

March 2023

Back/Lifting Safety

Prevent back pain before it starts

Prevent back injuries with
good habits

DOT increases civil
penalty amounts

FMCSA announces medical
examiner retraining requirements

Information and resources to help your drivers operate safely



J. J. Keller
& Associates, Inc.
Since 1953

In This Issue

Training Blueprint3

Use the proper lifting technique to prevent back injuries

Training Handout4

Make sure your drivers know what to do before and during a lift

Test Your Knowledge5

Check your understanding of back and lifting safety

DOT increases civil penalty amounts6

2023 brings an almost eight percent increase

FMCSA announces ME retraining requirements7

Five-year refresher and ten-year recertification training and timelines provided

Expert Help7

Read experts' answers to customer questions



Jen Loomis

Jen Loomis joined J. J. Keller in 2021 on the Content & Consulting Services Transportation Team. As an Associate Editor, Jen edits a variety of products including the *Transportation Safety Training Advisor*, *Driver Report*, and *Driver Training Awareness Program* newsletters. She also provides regulatory support in the area of DOT drug and alcohol testing.



MESSAGE FROM THE EDITOR

An ounce of prevention

Benjamin Franklin once said, "An ounce of prevention is worth a pound of cure." I can think of no better advice when it comes to back health. The time it takes to keep your back healthy is much less than the time it takes to heal from a back injury!

Stretch and strengthen

Core and back exercises strengthen muscles that support the spine and ease back pain, while back stretches loosen tight muscles and increase flexibility. Some common core exercises and back stretches include:

- **Supine twist back stretch:** Lie on your back with knees bent and feet flat on the floor. Keeping your back flat on the floor, rotate your hips to the left, lowering your legs down to the floor until you feel a gentle stretch. Hold for 15 seconds. Return to the starting position and repeat, this time rotating your hips to the right. Repeat 10 times.
- **Knee-to-chest stretch:** Lie on your back with knees bent and feet flat on the floor. Keep your left knee bent while you draw your right knee into your chest, clasping your hands behind your thigh or at the top of your shinbone. Hold for 30 seconds to 1 minute. Repeat with the other leg.
- **Planks:** While on your stomach, prop yourself up on your toes and arms. Shoulders should be above elbows. Create a straight line from head to toe. Don't allow the lower back to sink; keep abdominal muscles contracted. Hold for 10 seconds to 1 minute or more as you build strength.
- **Wall sits:** Lean back against the wall and slide down until knees are bent. Press the lower back into the wall. Hold for a count of 10 and slide back up. Repeat 8 to 12 times.



Make sure to check with your doctor first if you have persistent back pain.

By taking the time to stretch and strengthen your back and core, you will be lessening your chances of suffering back pain or a back injury that may keep you from working or doing the things you love. ♦



TRAINING BLUEPRINT — BACK/LIFTING SAFETY

Prevent back injuries with good habits

Back problems are a common cause of lost work time for the professional driver. The nature of the job, including prolonged periods of sitting behind the wheel and lifting heavy objects, can contribute to back pain.

Many of these problems can be prevented by practicing proper lifting techniques and engaging in a healthy lifestyle.

TIP: If your drivers use dollies, lifting belts, or any other equipment to help them lift safely, make sure they know how to use each piece of equipment properly.

Proper lifting technique

Before making a lift, drivers should stretch and make sure they are wearing proper footwear. They should ensure the path of travel is free of hazards, including uneven or slippery surfaces. Then, when ready to make the lift, the driver should follow these steps:

1. **Size up the load before trying to lift it.** The driver should first test the weight of the load by lifting one corner and use mechanical aids such as carts or dollies as needed. If the load is too heavy, the driver should ask for help.
2. **Bend at the knees and let the legs do the work.** The driver's feet should be apart and close to the object — body centered and knees bent. The driver should have a good handhold and lift straight up in a smooth, continuous motion.
3. **Never twist or turn once the lift has been made.** If the driver needs to turn or navigate around an obstacle, the position of the driver's feet should change, rather than the driver twisting at the waist. The load should be steady, close to the body, and never carried overhead or to the side.
4. **Set the load down properly.** The driver should bend at the knees, letting legs do the work. The driver's back should be upright, head up, and abdominal muscles tight.

