



# TRUCKER

2021 | VOLUME 12  
ISSUE 2

# Focus

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# DRUG & ALCOHOL CLEARINGHOUSE

# IS YOUR COMPANY IN THE RIGHT LANE

## With FMCSA's Drug & Alcohol Clearinghouse?

Many motor carriers are already looking at FMCSA's Drug and Alcohol Clearinghouse through the proverbial rear-view mirror. However, others are still working to achieve full compliance. For those carriers, here are some details about the program, why it is important, and how you can succeed with it.



The Clearinghouse contains records of drug and alcohol violations, including positive drug or alcohol test results and test refusals. This is important as it allows employers and enforcement to identify CDL drivers who are not legally permitted to operate commercial motor vehicles due to drug and alcohol program violations. The database provides real-time access and updates so employers

can make real-time decisions.

It enables companies to identify drivers who committed a drug or alcohol violation while working for one employer, but withheld that information from their new company during the application process.

The Clearinghouse went into effect in January 2020. FMCSA has put some real teeth into penalties for failing to comply. In January of this year, the DOT issued a rule that states, "Any employer, employee, medical review officer, or service agent who violates any provision of 49 CFR part 382, subpart G... is subject to a civil penalty." And these penalties can run into the thousands of dollars per occurrence.

It is not just large employers that need to comply. An owner/operator is any employer who employs himself or herself as a CDL driver. Owner/operators are subject to the requirements pertaining to employers as well as those

pertaining to CDL drivers. So, for example, if you're an owner/operator operating under another carrier's authority, you would be considered a driver. If you're an owner/operator driving under your own authority, you are considered a carrier that needs to register as such. Owner/operators can find FMCSA's Drug and Alcohol Clearinghouse guide at <https://clearinghouse.fmcsa.dot.gov/Resource/Index/Owner-Operator-Brochure>.

Many motor carriers that lack the manpower or expertise to comply with data collection requirements have opted to use a trucking industry consultant to help their company comply with the regulation. Their use can include updating or writing CDL driver hiring procedures to include the Drug and Alcohol Clearinghouse requirements, contracting with third parties, designating an administrator to conduct queries on the motor carrier's behalf, and training internal staff to perform the functions during the hiring process.

Driver training on what the program entails and why is also important, including if the driver needs to register and when to conduct limited or full queries and report any positive results. In addition, if a driver tests positive, they should know it is not the end of the road for them, but they may have to work with a substance abuse professional (SAP) while going through the return-to-duty (RTD) process.

Despite the challenges, there are good roads ahead to move your company forward into compliance with the Drug and Alcohol Clearinghouse.



# Motor Carrier TOOLBOX

## NO LOG-IN NEEDED!

With helpful operational trucking tools on many topics, including driver hiring and training, retention, safety, FMCSA compliance, CSA score improvement, and more, Acuity's Motor Carrier Toolbox provides resources motor carriers and drivers can use to improve safety and enhance your company's bottom-line performance.

The best part: all the resources of the Motor Carrier Toolbox are now available without a sign-in! Visit [www.acuity.com/mctb](http://www.acuity.com/mctb) to see everything we have to offer!



### SEAT ERGONOMICS

TRUCKER TALK AHEAD

#### PROPER SEAT ADJUSTMENT

- Familiarize yourself with the seat adjustment controls and always adjust the seat for yourself.
- Inspect the seat and support mechanism when on the ground.
- Your knees should not be higher than your hips.
- The front of the seat should not contact the back of your knee. (This can cause a driver to slide into a rounded posture.)
- You should be able to depress pedals all the way without twisting your back or moving away from the seat.
- If possible, always adjust the lumbar area of the seat to provide gentle support for even pressure on the back.
- Slightly recline the seat back so the angle between your back and legs is approximately 110 degrees. Shift the body often, but stay close to that position.
- Position steering wheel to keep elbows as close to you as possible, minimizing reach. However, do not slouch over the steering wheel.
- Be sure instrumentation is easy to read.
- Always adjust mirrors so you can see out of them without slouching or twisting.



