

Transportation Safety

Training ADVISOR

May 2024

Construction zones/safety

Use caution and follow safe driving practices!

Answers to your personal
conveyance questions

Downgrading DOT drug tests,
now clearer than ever

Question of the month

Information and resources to help your drivers operate safely


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MESSAGE FROM THE EDITOR

Navigating “orange barrel” season

In many parts of the country, “orange barrel season,” better known as road construction season, is beginning, so now is a great time to review work zone safety with your drivers!

Drivers should always approach a work zone in the same way they would approach an adverse weather condition.

- **Pay attention to signs.** Orange, diamond-shaped signs are posted to give advance warning of lane closings, speed reductions, and workers ahead.
- **Get into the correct lane in advance of lane closures.** It is easier and safer to make a lane change well in advance than when arriving at the lane closure.
- **Be aware of the vehicle’s blind spots.** Vehicles or obstructions may be hidden in a commercial motor vehicle’s blind spots.
- **Slow down.** One of the most cited factors in work zone-related crashes is speed.
- **Avoid distractions.** The driver’s undivided attention should be on the road ahead. All distracting activities should be eliminated.
- **Watch for and obey road crew flaggers.** Drivers must follow road crew flaggers’ instructions.
- **Expect the unexpected.** Speed limits may be reduced, traffic lanes may be changed, and crews may be working near the road.
- **Be patient.** Drivers should slow down and pay attention to their surroundings.
- **Plan ahead.** Drivers need to keep up with the latest road conditions.

Fines and penalties

As well as being dangerous, speeding and other traffic violations committed in work zones can be costly for drivers and their companies.

Over two-thirds of all states impose enhanced fines for speeding and other traffic violations in work zones. For example, in many states, fines are doubled for speeding in a work zone.

In addition to fines, there are some states that sentence drivers to community service and/or jail time for speeding in a work zone. It definitely pays to play it safe! ♦





TRAINING BLUEPRINT — CONSTRUCTION ZONES

Watch out for work zones!

According to the Federal Highway Administration (FHWA), there were 291 fatal work zone crashes that involved commercial motor vehicles (CMVs) in 2021, which is a 39 percent increase from 2020.

Work zone fatalities increased by 10.8 percent between 2020 and 2021, and overall roadway fatalities increased by 10.3 percent. Fatal work zone crashes involving rear-end collisions increased, as well as crashes involving a CMV.

When dealing with work zones, it's important to use extreme caution and to follow safe driving practices.



Proper speed management means operating at a speed that takes into account road conditions, visibility, and traffic speed and flow.

Space management means managing all space, including ahead, behind, to the sides, above, and below the vehicle.

As part of managing speed and space, a driver must be aware of the fact that the stopping distance for a large truck is much greater than the stopping distance for a car.

The FHWA estimates that an 80,000-pound (loaded) tractor-trailer needs about 325 feet to stop when traveling at 55 mph on a dry, level road. This stopping distance is almost 50 percent greater than the stopping distance needed for a mid-size car.

TIP: Try using a video to introduce this topic. When selecting a video, consider your drivers' experience, the type(s) of vehicle(s) operated, and the routes your drivers travel.

Work zone = Adverse driving condition

Drivers must approach a work zone the same way they would approach any other adverse driving condition: cautiously and on high alert.

Remind your drivers to be on the lookout for:

- Narrow lanes,
- Merging vehicles,
- Shifting lanes,
- Slowing and stopping traffic,
- Unexpected work vehicles entering the traffic flow,
- Speed limit adjustments,
- Flaggers on the roadway,
- Confused drivers, and
- Impatient/aggressive drivers.

Speed and space are key

Managing vehicle speed and space can go a long way when it comes to safely navigating a work zone.

Work zones after dark

Drivers must use extra caution when driving at night, especially when traveling through a work zone.

At night, some hazards aren't as easy to see or easy to recognize as they are during the daylight hours. People simply don't see as well at night as they do during the day. Visual acuity is reduced, and side vision isn't as strong. The eyes have a hard time adjusting to abrupt changes from darkness to light and back to dark again.

