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2008

**CVSA CELEBRATES ITS
25TH ANNIVERSARY**

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Dedicated to government and industry working together to promote commercial vehicle safety on North American highways.

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About the cover:

Over the last 25 years the CVSA logo may have changed but its mission remains just as true and as critical today; a commitment to standardized excellence and safety across all facets of commercial vehicle operations and reciprocity across all borders in North America.

Guardian is a publication of the Commercial Vehicle Safety Alliance and the Federal Motor Carrier Safety Administration.

PRESIDENT'S MESSAGE**2008 is a Special Year for CVSA**

By Capt. John E. Harrison, CVSA President

This issue of the *Guardian* highlights CVSA's 25th anniversary. I'm very fortunate and proud to have the opportunity to serve as your president during this time of celebration. I want to take a little of your time to share with you what CVSA has meant to me during my CMV enforcement career. I'll also share some words of wisdom from my conversations with several past presidents.

I started my career as a CMV enforcement officer in 1980 before CVSA was formed. However, even as a wet-behind-the-ears 21-year old rookie I could see the need for uniformity in areas such as inspector training and regulatory compatibility. Back then, training for the most part was obtained in the field by riding with and observing older officers conducting inspections—with each providing their own interpretations as to how something should be applied or be performed. The first classroom training I received regarding the motor carrier safety regulations was in 1981 and was conducted by the old Bureau of Motor Carriers, then under the Federal Highway Administration (FHWA). That course, 32 hours in duration, was loosely constructed and included little or no materials (other than a “reg” book) or visual aids and was not conducted by instructors “certified” under the rigorous standards we now have today under CVSA.

One of the first major accomplishments of CVSA, in conjunction with FHWA, was a standardized training course we now know as the “North American Standard (NAS) Inspection Course.” I was fortunate enough to have served as a NAS instructor in 1989 and 1990 working with John Youngblood, who most of you know was killed in the bombing of the Oklahoma City Federal Building in 1995.



Capt. John E. Harrison

CVSA was born out of some meetings held between several western states and British Columbia in the early 1980's. Then in 1983, CVSA was formally incorporated in Maryland. Those pioneering States and one Province saw a

particularly proud of was my participation in the first organizing meeting for Region II in 1983. That meeting held in Nashville, set the boundaries for Region II as well as allowed for election of the Region's first officers.

As you can see, I've been involved in CVSA for many years serving on several committees, as well as serving as Region II Vice-President and President. I've seen CVSA grow and expand its reach into Mexico. Moreover, I've seen CVSA evolve into the organization that is recognized in North America as the expert in the field of CMV safety and enforcement.

I want to thank the member jurisdictions for believing in my abilities to lead CVSA when you elected me as your secretary-treasurer in 2005. As I've advanced from being chair to president, I've strived to reach out and work with and ask for the opinion and guidance of many CVSA stakeholders. Please, do not hesitate to reach out to me at any

One of the first major accomplishments
of CVSA was ... the “North American
Standard Inspection Course.”

need to recognize each others' inspections thereby reducing duplication of effort. In turn, that led to uniform inspection and training standards in order to ensure everyone was on the same sheet of music. As the word spread and the concept caught on, CVSA expanded east and consequently, regional organizing meetings were held. One of my associations with CVSA that I'm

time to just talk or to ask for help with an issue. I leave you with a quote from Foster C. McClellan regarding my philosophy on life which I believe has driven CVSA's achievements: “Trust yourself. Create the kind of self that you will be happy to live with all your life. Make the most of yourself by fanning the tiny, inner sparks of possibility into flames of achievement.”

Letters to the Editor

Striving to Get to Zero Defects in this Ongoing Human Tragedy

I read, in your Fourth Quarter 2007 *Guardian* ("New FMCSA Report Finds Tank Truck Rollovers Most Often Tied to Driver Error"), that large truck fatalities decreased by nearly five percent in 2006. This is great news! But, as FMCSA Administrator John Hill reminds us, "no deaths are acceptable."