#### Tips for Driving

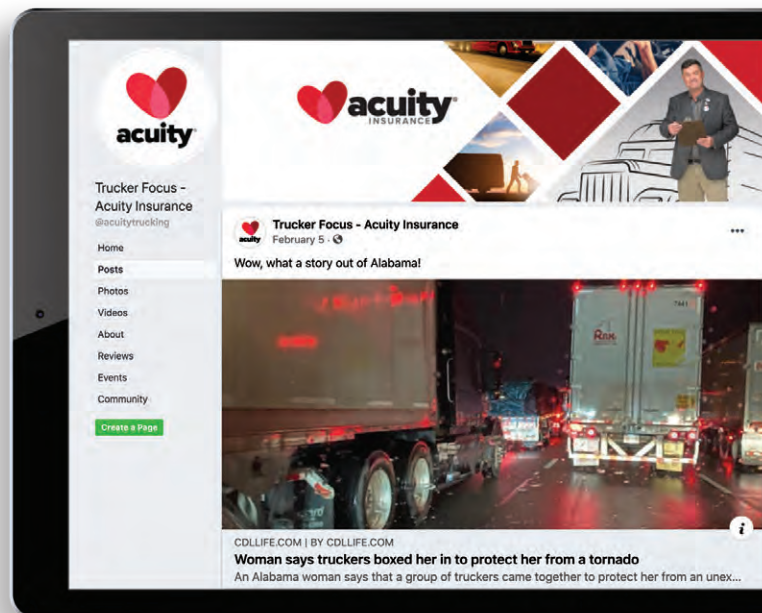
- Shift your seat position slightly every 30 to 60 minutes to vary the stress on your body.
- Change hand position on the steering wheel often. Do not squeeze harder than necessary.
- Do not hunch over the wheel.
- Work to ensure your body stays in a neutral position.

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This article is provided in format and not intended to be used as a substitute for professional advice. It may be subject to change without notice. The information provided is subject to change without notice.

# WORD OF MOUTH

Truckers are everyday heroes, and some days truly put their hero powers to the test. Read about how truckers in Alabama protected a woman on the road from a tornado and more on our Trucker Focus Facebook page, [facebook.com/acuitytrucking](https://www.facebook.com/acuitytrucking). You can also check out our trucking blog and access online resources and tools at [acuity.com](http://acuity.com).



Trucker Focus - Acuity Insurance

Wow, what a story out of Alabama!

CDLIFE.COM | BY CDLIFE.COM

Woman says truckers boxed her in to protect her from a tornado

An Alabama woman says that a group of truckers came together to protect her from an unex...

# ASK THE SPECIALIST



**Cliff Johnson**  
is Acuity's Trucking  
Consultant. Have a  
question for Cliff?  
Reach him at  
[cliff@acuity.com](mailto:cliff@acuity.com).

## Ask Cliff

### ***“What does the future of trucking look like for the remainder of 2021?”***

The trucking industry responded to a myriad of unprecedented challenges in 2020. Our economy went from record consumer growth to a near shutdown as the nation complied with shelter-in-place orders. Upheaval and yet opportunity occurred as the supply chain switched from stocking shopping malls to e-commerce and home food delivery took the place of restaurant visits. As we approach the midpoint of 2021, motor carriers are still dealing with the fallout.

The trucking industry did fare better than other industries, as it was deemed to be part of the essential infrastructure and both carriers and drivers could continue their work. FMCSA provided exemptions and waivers to allow for continued freight movement in response to the coronavirus (COVID-19) outbreak. These can be found at [www.fmcsa.dot.gov/COVID-19](http://www.fmcsa.dot.gov/COVID-19).