The vehicle's headlights play an important role in safely operating at night. Headlights are the main way to see and be seen on the highway, which includes when driving through a construction zone.

In good weather, low beam headlights allow a driver to see about 250 feet ahead. The driver may need to adjust vehicle speed so that the vehicle can stop within range of its headlights. Never overdrive the vehicle's headlights, since driving outside the range can negatively impact a driver's ability to see ahead. ♦

TIP: Share the fine and penalty information for work zones in states your drivers travel through on a regular basis. Conclude your training with a question-and-answer session.



TRAINING HANDOUT — CONSTRUCTION ZONES

What do those signs mean?

Make sure these signs have your undivided attention! Drive defensively, watch for the unexpected, and be prepared to take action.

Right lane ends

You may need to merge into the adjacent lane or make room for a vehicle merging into your lane. The “bent” line indicates which lane is ending.



Road work ahead

Watch for unusual driving conditions, lane closures, rough or uneven driving surfaces, and workers and equipment on the road.



Flagger ahead

Slow down. Be prepared to stop and/or follow instructions.



Two-way traffic

Traffic is traveling in both directions on a roadway that is normally one way. Watch for oncoming traffic. ♦





TEST YOUR KNOWLEDGE — CONSTRUCTION ZONES

1. In good weather, about how far ahead do your low beam headlights allow you to see?
 - A. 150 feet
 - B. 300 feet
 - C. 250 feet
 - D. 100 feet

2. Driving at night is pretty much the same as driving during the day, especially in work zones.
 - A. True
 - B. False

3. Which factor(s) are key to safely navigating work zones?
 - A. Time
 - B. Speed
 - C. Space
 - D. Both B and C

4. You're likely to find wider lanes and higher speed limits in construction zones.
 - A. True
 - B. False

5. When driving in a work zone, you should:
 - A. Get into the correct lane well ahead of a lane closure
 - B. Speed up so other vehicles can't pass you
 - C. Get into the correct lane just before a lane closure
 - D. All of the above ♦

NAME: _____ DATE: _____



Answers to your top 5 personal conveyance questions

It's been nearly six years since official guidance was published clarifying when drivers may use personal conveyance (PC). But PC continues to be a point of confusion for many drivers and supervisors.

Following are Compliance Network's top five questions on the PC provision.

1. Where do I find FMCSA's official guidance?

The Federal Motor Carrier Safety Administration's (FMCSA's) guidelines for using PC are found in the agency's official interpretations for 395.8, under Question 26.

2. Must a motor carrier offer PC to a driver?

No. The FMCSA does not require motor carriers to allow drivers to use personal conveyance. For those that do, they can choose whether they want time or distance limits placed on PC usage.

3. What activities are covered under PC?

Time spent driving a commercial motor vehicle (CMV) to move the driver from place to place for personal reasons can be considered off-duty time in certain situations if the driver has been relieved from work and all responsibility for performing work, is not overly fatigued, and complies with any company policies governing personal conveyance.



4. What is not considered PC?

Driving time that "enhances the operational readiness of a motor carrier" or that otherwise furthers a business purpose must be recorded as "driving."

5. What other factors should be considered when using PC?

The use of PC can affect, or be affected by, other aspects of operating a CMV. Motor carriers and drivers should be aware of the following:

- **The 10-hour break or 34-hour restart.** Time spent using personal conveyance while off duty will count as part of a driver's 10- or 34-consecutive-hour break, but the driver must obtain "restorative" rest.
- **Moving for maintenance.** Any movement that involves the maintenance or conditioning of the vehicle must be recorded as on-duty driving time, even if it's during a 34-hour restart.
- **Nearby, reasonable, and safe.** Enforcement won't likely question what a driver considers reasonable and safe. However, driving off duty past two or three truck stops before parking may be questioned.
- **Authorization and liability.** The FMCSA does not require a written policy or authorization by the carrier, but it is advisable to have a written PC policy. Carriers should also discuss liability coverage with their insurer.
- **The ELD mandate and "personal use."** A motor carrier using electronic logging devices (ELDs) has the option to allow its drivers to use a built-in "personal use" status. When prompted by the ELD, each instance of personal use must be annotated.
- **Using PC in Canada.** The limit for personal use is 75 kilometers per day in Canada.
- **HOS rules and relationship to fuel tax and registration.** You must track all miles under the International Fuel Tax Agreement and the International Registration Plan. ♦