It seems we are on the right track by understanding driver behavior, as noted several pages later in the same issue of *Guardian*: If a commercial vehicle driver had a reckless driving violation, their future likelihood increases 325 percent. Other violations increase the likelihood of future crashes by more than 56 percent ("Operation Safe Driver").

But, those are just the ones who got caught. The power of knowing who may potentially cause accidents in the future is the first step in preventing those accidents. By knowing these drivers, understanding their behavior and coaching them to drive better, accidents can be prevented. The only way to understand your drivers' behavior is to *know* their behavior – what are they doing in their vehicle that is causing these violations. Were they distracted by a cell phone, a

Laws written many years ago
are ... limiting the placement
of video event recorders.

radio or another person in the vehicle? Were they falling asleep, trying to get directions or eating while driving? Or any combination of the above?

The only way to know your drivers' behavior is to see it. Not just during ride-alongs but every time they step into their vehicle, turn on the ignition and put that vehicle into drive.

I'm concerned that there are laws currently on the books that may prevent carriers from keeping their drivers and our roads safe by not knowing their drivers' behavior. Laws written many years ago that did not allow for today's technology are hampering your efforts in understanding your drivers' behavior and limiting the placement of video event recorders.

Everyone involved in the commercial vehicle industry needs to do everything in

their power to ensure that we reduce the 4,995 large truck fatalities in 2006 to zero deaths in 2008 (and help to reduce the 43,000 total traffic fatalities to zero, as well). Talk to your CVSA representatives, your state highway legislators and everyone who can help make a difference. If we only reduced fatalities by five percent in 2007, we still had 4,476 fatalities. How many of those were *your* drivers?

More importantly, how many are future fatalities that could otherwise have been averted by just proactively breaking bad habits that WILL cause death and destruction if not eradicated at the source when drivers' luck runs out.

Families deserve mothers and fathers and sisters and brothers coming home safely each and every night. The emotional cost and havoc wreaked upon a family when victimized by a needless automotive fatality dwarves the actual monetary cost.

As a society, we deserve more and should not accept less than striving to get to zero defects in this ongoing human tragedy.

Bruce Moeller, President & CEO
DriveCam Inc.

Fleets Should Issue Hands-Free Communication Devices to All Drivers

Over the past ten years cellular phones have made a tremendous impact, both positive and negative, to our lives in more ways than we could have ever imagined possible. They give us the benefit of instant communication via voice, text and internet capabilities virtually anywhere in the country. On the flip side, they can

prove to be one of the biggest distractions in today's technological environment.

Although this technology has provided a luxury that most can afford in today's world, it also has some inherent dangers to individuals if not used in a safe and responsible manner while driving. Some studies have suggested that cell phones are responsible for as many

accidents as alcohol. To further reinforce our safety commitment to our employees and to the general public, we have purchased "hands-free" communication devices that will be distributed very shortly to all our professional drivers. We feel strongly that this device will help everyone to maintain a better focus on the task of operating a commercial motor

Standard Process for a Controlled Brake Application Will Impact Brake Failures, Improve Operation Costs

According to the statistics, true trailer air brake testing in the shop is not happening. CVSA's Executive Director Stephen F. Campbell in his recent article 'Put Your Foot Down on Faulty Brake Systems' identified the seriousness of poor brake maintenance. Brake problems were present in 29.4 percent of large truck crashes and 56.6 percent vehicle out-of-service violations including slack adjustments.

These numbers suggest brake maintenance in the shop is a major contributor. Too often the trailer brake inspection consists of connecting the non-regulated shop air to the trailer and listening for air leaks. The non-regulated air ranging from 60psi to 150psi does not ensure consistency, creating additional problems especially with an excessive air pressure. Hearing an air leak in a noisy shop is not sufficient especially when there is an internal air leak or multiple small air losses. Applying the same pressure to both the emergency and service air lines will not identify an internal air leak of seals and valves.

