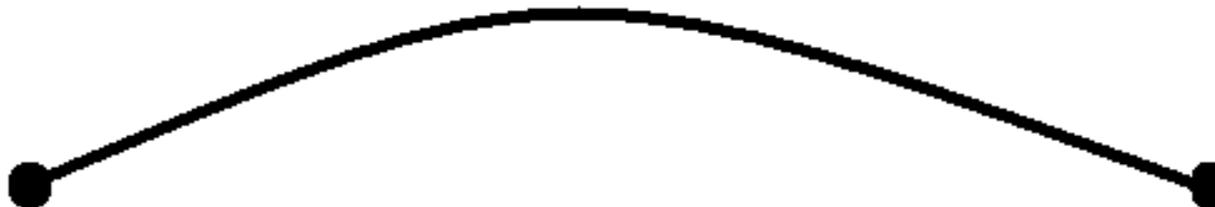
Reason Direct Securement is only given 50% working load limit for the securement device:

Secures for downward movement and one direction



Reason In-Direct Securement is given 100% working load limit for the securement device:

Secures for downward movement and both directions



So if I have 4 one half grade 70 chains all used as direct securement I don't get 45,200 lbs of securement.

- Each chain = 11,300 lbs working load limit.
- If used as direct securement, each chain only gets half of that WLL.
- $11,300 / 2 = 5650$ lbs.
- 4 chains times 5,650 lbs = 22,600 lbs of load securement.
- So if my backhoe weighs 50,000 lbs I don't have enough tiedowns to meet minimum securement standards.



HEAVY MACHINERY

393.130

HOW MANY SECUREMENTS REQUIRED





11,000 WLL

11,000 WLL

9,200 WLL



11,000 WWL

11,000 WWL

TOTALS FOR DIRECT: 11,000 DIVIDED BY 2 = 5,500
11,000 DIVIDED BY 2 = 5,500
11,000 DIVIDED BY 2 = 5,500
11,000 DIVIDED BY 2 = 5,500

TOTALS FOR INDIRECT: + 9,200

TOTAL 31,200 LBS

TOTAL WEIGHT IS 60,000 LBS

ENOUGH?????



Equipment less than 10,000 lbs. 393.128



- 393.130(a) Vehicles, equipment and machinery which is lighter than 10,000 lbs. may also be secured in accordance with this section (heavy equipment requirements), with 393.128, or in accordance with the provisions of 393.100 through 393.114.

393.128

- Must be secured at both the front and rear using a minimum of two tiedowns
- Tiedowns must use the mounting points on those vehicles that have been specifically designed for that purpose



Other Equipment

- Remember!!! Other equipment i.e. boards, rebar, buckets, fuel cans must be secured to trailer. Lying the boards on the trailer and lowering the skidsteer bucket on them is not securement.
- Fuel cans must be secured to trailer or to truck bed. (Hazmat materials of trade)

Projecting loads

- No load may extend more than 4 feet beyond the rear of the bed or body unless:
 - There is a red light or lantern visible from a distance of 500 feet displayed on the extreme rear end of the load during hours of darkness or,
 - At all other times, a red flag not less than 12 inches square displayed at the extreme rear end of the load so hung, that the entire area is visible to the operator of a vehicle approaching from the rear.
- Fed regulations require two flags if load projects more than 4 feet to the rear and is more than 2 feet wide.







POST-TRIP INSPECTION

- Shall be in writing if a defect exists
- Shall be completed at the end of each work day
- Shall cover at least the following parts:

Post-Trip Inspections

- Service brakes, including trailer brake connection
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

REPORT CONTENT

- Shall identify the vehicle and list any defects discovered
 - One report can be used for a tractor-trailer combination
 - If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle.
- If no defects are discovered, no report needed.
- In all instances, the driver shall sign the report
 - In two-driver operations, only one driver shall sign the report

Corrective Action

- All defects shall be corrected prior to vehicle being re-dispatched.
- Every motor carrier or its agent shall certify (on the original report) that all defects were repaired

PRE-TRIP INSPECTION

- Before driving a motor vehicle, the driver shall,
 - Be satisfied that the motor vehicle is in safe operating condition,
 - Shall review the last driver vehicle inspection report,
 - Shall sign the report only if defects were noted by the driver who prepared the report, to acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been performed.
 - The signature requirement does not apply to listed defects on a towed unit which is no longer part of the vehicle combination.

!! Roadside Inspections !!



Stay calm, listen to directions, wait patiently.

Officer will likely do the following:

- Check driver and vehicle registration
- Check equipment during walk-around inspection
- Check company USDOT registration
- Check company prior inspection history
- Issue all appropriate paperwork

QUESTIONS?



Other Brain Stimulating DOT Topics not covered:

- Fed Med Cards
- Hours of Service
- Farming
- Recreational Vehicles
- Personal Use
- Troy.Larsen@dot.wi.gov