TIP: Demonstration is a good way to present this portion of your lesson. Use a large, empty box to demonstrate proper lifting technique — talking your way through each of the steps to execute a proper lift.



Nutrition and exercise

Good nutrition and regular exercise can help in maintaining a healthy weight and keep muscles strong. Extra weight, especially in the stomach, can put extra strain on the back. Every pound up front can put as much as 10 extra pounds of strain on the back.

Good nutrition means consuming a variety of healthy foods, including vegetables and fruits, whole grains, lean protein, and low-fat dairy.

Exercise includes regular physical activity such as walking, jogging, lifting weights, and gentle stretching. ♦

TIP: Make sure your drivers understand that they should consult with a medical professional before starting any diet or exercise program.



TRAINING HANDOUT — BACK/LIFTING SAFETY

SAFE LIFTING PRACTICES

Prior to lifting

- Stretch
- Wear proper footwear
- Ensure your path is free of hazards
- Test the weight by lifting one of the corners

Once you have made the lift

- Keep the load steady and close to your body
- Never twist or turn your body
- Never carry a load above your head or at your side

When lifting

- Place your feet apart and close to the object
- Center yourself
- Bend your knees (never bend at the waist)
- Get a good handhold
- Lift straight up in a smooth, continuous motion

When setting the load down

- Take your time
- Bend your knees (let your legs do the work)
- Keep your back upright and head up
- Tighten your abdominal muscles
- Change foot position to make body turns (don't twist your body) ♦





TEST YOUR KNOWLEDGE — BACK/LIFTING SAFETY

Directions: Read each statement carefully and mark the best answer.

1. When lifting an object, your feet should be close together and you should stand two to three feet from the object.
 - A. True
 - B. False

2. When lifting an object, you should:
 - A. Center yourself
 - B. Get a good hand hold
 - C. Lift straight up in a smooth, continuous motion
 - D. All of the above

3. Before lifting a load, you should:
 - A. Stretch
 - B. Wear proper footwear
 - C. Test the weight by lifting one of the corners
 - D. All of the above

4. Before lifting a load, you should make sure your path of travel is free of obstacles.
 - A. True
 - B. False

5. When picking up or setting down a load, you should bend your knees and let your legs do the work.
 - A. True
 - B. False

NAME: _____ DATE: _____



DOT increases civil penalty amounts

The Department of Transportation (DOT) has announced a 7.745 percent increase to civil penalties for all modes, including highway. The increase went into effect on January 6, 2023, and is intended to maintain the financial motivation for DOT-regulated employers to abide by federal regulations.



The increases apply to 68 Federal Motor Carrier Safety Regulations (FMCSR) and Hazardous Materials Regulations (HMR) violations, including violations related to:

- Out-of-service orders
- Recordkeeping
- Non-recordkeeping
- Hazardous materials regulations
- Commercial regulations
- Operating authority requirement
- Tariffs
- Loading and unloading
- Evasion of U.S. Codes
- Reporting and recordkeeping

Examples of the new penalty amounts are included in the table below:

Description	Existing penalty	New penalty
Appendix A IV (h) Out-of-service order (operating in violation of order)	\$26,269	\$28,304
Appendix B (a)(1) Recordkeeping — maximum total penalty	\$13,885	\$14,960
Appendix B (a)(3) Non-recordkeeping violations	\$16,864	\$18,170
Appendix B (b)(3) Special penalties pertaining to railroad-highway grade crossing violations	\$17,995	\$19,389
Appendix B (d) Financial responsibility violations	\$18,500	\$19,933
Appendix B (e)(4) Violations of Hazardous Materials Regulations (HMRs) and Safety Permitting Regulations (compliance with FMCSRs)	\$89,678	\$96,624

For a full list of penalties that are affected by the increase, see 49 CFR 386 Appendices A and B. ♦

FMCSA announces medical examiner retraining requirements

Federal Motor Carrier Safety Administration (FMCSA) announced on January 11, 2023, the requirement for the five-year refresher and ten-year recertification training and timelines.