Many issues such as restricted air

supply, bent slack adjustment rods, and non-functioning mechanics are not observed with a static air application. Brake operation on multiple axles is not observed with a single application. Add to the above issues, making automatic slack adjustments with applied air damages the mechanism.

The hidden effects are marginal brake applications with excessive brake and tire wear.

The solution is simple:

- Apply regulated air matching the tractor applications (110psi and 90psi);
- Have separate shut-off valves for emergency and service air for the air test;
- Use quality air gauges for emergency and service air; and,
- Cycle air applications at the axle to observe brake operations.

Developing a standard process for a controlled brake application will make an impact on the road numbers and improve the fleet operation costs.

Bob Blair
bob@lite-check.com

vehicle, to comply with the laws in many states that require hands free devices and to enable our drivers to use two hands on the steering wheel.

It is our goal in the DiSilva organization to provide the safest, most productive transportation company in the country and we continue to look for positive ways

to support our drivers while driving our trucks on today's busy highways. We are encouraging our drivers to take advantage of this opportunity and use it to improve their focus while on the job.

Brian J. Libby, Corporate Compliance Manager, The DiSilva Companies

CVSA's *Guardian* welcomes your letters and comments. To submit a letter send an email to communications@cvsa.org or write to CVSA, c/o *Guardian*, 1100 17th Street, NW, Suite 803, Washington, DC 20036.

OP-ED

On the Highway and Over The Airways Law Enforcement Makes A Difference in Saving Lives

By Mark Willis, Sirius Satellite Radio, Channel 147

How difficult and complex is your job? If you're like most people, the majority of your time is behind a desk. Forty, 50 or in some cases, 60 hours a week are not uncommon. Answering phones, reading e-mails, attending meetings and making critical business decisions in a rapid fashion are part of the territory.

A lot of the phone answering, memo writing and business analysis occurs before 10 a.m. You're an office warrior. But how often are you out in the field?

You may get out of the cubicle and into the field occasionally visiting with business associates and attending luncheons. But for the most part, you are tied to an office.

You work in the transportation industry, right?

The Wikipedia definition of transport or transportation is the movement of people and goods from one place to another. The term is derived from the Latin word, trans or across, and port are or to carry.

Industries which have the business of providing equipment, actual transport, transport of people or goods and services make up a large, broad and important sector of our national economy and are collectively referred to as transport industries.

So if you're charged with enforcing transportation laws, doesn't that mean part of your job should entail being out on the road explaining the laws regulating commercial vehicle traffic?

The laws governing the operation of a commercial motor vehicle are complex and are difficult to decipher.

Explaining the complexities of the laws that regulate commercial motor vehicles to the people operating these 80

thousand-pound mechanical marvels can be equally complex

Being a truck driver can be one of the most difficult jobs in America. Having the ability to operate an 80 thousand-pound vehicle in all types of weather, around road hazards, construction hurdles, and to be able to operate the vehicle in a safe and expeditious fashion (and often around an oblivious four-wheeling and trucking public) requires a great deal of skill and patience. For the most part, commercial vehicle operators will not voluntarily contact you. When you speak with drivers through a traffic stop, roadside inspection or at the scales, you are enforcing the laws and regulations that are designed to pull mechanically unsafe vehicles and drivers who demonstrate a resistance to following log book regulations and other regulatory governance, off the road

But, also come armed with information that will educate them, inform them and save lives. On the radio, I hear from over-the-road truck drivers, regional truck drivers, local truck drivers, safety advocates, fleet managers, dispatchers and even from people not in the transportation arena in their Toyota Corolla or Chevy Avalanche requesting the need for more information on highway safety.

More education and awareness leads to greater cooperation and heightened safety. Several groups have formed joint initiatives that have made a tremendous difference.

CVSA and the Department of Transportation recently hit the road October 21 through the 28, 2007 steering awareness toward Operation Safe Driver, a major enforcement and education effort.

