

Transportation Safety

Training ADVISOR

November 2025

Disqualification

Serious violations have serious consequences

How to avoid OOS violations

Potential causes of the diesel
technician shortage

EPA proposal challenges
Clean Truck Check program

Information and resources to help your drivers operate safely



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MESSAGE FROM THE EDITOR

Avoid violations that place drivers out of service

Being placed out of service following a roadside inspection can put the driver and motor carrier in a serious bind. Knowing which drivers are placed out of service and how to avoid violations can go a long way toward keeping the wheels turning.

Some violations that could place your driver out of service include operating when under the influence of or in possession of drugs or alcohol (392.4 and 392.5), operating when in excess of an hours-of-service limit (395.3 or 395.5), operating without proof of valid medical certification, or not meeting the terms of a medical variance (391.41).

How do you prevent it?

Here are some actions motor carriers can take to prevent out-of-service orders:

- Have an effective screening program to make sure you're only hiring qualified drivers (see 391.11) and have a qualifications system in place that makes sure your current drivers remain qualified (e.g., always have a valid license and medical certification).
- Have your dispatch process connected to your qualifications process so everyone knows which vehicle(s) each driver is qualified to operate and whether a driver has lost a qualification.
- Immediately remove unqualified drivers from behind the wheel (e.g., those who lost their license or medical qualification, failed or refused a drug or alcohol test, or are listed as prohibited in the Drug & Alcohol Clearinghouse).
- Train your drivers — using classroom training and mock roadside inspections — to always have proper documentation available for an inspection.
- Assess your drivers for English Language Proficiency.
- Train your drivers, dispatchers, and supervisors that drivers aren't allowed to operate when ill, fatigued, under the influence of anything, or out of hours.
- Continually remind your drivers they cannot have illegal drugs or alcohol in the cab of the vehicle, and have a reasonable-suspicion process that puts qualified supervisors in contact with drivers so they can verify that drivers are not under the influence.
- Train your drivers, dispatchers, and supervisors on the hours-of-service and records-of-duty-status requirements.
- Audit drivers' logs and take corrective action when a violation is discovered. ♦



Lucero Truszkowski

Lucero Truszkowski joined J. J. Keller & Associates, Inc. as an Associate Editor in 2022. Lucero edits, writes, and researches content on a variety of topics, including transportation, human resources, and driver training. She holds a Master of Science (MS) in Professional Writing from New York University.



TRAINING BLUEPRINT — DISQUALIFICATION

A discussion on disqualification

Driver disqualification is a serious issue. A driver holding a commercial driver's license (CDL), or commercial learner's permit (CLP) can be disqualified from driving a commercial motor vehicle (CMV) if convicted of certain violations while driving any type of vehicle. This includes violations committed in a personal vehicle on personal time. It's important that drivers understand the disqualification provisions, as certain actions and choices, whether on or off the job, can have an impact on an individual's driving career.



Major offenses = disqualification

A driver is disqualified from operating a CMV if convicted of any of the following major offenses **while driving any type of vehicle**:

- Being under the influence of alcohol as prescribed by state law;
- Being under the influence of a controlled substance;
- Refusing to take an alcohol test as required by a state or jurisdiction under its implied consent laws or regulations;
- Leaving the scene of an accident;
- Using a vehicle to commit a felony; or
- Using a vehicle to commit a felony involving the manufacturing, distributing, or dispensing of a controlled substance.

TIP: Stress to drivers that their conduct in a personal vehicle is just as important as their conduct in a company vehicle. Just one conviction in any type of vehicle can keep a driver off the road for one year.

A driver is disqualified from operating a CMV if convicted of any of the following major offenses **while driving a CMV**:

- Having an alcohol concentration of 0.04 or greater;
- Driving a CMV when, as a result of prior violations committed while operating a CMV, the driver's CDL or CLP is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV;
- Causing a fatality through the negligent operation of a CMV; or
- Committing a felony involving certain types of human trafficking.