The five-year point for many CMEs being on the Registry passed in 2019 or earlier. FMCSA delayed making the five-year refresher course available until July 2022. CMEs due or overdue for the five-year refresher in 2022 must have completed the training within their registry account by December 31, 2022. In 2023 and beyond, CMEs should complete the refresher training between years four and five before the five-year deadline.

CMEs due for the ten-year recertification must take the course via an authorized private-sector provider. Due to the five-year refresher delay, CMEs could upload the proof of completion of the ten-year recertification starting January 1, 2023. Even if a CME is past the ten-year point, they have until December 31, 2023, to complete the course and pass the test. ♦



Next Month's Topic: Roadcheck/Inspections

Professional drivers should always be prepared for a roadside inspection any time of year. Roadcheck 2023 is great motivation to ensure your drivers are ready.



Expert Help: Questions of the Month

Question: I have a driver who can't get in to see his primary doctor for a medical card recertification until a week after his card expires. Is there a workaround for this problem?

Answer: The driver will be uncertified and therefore unqualified to drive a CMV after the expiration date on the card. Unfortunately, medical cards cannot be extended under any circumstances. There is no work around other than to ask another certified medical examiner (CME) to do the exam or hope for an appointment to open up before the driver's current card expires.



Question: I had a driver get five miles away and then notice a light was out. The driver came back to have the light repaired. Is this a situation where the driver can sign out of the ELD and mark those hours under maintenance?

Answer: Taking the vehicle in for service or repair is an on-duty activity. In this case, the time spent driving to the terminal for repairs would have to be logged as driving time. The only time a driver can log out and call driving time off-duty time is if the movement qualifies as personal conveyance. ♦

Copyright 2023 J. J. Keller & Associates, Inc.

Neither the *Transportation Safety Training Advisor* nor any part thereof may be reproduced without the written permission of J. J. Keller. Government regulations change constantly, therefore, J. J. Keller cannot assume responsibility or be held liable for any losses associated with omissions, errors, or misprintings in this publication. This publication is designed to provide reasonably accurate information and is sold with the understanding that J. J. Keller is not engaged in rendering legal, accounting, or other professional services. If legal or other expert advice is required, the services of a competent professional should be sought.

EDITOR: Jen Loomis

ISSN 2688-1616

GST R123-317687

(66828)



J. J. Keller & Associates, Inc.®

3003 Breezewood Lane, P.O. Box 368
Neenah, Wisconsin 54957-0368

CHANGE SERVICE REQUESTED

PRSR STD
U.S. Postage

PAID

J. J. Keller &
Associates, Inc.®



ISO 14001:2015 Certified
ISO 27001:2013 Certified
ISO 45001:2018 Certified

66828

Join an Entire **NETWORK** of Safety & Compliance Expertise...

Become a member of **COMPLIANCE NETWORK**
and gain access to J. J. Keller's industry-leading
safety and compliance content – custom-tailored
to your exact regulatory needs.



MEMBERS ENJOY THESE VALUABLE BENEFITS:

- **PERSONALIZED REGULATORY CONTENT**
for workplace safety, transportation, environment,
HR, and other markets.
- **NEWS & TRENDING ISSUES** relevant to your
industry, area(s) of operation, and more.
- **J. J. KELLER INSTITUTE**, an expansive collection
of articles, videos, and interactive exercises
spanning 120+ compliance topics.
- **UNPRECEDENTED ACCESS TO EXPERTS** through
question submissions, one-on-one phone or video
consultations, and in-depth research requests.
- **AND MORE**



Build Your Profile and Start Getting Personalized Content Today
Visit JJKellerComplianceNetwork.com