The mission of the event was to improve commercial and non-commer-



cial driver behavior and performance through effective enforcement and education strategies. During the week, a variety of commercial and non-commercial driver-focused enforcement and outreach activities took place.

I've been in attendance at a scale house in Texas when Tpr. Monty Dial with the Texas Highway Patrol in the Commercial Vehicle Enforcement division has spoken with drivers, doing inspections, assisting with log book questions and offering additional guidance. Tpr. Dial also schedules time to speak to drivers at trucking conventions and on the radio with R.J. Taylor at www.AsktheLaw.org, a non-profit web site that assists drivers with operational questions.

Another person that makes a difference is Don Lacy, the Safety Director at Prime Trucking. Don schedules time on Tuesday to talk live with drivers on the radio, addressing safety issues, answering log book questions and offering a voice of reason on the road. He's been doing this for more than five years

Agencies such as the CVSA, Tpr. Monty Dial, R.J. Taylor and Don Lacy are making a tremendous difference for drivers on the road--a difference that educates and saves lives. Please write to me at mwillis@siriusradio.com and tell me how you or your agency has made a difference.

'See' you on the radio.



The Legislative Rundown

By Richard Henderson, CVSA, Director Government Affairs

President Signs 2008 DOT Appropriations Bill

President Bush signed the FY 2008 Omnibus Appropriations bill on December 27, 2008 that contained funding for Department of Transportation programs. Funds for the remainder of the 2008 fiscal year for MCSAP grant programs should be available to the states in the near future.

Reauthorization Process Begins

Surface Transportation Panel Recommends Restructuring of Major Programs Including Highway and Motor Carrier Safety

The National Surface Transportation Policy and Revenue Study Commission, created by SAFETEA-LU, issued its final recommendations on January 15 setting the stage for what promises to be a reauthorization process quite different from those in the past. It may, in fact, be the most significant reauthorization legislation considered since the Interstate Highway System was first created in 1956. It should be stressed at this point that these are only recommendations to Congress. They will be considered at length by the current Congress as well as the new Congress to convene a year from now in January 2009.

What has drawn the most headlines so far is the recommendation which could result in nearly tripling the federal fuel taxes over the next eight years to meet the growing needs of our surface transporta-

tion system. But in reality, the other recommendations of the Commission are every bit as newsworthy.

It recommends that all existing programs at the Federal Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, and the FMCSA, as well as certain infrastructure programs of the Federal Railroad Administration, be repealed and replaced with ten new programs that would, in many instances, cut across modal and bureaucratic boundaries.

The ten programs would be a system maintenance and “state of good repair” program, a multi-modal national freight program, a congestion relief program for urban areas over one million in population, a consolidated safety program, a suburban and rural connectivity program, a high-speed passenger rail corridor development program, an environmental stewardship program, and alter-

annual traffic fatalities by 50 percent by 2025. The federal share of projects would be 90 percent. Strategies recommended that should be considered in state and local plans affecting motor carrier safety are:

- Stronger enforcement of safety laws including speed limits, seat belt laws, impaired driving and using technology to do so;
- Enhanced adjudication of highway safety laws to impose penalties commensurate with the seriousness of the offenses;
- Enhanced motor carrier safety programs to reduce crashes caused by driver fatigue, unsafe operators, and automobile drivers who do not know how to share the road with large trucks; and,
- Highly visible public education campaigns to make everyone aware of the severity of highway safety problems. Buried in another section of the

The National Surface Transportation Policy and Revenue Study Commission’s recommendations ... may be the most significant since the Interstate Highway System was first created in 1956.

native fuels development program, a federal lands program, and a research and development program.

The overarching consolidated safety program would subsume current FHWA, NHTSA and FMCSA efforts and would focus on driver-related programs (seat belts, helmets, DUI repeat offenders) as well as safety infrastructure. The report recommends a national goal of reducing

Report covering Congestion Pricing is a recommendation that an adjustment be made to hours-of-service regulations to take into consideration the need for rest breaks to accommodate congested metropolitan areas.