From a freight tonnage perspective, initially many carriers saw regular customer shipments reduced—some to almost nothing. Fortunately, most motor carriers have been able to replace the lost freight with increased demand from other sectors. One good example would be the reduction initially seen in auto parts being replaced by increased tonnage in building material shipments.

A positive outlook for trucking going forward is expressed by the American Trucking Association's Chief Economist Bob Costello. He predicts truck freight will stay strong into 2021—so much so that he increased his prediction for the nation's gross domestic product growth this year to 7%, up from 5%. Costello said, “We are going to have some insane growth rates for GDP,” further predicting that “trucking sectors that have been strong will remain strong, and the weaker parts of trucking, like tankers, will receive a boost.”

Looking down the road, both challenges and opportunities lay ahead for the trucking industry. The truck driver shortage and retention of qualified

drivers remain top concerns for the industry. Drivers are required to have a higher degree of expertise in their position, while the pool of qualified experienced drivers seemingly continues to dwindle.

Truck technology continues to go beyond simple emission controls to encompass diesel exhaust fluid (DEF) or alternative energy sources for powertrain and emissions improvements through propane, electrification, or other energy sources. Today's trucks are often equipped with telematics including electronic logging devices (ELDs) and global positioning satellite (GPS) navigation aids. Advanced collision mitigation systems are incorporating technology to monitor dangers including forward-facing radar for alerting drivers to danger and progressive braking. Side-facing lidar alerts the driver to objects in their blind spot, advanced rollover prevention systems improve safety, and in-cab forward facing cameras document what happened prior to an incident.

But technology does not end there. Operational technology is becoming a critical tool in maintaining a competitive advantage, including use of the cloud, the Internet of Things (IoT), and advanced analytics. Technology is changing the way motor carriers manage their business and gain efficiencies; for example, route and fuel optimization technology, temperature tracking and record keeping, tractor and trailer tracking, human resource functions, and driver qualification files (DQFs). Even back in the day when I owned a company with a small fleet, I greatly benefitted from using cloud-based fleet management software designed to help with freight load boards, tracking, accounting, payroll, IFTA, dispatch, scheduling, and rate management.

Acuity works to stay on top of trends impacting the trucking industry and offers many tools to motor carriers. Visit [www.acuity.com/business/commercial-truck-insurance](http://www.acuity.com/business/commercial-truck-insurance) to learn more.

# BEST OF THE BLOG



## FMCSA'S HOS CHANGES AND WHAT IT CAN MEAN IN YOUR FLEET

FMCSA's long-awaited hours-of-service (HOS) changes became effective on September 29, 2020. Shown below is an overview of the changes and how they may affect your company.

### **CMV Short-Haul Exemption (49 C.F.R. §395(e)(1))**

The new HOS rule extends the maximum duty period allowed under the short-haul exception from 12 hours to 14 hours and extends the maximum radius of the short-haul exception from 100 to 150 air-miles. This increases the number of CDL drivers able to take advantage of the short-haul 150 air-mile exception.

Previously, drivers using the short-haul or 100 air-mile radius exception could not be on duty more than 12 hours, and non-CDL drivers using the short-haul or 150 air-mile radius exception could not drive beyond the 14th or 16th hour on duty, depending upon the number of days on duty.

### **Adverse Driving Conditions (49 C.F.R. §391.1(b)(1))**

The new HOS rule allows a driver to extend the maximum driving window by up to 2 hours during adverse driving conditions. This change applies both to drivers of property-carrying CMVs (14-hour driving window) and passenger-carrying CMVs (15-hour driving window). The change is thought to allow drivers time to park and wait out the adverse driving condition or to drive at a slower speed through it.

Previously, a driver could be permitted or required to drive a CMV for not more than 2 additional hours beyond the maximum time allowed and the maximum driving window was not extended.