Downgrading DOT drug tests, now clearer than ever

There has been a recent increase in requests to downgrade DOT drug tests, which has prompted the Federal Motor Carrier Safety Administration (FMCSA) to formalize a process that has been in place for several years.

Clearing violations

The FMCSA does not have the resources to address all tests that were mistakenly performed using a Federal Drug Testing Custody and Control Form (CCF) and attributed to a DOT testing program. Instead, the agency will only review those tests that resulted in a violation reported to the Drug and Alcohol Clearinghouse. Those are the violations that are mistakenly affecting drivers' records.

When to use DataQs

Drivers or motor carriers are instructed by the FMCSA to submit a petition to request a correction of the driver's Clearinghouse record using the DataQs system.

When not to use DataQs

If the test result was negative or the violation was not reported to the Clearinghouse, the employer can make the determination without consulting the FMCSA. The employer would have to document why the test should have been performed as non-DOT. This statement must be made available to an auditor who requests it during an investigation.

Any downgraded tests do not require that motor carriers involve their laboratory to change the test from DOT to non-DOT. As a result, laboratory summaries may not match an employer's tracking of completed DOT drug tests.

Note that this process only applies to FMCSA tests and not to other DOT modes subject to Part 40 testing. The regulations don't provide procedures, so the steps are left to the individual agency. ♦



Next Month's Topic: Human Trafficking

Human trafficking impacts millions of women, children, and men who are held against their will and trafficked into commercial sex and forced labor. Because traffickers often move their victims around, commercial drivers need to know the signs to watch for and who to contact if they suspect a person is being trafficked. ♦

Expert Help: Questions of the Month

Question: What happens when there is a detour/ construction but the area states NO TRUCKS ALLOWED? Where does the DOT say trucks are supposed to go?

Answer: When your drivers enter a construction zone, they should move into the right lane and watch for signs indicating the reason for the construction or detour. On most truck routes or interstate systems, trucks are not prohibited from traveling through the area. If the construction zone indicates "no trucks," then the driver should exit the roadway if possible.

There is not a best practice on construction zones. Most of the verbiage and training is about researching the route, paying attention, reducing speeds, and keeping a safe distance from other vehicles. From a training perspective, this is the best approach. It is difficult to give a driver guidance on how to handle specific situations because they vary greatly.

If you encounter an area that is flagged with "No trucks allowed," then you may need to research alternative routes. If there are no or limited options, we recommend contacting the local jurisdiction and inquiring how to safely and legally navigate that area of the roadway.

Question: Where is speeding in a construction zone listed as an unsafe driving violation?

Answer: As far as CDL disqualifications in 383.51, to be held against a CDL it must be at least 15 mph over the posted limit. Construction zone violations are not addressed.

For CSA violations scored for the Unsafe Driving BASIC, a construction zone violation for speeding is valued at 10 for severity weight. ♦



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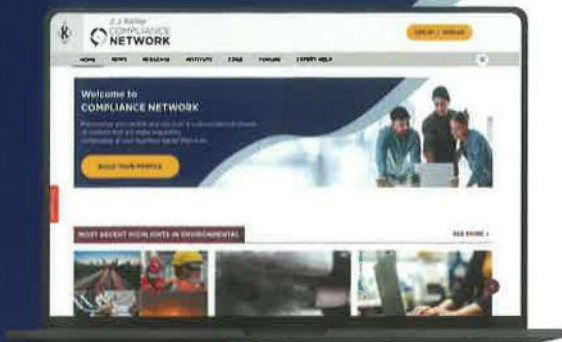
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