The federal funding for these new programs would be distributed in a very different manner than under existing programs. At present, the funding for

The Legislative Rundown

(continued from page 5)

these programs is based on a variety of statutory formulas such as how many lane-miles or miles-traveled or taxable gallons sold or transit riders in a given jurisdiction, divided by a national total. Also, under present law, Congress earmarks individual projects or DOT selects projects on its own criteria.

Under the Commission's plan, existing formulas would be abolished and funds for most programs would be distributed according to a need-based approach where each state or jurisdiction would receive its share of the "cost to complete" the projects necessary to fill those needs. This in effect establishes performance-based standards for each of the ten programs and establishes detailed ground-up state and regional project plans in cooperation with states and localities. Uniform performance and cost-benefit standards for all plans would be required since a consolidated national strategic plan would be the basis for apportioning funds.

The Commission proposes to put the coordination of the plans at arms length from both Congress and the Administration by outsourcing the oversight of this task to a new permanent National Surface Transportation commission (NASTRAC). The models for such a panel are the Base Realignment and Closure Commission and the Postal Rate Commission.

The details of just how this would affect existing FMCSA programs and the MCSAP and other state safety grant programs are not spelled out. About all that can be said is that it would be a "huge leap" from the motor carrier safety funding programs we have been used to ever since MCSAP was created in the 1982 highway reauthorization legisla-

Uniform performance
and cost-benefit
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tion. We don't know if ever or when any of these recommendations will actually see the light of day. But you will be hearing and learning much more about them in the days ahead. We have the same learning curve and will try to provide further understanding and insight the best we can.

CVSA's Reauthorization Committee Begins Job of Establishing Priorities

On January 7 and 8, 2008, CVSA's Reauthorization Committee under the Chairmanship of Alan Martin (Ohio Public Utilities Commission) met in Washington, D.C. The first day was devoted to hearing from all of CVSA's safety and industry partners on what their reauthorization priorities are. Altogether the Committee heard from eleven different representatives.

The second day was devoted to discussing the top eleven reauthorization issues that have emerged from the recent membership survey which are:

1. Providing more flexibility in state grant programs;
2. Establishing a more effective com-

- pliance review process;
3. Minimizing or repeal exemptions from federal motor carrier safety regulations;
4. Resolving the issue of lack of uniformity of regulations affecting inter and intrastate operations;
5. Revising the Maintenance of Effort (MOE) formula;
6. Determining a weight threshold for application of the FMCSRs;
7. Making the new entrant program work better;
8. Establishing a single point of carrier registration, credentialing and safety data access;
9. Improving drug and alcohol programs;
10. Improving outreach programs; and,
11. Resolving the funding and jurisdictional issues relative to the truck size and weight program.

Between now and CVSA's Spring Workshop in Denver in late March, the Committee will be working to further develop these issues and come up with specific recommendations to be incorporated in the upcoming reauthorization legislation.

Finally, just a very preliminary observation: The Reauthorization Committee's discussion about the need to provide more flexibility and a performance-based, cost-benefit driven approach to developing a state motor carrier safety enforcement plan seems to be in line with a major theme of the Surface Transportation Commission report discussed earlier in this article. Also, some of the safety strategies in the Commission report appear similar to some of the issues discussed by the Reauthorization Committee.

Ask the Administrator



Question: Where were you and what were you doing when CVSA was established?

John H. Hill: I spent 29 years with the Indiana State Police, and that's where I was working when CVSA was created in 1982. A few years later, Indiana joined the Motor Carrier Safety Assistance Program (MCSAP) and CVSA. Prior to joining MCSAP, Indiana's CMV program lacked uniformity and was somewhat inconsistent in its enforcement activities. Joining CVSA and participating in MCSAP allowed the state to study, analyze and implement programs that benefited motor carrier oversight.