### **30-Minute Rest Break (49 C.F.R. §395.3(a)(3))**

The new HOS rule requires a 30-minute break only when a driver has driven for a period of 8 hours without at least a 30-minute interruption. If required, the break may be satisfied by any non-driving period of 30 minutes, such as

on-duty, off-duty, or sleeper berth time. This change is thought to increase the on-duty/non-driving time by up to 30 minutes, allowing drivers to reach their destination earlier with no anticipated fatigue effect because drivers continue to be constrained by the 11-hour driving limit and would continue to receive on-duty/non-driving breaks from the driving task.

Previously, if more than 8 consecutive hours had passed since the last off-duty (or sleeper berth) period of at least half an hour, a driver had to take an off-duty break of at least 30 minutes before driving.

### **Split Sleeper Berth Rule (49 C.F.R. §395.1(g))**

The new HOS rules modify the split sleeper berth requirements to allow drivers to take their required 10 hours off-duty in two periods, provided:

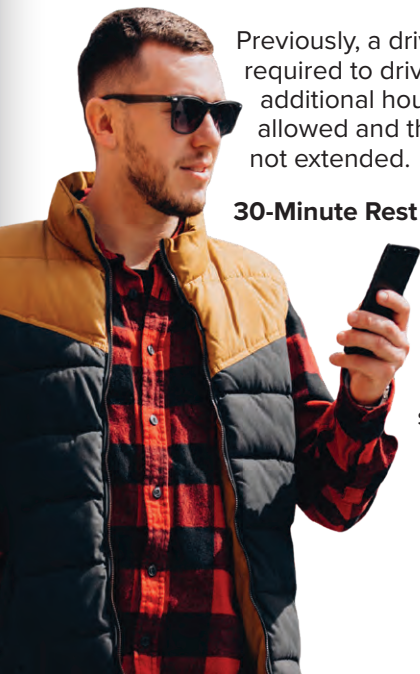
1. *One off-duty period (whether in or out of the sleeper berth) is at least 2 hours long; and*
2. *The second involves at least 7 consecutive hours spent in the sleeper berth.*

Neither period counts against the maximum 14-hour driving window.

Previously, the split sleeper berth rule required a driver to use the sleeper berth to get the equivalent of at least 10 consecutive hours off-duty. To do this, the driver had to:

1. *Spend at least 8 consecutive hours (but less than 10 consecutive hours) in the sleeper berth. This rest period did not count as part of the 14-hour limit.*
2. *Take a second, separate rest period of at least 2 (but less than 10) consecutive hours long. This period could be spent in the sleeper berth, off-duty, or sleeper berth and off-duty combined. It did count as part of the maximum 14-hour driving window.*

The changes FMCSA made to the HOS are designed to help motor carriers and drivers conduct business without reducing safety.



# HOW TRUCKING TELEMATICS CAN **HELP SAFEGUARD YOUR COMPANY**

Motor carriers successfully realizing positive return on investment are achieving this through an understanding and implementation of management controls in successfully guiding their operations. Although no two motor carriers are alike, there are basic common truths that facilitate efficient and safe operations in the trucking industry.

For some motor carriers, this could mean going back to the basics and working to ensure their process of driver selection, driver training, operations and dispatch, maintenance, and DOT compliance all facilitate efficient and safe operations. Without these fundamentals in place and working for a motor carrier, the cost of operation will typically be higher. For others, having already done the work ensuring the basics are in place, adding technology—particularly telematic technology now available to the trucking industry—can help control costs and provide a better employee and customer experience.