Watch out for serious traffic violations

Serious traffic violations come with serious consequences. Examples of serious traffic violations include:

- Excessive speeding (15 miles per hour or more above the posted limit),
- Reckless driving,
- Making improper or erratic lane changes,
- Following the vehicle ahead too closely, or
- Violating a state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

A driver is disqualified from operating a CMV if convicted of any two or more serious traffic violations while operating either a CMV and/or non-CMV. Two of these serious traffic violations within three years disqualifies the driver for 60 days; three serious violations within three years disqualifies the driver for 120 days.

TIP: Make sure drivers understand how the three-year timeline is determined. The State must use the date of conviction or a later date, rather than the offense date, as the basis for calculating the starting and ending dates for the driver disqualification period. The use of the conviction date or a later date ensures that the driver receives due process of law but still serves the full disqualification period.

A driver is disqualified from driving a CMV if convicted of any combination of two or more of the following serious traffic violations while operating a CMV:

- Driving a CMV without obtaining a CDL or CLP,
- Driving a CMV without a CDL or CLP in the driver's possession,
- Driving a CMV without the proper class of CDL or CLP and/or endorsements for the specific vehicle group being operating or for the passengers or type of cargo being transported,
- Violating a state or local law or ordinance on motor vehicle traffic control prohibiting texting while driving, or
- Violating a local or state law or ordinance on motor vehicle traffic control restricting or prohibiting the use of a handheld mobile telephone. ♦

TIP: End the training with a question-and-answer session to fill in any missing gaps.



TRAINING HANDOUT — DISQUALIFICATION

Defining disqualification

Disqualification is defined in the regulations as:

- The suspension, revocation, or cancellation of a CLP or CDL by the state or jurisdiction of issuance;
- Any withdrawal of a person's privileges to drive a CMV by a state or other jurisdiction because that person violated a state or local law relating to motor vehicle traffic control (other than parking, vehicle weight, or vehicle defect violations); or
- A determination by the FMCSA that a person isn't qualified to operate a CMV under Part 391 of the FMCSR.

Major offense disqualification period

First conviction (not transporting hazmat)	1 year
First conviction (transporting hazmat)	3 years
Second conviction	Life (eligible for reinstatement in 10 years)
Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance	Life (not eligible for reinstatement)
Using a CMV to commit a felony involving certain types of human trafficking	Life (not eligible for reinstatement)

Serious traffic violations disqualification period

Two serious traffic violations in separate incidents during a three-year period	60 days
Three serious traffic violations in separate incidents during a three-year period	120 days

Note: A driver convicted of two or more traffic violations while operating a non-CMV is disqualified only if the convictions result in the revocation, cancellation, or suspension of the driver's license or driving privileges. ♦



TEST YOUR KNOWLEDGE — DISQUALIFICATION

1. Which of the following is considered a major offense?
 - A. Being under the influence of alcohol
 - B. Refusing to take an alcohol test
 - C. Using a vehicle to commit a felony
 - D. All of the above

2. A driver will be disqualified for 60 days if they are convicted of how many serious traffic incidents in any three-year period?
 - A. One
 - B. Two
 - C. Three
 - D. Four

3. Serious offenses only count if they occur in work vehicle/CMV.
 - A. True
 - B. False

4. The disqualification period for a first major offense while transporting hazmat is:
 - A. Six months
 - B. One year
 - C. Three years
 - D. Life

5. A driver only needs to be convicted of one serious traffic violation to become disqualified.
 - A. True
 - B. False ♦

NAME: _____ DATE: _____

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ATRI identifies potential causes of diesel technician shortage

New research points to the causes of current issues with diesel technician retention, training, and recruitment in the trucking industry that have led to a nationwide shortage for this critical role. Ultimately, research suggests that the industry isn't keeping up with the needs of upcoming techs.

The American Transportation Research Institute (ATRI) conducted research to explore the shortage of qualified diesel techs after finding that, in 2025, over 65 percent of shops were understaffed and about 19 percent of positions remained unfilled. Through research from shops, training programs, and the technicians themselves, ATRI came up with some explanations.

Issues with training

Qualified techs play a critical role in maintaining safe and efficient trucking practices. Diesel techs require about 350 hours of training, which can cost over \$8,000 in total preparations, according to ATRI. Research from shops revealed that:

- More than 30 percent of training graduates were unqualified in 20 core skills,
- 7 of 20 core skill deficiencies could be improved by more training, and



- 6 of 20 core skill deficiencies saw only a slight improvement with more training.