In 1989, Indiana created a Motor Carrier Division within the State Police and named me its new commander. As a new division, we did not have a formal structure to follow from previous commanders, so my first action was to attend a CVSA meeting. I found the CVSA experience quite rewarding. I soon met with my counterparts across the country, learned how they structured their state programs and how to best structure ours.

Question: What are your memories of CVSA's growth and contributions to safety?

Hill: CVSA reinforced the importance of not only having a national standard for safety inspections of commercial motor vehicles, it created a forum for key players in enforcement, industry and related groups to regularly deliberate and approve policies that harmonized federal regulations with operational inspection activities. Prior to CVSA being formed, states did not have this opportunity. I also believe it helped provide federal reg-

ulators with valuable operational insights about the effectiveness of their regulatory efforts.

Question: What are your aspirations/visions for CVSA in the future?

Hill: As the federal agency that oversees the interstate trucking and motorcoach

industries, FMCSA has a very clear mandate to increase safety on American roads. CVSA also has safety as its chief priority. CVSA provides an international forum for improving CMV safety practices. In the future we need to expand our knowledge of safety efforts beyond North America and learn from other countries how best to address highway safety. CVSA can contribute in this aspect.

FMCSA Announces Interim Final Rule on Hours-of-Service Regulation

Truck drivers will continue to be limited to driving 11 hours within a 14-hour duty period, after which they must go off duty for at least 10 hours under an Interim Final Rule (IFR) made public in December by the Federal Motor Carrier Safety Administration. The IFR was developed after new data showed that safety levels have been maintained since the 11-hour driving limit was first implemented in 2003.

"This proposal keeps in place hours-of-service limits that improve highway safety by ensuring that drivers are rested and ready to work," FMCSA Administrator John H. Hill said. "The data makes clear that these rules continue to protect drivers, make our roads safer and keep our economy moving."

The agency noted that, in 2006, the fatality rate per 100 million vehicle miles traveled was 1.94 – the lowest rate ever recorded. Similarly, since 2003, the percentage of large trucks involved in fatigue-related fatal crashes in the 11th hour of driving has remained below the average of the years 1991-2002. In 2005 alone, the agency noted, there was only one large truck involved in a fatigue-related fatal

crash in the 11th hour of driving while in 2004 there were none.

In addition, between 2003, when the 11-hour driving limit and the 34-hour restart were adopted, and 2006, the percent of fatigue-related large truck crashes relative to all fatal large truck crashes has remained consistent. And the agency's estimates show that only seven percent of large truck crashes are fatigue related.

Hill noted that the agency also is working to finalize a proposed rule that would require drivers and trucking companies with serious or repeat hours-of-service violations to track their hours of service using electronic on-board recorders.

The agency issued the new hours of service rule in response to the recent decision by the D.C. Circuit Court of Appeals vacating key provisions of the existing hours of service rules effective on December 27. In order to ensure no gap in coverage of these safety rules, the IFR temporarily reinstates those two provisions while the agency gathers public comment on its actions and the underlying safety analysis before issuing a final rule.

Rusty Wallace Steers Safety Message to Truck Drivers in PSA

By Janet Kumer, FMCSA, Safety Belt Program Manager

"When you drive for a living, you buckle up every time," NASCAR legend Rusty Wallace reminds professional truck drivers in a newly released public service announcement (PSA) supporting the 'Be Ready. Be Buckled.' campaign led by FMCSA and the Commercial Motor Vehicle (CMV) Safety Belt Partnership.