Some use of telematics is already widespread, such as complying with the hours-of-service mandate using electronic logging devices (ELDs) and GPS technology. However, this is just the beginning. Innovative fleets have moved beyond compliance and are looking to telematics to obtain a competitive edge in their trucking operation with more comprehensive fleet management tools. Additionally, many ELD, GPS, and other device manufacturers offer additional capabilities, including:

## **DRIVER SAFETY**

- Cameras
- Harsh driving event monitoring
- Aggressive or distracted driving monitoring
- Seat belt usage
- Driver scorecard and coaching opportunities

## **ASSET MANAGEMENT**

- Refrigerated van temperature monitoring
- Door and cargo security
- Improved utilization rates
- Wake on motion

## **ECM TRUCK INTERFACE AND WI-FI**

- GPS location and asset tracking
- Tractor diagnostics
- Route and fuel optimization
- Tractor maintenance
  - *Technician remote diagnostics*
  - *Preventative maintenance*
  - *Engine codes*
  - *Temperatures*
  - *Fuel data*

## **DRIVER INTERFACE**

- Hours-of-service logs
- DVIR pre/post-trip inspections
- Documentation sharing
- Messaging
- Proof of delivery

Motor carriers' telematic needs vary, given the wide range of industries served by the trucking industry.



However, some common considerations exist when deciding whether to incorporate additional telematics in your operation. Some tips include:

- *Perform your own due diligence. What is your competition doing that seems to work? What do vendors offer in terms of systems that are simple to use, reliable, and have the greatest uptime? This takes a little work, but you can avoid wasting time and money in the long run.*
- *Request a trial period from a prospective vendor. If they are confident in their product, they may be willing to offer a free trial period.*
- *Formulate and create a companywide introduction of new systems, with safeguards built in using your old systems until the new ones prove themselves reliable. Maintain backup plans in the event a system goes down.*

- *Don't get caught in the mountains of data that you will have available. Identify your initial main goals and focus on those specific areas for improvement before biting off more.*
- *Be wary of integrating multiple systems from competing vendors and expecting them to communicate and work together. Circle back to doing your due diligence and identify what will work for your company before putting your hard-earned money down.*

Finally, be aware of other platforms that can enhance your operation's efficiency, including truck maintenance, dispatch and load board, and trucking accounting software. Many of these tools can save time and money if they fit your operation, and they are often quite affordable.



# WIN \$100! FIND THE FLAGPOLE TO BE ENTERED!

Acuity is proud to hoist a 70- by 140-foot American flag on a 400-foot flagpole at our headquarters in Sheboygan, WI. Visit [www.acuity.com/flag](http://www.acuity.com/flag) to learn more.



To enter, find the flagpole hidden in this issue and send an email with the location to [flagcontest@acuity.com](mailto:flagcontest@acuity.com). We'll randomly choose a winner from the correct entries received by July 1, 2021.



**WINNER** of last issue's contest was:  
Jolene Cin—Huls Bros. Trucking Inc.—St. Joseph, MN

This contest is not open to employees of Acuity or their immediate family members. For a complete list of rules, visit [www.acuity.com/flagcontestrules](http://www.acuity.com/flagcontestrules).





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## TRUCKING QUESTIONS?

Acuity's on-site trucking consultant provides over 30 years of industry experience to your business.

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 **Phone**

800.242.7666, extension 1740







**WHY E-LOGS ARE BETTER FOR  
MAINTENANCE TRACKING**

**TRUCKER TALK AHEAD** ↗

# DO YOUR MAINTENANCE LOGS LOOK LIKE THIS?

## DO YOU WANT TO HEAR A SECRET?

Injured drivers often tell us that maintenance issues are not fixed even though they have been reported multiple times. No one should be subjected to a preventable injury caused by poorly maintained equipment.

## THERE ARE MANY REASONS, BUT ...

We have heard that many companies don't have a system for paper logs, so repair sheets are frequently lost. If you must use a paper system, make sure a manager gets a copy of all repair sheets and follows up to be sure the work is completed. Employees should make and keep a copy of all paper repair sheets submitted for their own records.

## ELECTRONIC MAINTENANCE LOGS ARE BETTER.

Everyone has all the information if maintenance logs are kept electronically. Nothing gets lost and you can better track problematic equipment.

## PREVENT INJURIES BY PROPERLY MAINTAINING ALL EQUIPMENT.





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TEAR ALONG THE PERFORATION LINE

# TRUCKER

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