These rates indicate that training programs need critical curricula upgrades to bring more value to trainees.

Issues with costs

According to ATRI, many techs reported the highest barriers to their careers included:

- The cost of new tools (29 percent),
- A lack of prior tech knowledge (28 percent),
- Insufficient pay (16.1 percent), and
- Lacking mentorship at the shop (10.8 percent).

Techs in the study indicate that pay and schedules initially drew them into the field, as well as wanting more interesting and varied work.

What can the industry do?

Based on ATRI's findings, fleet maintenance shops can begin adjusting their training programs to better meet the needs of up-and-coming technicians. The research says that techs are looking for better pay, better interactions with management, and more varied opportunities to stay in the industry. ♦

EPA proposal challenges CARB's Clean Truck Check program

The EPA is proposing to partially approve and partially disapprove California's revision to its State Implementation Plan (SIP), which includes the Heavy-Duty Inspection and Maintenance Regulation (also known as the Clean Truck Check [CTC]).

The regulation applies to non-gasoline heavy-duty vehicles over 14,000 pounds operating in California, including those registered out-of-state or out-of-country.

Purpose of the CTC regulation

The regulation aims to reduce emissions of nitrogen oxides (NOx) and particulate matter (PM), which are significant contributors to air pollution and health risks.

Heavy-duty vehicles, though only 3 percent of California's fleet, contribute over 50 percent of on-road NOx and PM emissions.

The rule is part of California's broader effort to meet federal air quality standards.

Key provisions of CTC

The Clean Truck Check program:

- Requires emissions testing and compliance certification for heavy-duty vehicles operating in California.
- Applies to in-state and out-of-state vehicles, with limited exemptions (e.g., emergency vehicles, zero-emission vehicles).

- Establishes a referee testing network and roadside inspection protocols.
- Requires that proof of compliance be carried in vehicles and test results be submitted periodically.

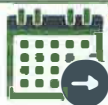
EPA's proposal

EPA's proposal indicates support for the regulation as it applies to California-registered vehicles, finding it consistent with Clean Air Act requirements.

However, the agency notes legal and constitutional concerns about the regulation's application to out-of-state and international vehicles.

The EPA proposes to:

- Approve the regulation for California-registered vehicles.
- Disapprove the regulation as it applies to out-of-state and out-of-country vehicles. ♦



Next Month's Topic: Winter driving

Being prepared for the extreme cold, snow, and ice of winter can make all the difference when it comes to safe winter travel. Make sure your drivers are prepared to drive in adverse conditions by teaching them the techniques to use in a variety of situations. ♦

Expert Help

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Expert Help: Questions of the Month

Question: We have a driver who regularly leaves and returns from a convenience store parking lot. Is this the same as starting and ending the day at the same location for acquiring the 16-hour exemption?

Answer: As long as the driver is going on duty and off duty at the same location for the previous five work days, the 16-hour exception in 49 CFR 395.1(o) may be used. This would be true whether your driver is going on/off duty at the convenience store or going on/off duty at your company terminal or other company location (and using personal conveyance to get to/from the convenience store).

The 16-hour exception requires that the driver start and end the day at the driver's "normal work reporting location," but there is no specific definition of that phrase. It's understood to be the place where the driver normally goes on duty at the start of the day and off duty at the end of the day. As long as that's the same location (whether it's the driver's home, a company location, or a convenience store), and the driver has started/ended there for the previous five workdays, the driver should be able to use the exception.

Question: Is it true that a CDL driver with hazmat loads must stay within a 100-air mile radius instead of a 150-air mile radius?

Answer: No, that is not correct, at least under federal regulations. Under the short-haul exceptions in 49 CFR 395.1(e), drivers hauling hazmat (or any other cargo) who want to use the exception must remain within a 150-air-mile radius.



The USDOT changed the 100-air-mile radius to 150 air miles many years ago; some states may still use a 100 air-mile radius for intrastate operations. ♦

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EDITOR: Lucero Truskowski

ISSN 2688-1616

GST R123-317687

(75766)



J. J. Keller & Associates, Inc.®

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

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