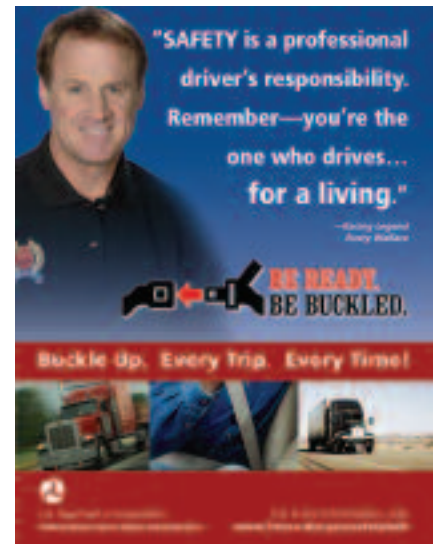
The 2006 CMV driver safety belt usage study found that only 59 percent of CMV drivers wear safety belts — compared to 81 percent of passenger vehicle drivers.

Since its release in Oct. 2007, the PSA has been distributed to more than 500 broadcast and cable stations nation-

wide. An audio version has been provided to radio outlets where it has received prominent play on Land Line Now, the Midnight Trucking Radio Network, and other satellite radio systems. The print edition will appear in trade publications throughout the year, including the February 2008 issue of *Careers-in-Gear*, a 200,000- circulation magazine for professional truck drivers.

"Safety is a professional driver's responsibility," Wallace emphasizes to CMV drivers.

All versions of the PSA are available for download at www.fmcsa.dot.gov.

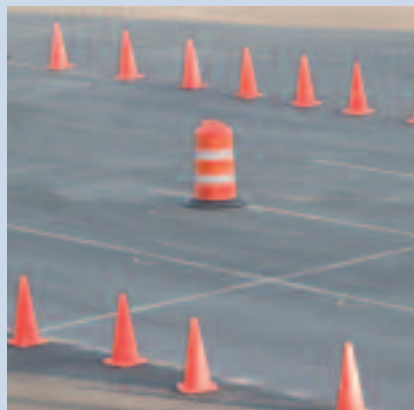


FMCSA Proposes Rule with Mandatory Training Requirements for Commercial Driver's License Applicants

The requirements for obtaining a commercial driver's license (CDL) in the future would include completion of both classroom and behind-the-wheel training from an accredited educational institution or program under a proposed rule announced by FMCSA in December 2007.

Beginning three years after the effective date of a final rule, all applicants for a CDL or upgraded CDL would be required to provide a valid certificate from a truck driving institution or program accredited by the U.S. Department of Education or the Council on Higher Education Accreditation. The rule would not affect current CDL holders.

For a "Class A" CDL (tractor-trailers), the proposed rule would require a



minimum of 76 hours of classroom instruction and 44 hours of behind-the-wheel training for a total of 120 hours. For "Class B" (large "box" or van

trucks) and "Class C" CDLs (hazardous materials or certain passenger-carrying vehicles), the proposed rule would require a minimum of 58 hours of classroom instruction and 32 hours behind-the-wheel training for a total of 90 hours. The training curriculum includes CDL safety regulations, vehicle operation and safe operating practices.

States would have three years to implement the new requirements once the rule is finalized and published in the Federal Register.

The public is invited to comment on the proposed rule. Instructions are available at www.regulations.gov, docket number FMCSA-2007-27748. Public comments will be accepted until March 25, 2008.

FMCSA Continues Emphasis on Passenger Safety

By Wesley F. Barber, FMCSA, Safety Investigator, New Jersey Division

Passenger carrier strike forces are focused enforcement efforts that can encompass an entire region, an individual tourist destination, or points along an inter-city bus route. FMCSA and its MCSAP partners are committed to continuing periodic strike force activities. They are very effective, particularly in responding to emerging industry trends — such as the growth of curbside operators seen in a number of areas in the country.

Last fall's FMCSA's Eastern Region passenger carrier strike force resulted in more than 1,200 safety inspections on motorcoaches and drivers. Spanning from Virginia to Maine, the activity was timed to coincide with the two-week pre-Thanksgiving holiday period when bus providers are operating at peak demand. This strike force also included intensive traffic enforcement resulting in 20 drivers being stopped and cited for speeding while operating a motorcoach. Drug interdiction and U.S. Department of Homeland Security activities — including K-9 units from state and federal partners — also participated.

In FMCSA's Southern Region, which extends from North Carolina to Texas, 24 individual passenger carrier strike force activities took place in May and June. In all, 800 safety inspections were conducted along with 100 compliance reviews on motorcoach carriers.

Inspection strike forces are also routinely conducted along the U.S./Mexico border. Other strike forces regularly take place at major tourism destinations throughout the country including national parks, casinos and resorts, and fixed-site amusement parks.

Nationwide, safety inspections on passenger carriers have increased by more

than 100 percent and the number of compliance reviews has more than doubled — 1,224 compared to 552 that occurred in the previous 12-month period.

This is the result of a stepped-up emphasis on passenger carrier safety announced by FMCSA Administrator John Hill in early 2007. It included an agency commitment to conduct a compliance review on every unrated passenger carrier. In addition, every state is now required to submit a motorcoach inspection program as part of their annual commercial vehicle safety plan.

The resulting surge in critical performance data is driving non-compliant passenger carriers into higher priority categories in SafeStat. And a soon-to-be implemented SafeStat ranking methodology — specifically designed for motorcoach carriers — will further enhance FMCSA's ability to monitor the safety compliance performance of passenger carriers.

FMCSA has made equally significant progress in monitoring “new entrant” passenger carriers. Even though new entrant audits are required to take place within 18 months of a carrier first registering with agency, FMCSA has adopted a self-imposed directive to cut this time in half — requiring a new entrant

audit to be conducted within the first 9 months of operation. Even this target has been vastly exceeded. In the last three years, more than 1,500 new entrant passenger carriers have received an audit, on average, within 4.5 months from the time the carrier first registered with FMCSA.

The message to the public and to the motorcoach industry is clear: FMCSA and its state MCSAP partners will remain aggressive in their coordinated enforcement efforts to ensure the highest possible degree of safety in the operation of passenger carriers on U.S. roads and highways.



CSA 2010 Operational Model Testing to Begin

By Gary Woodford, FMCSA, CSA 2010 Program Manager

In February 2008, FMCSA will begin operational model testing of the Comprehensive Safety Analysis 2010 (CSA 2010).

During this phase of testing, a representative sampling of interstate motor carriers in Colorado, Georgia, Missouri and New Jersey will be subjected to the new CSA 2010 safety measurement system. The results will trigger a series of progressive “interventions” designed to identify and address a carrier’s specific safety performance deficiency. Significant emphasis will be placed on data that is gathered at the roadside.

The operational model test will not

provide any regulatory relief. Motor carriers will not be rated during the test because the new methodology must be implemented through rulemaking, which will begin in 2008. In advance of this rulemaking, a motor carrier found to have poor safety performance, and is unresponsive to the new CSA 2010 interventions, will undergo a compliance review and be rated in accordance with FMCSA’s current compliance and enforcement process.

The goal of the four-state test is to determine the effectiveness of the CSA 2010 operational model -- both in its impact upon safety and its effect on state and federal resources. The test is a critical

step toward achieving CSA 2010’s established goal: reducing commercial vehicle-related crash fatalities through increased compliance achieved by ever expanding interaction with more carriers and drivers.

The test will continue for approximately 30 months. Full implementation of the CSA 2010 model is targeted for mid-2010.

FMCSA would like to thank the Colorado State Patrol, the Georgia Department of Public Safety, the Missouri Department of Transportation, and the New Jersey Department of Transportation for their participation in the operational model testing.

National School Bus Safety Week

By Manuel Gaona Jr., FMCSA Safety Investigator, Texas Division



During National School Bus Safety Week, Oct. 22-26, 2007, FMCSA border safety inspectors and safety auditors in Texas conducted presentations to elementary school students in El Paso and Laredo. The students were shown videos on school bus safety procedures, including how to safely exit a school bus during an emergency and the importance of

using seat belts. Assisting with the seat belt presentation were “Vince and Larry” – the Ad Council crash dummies. At the conclusion, the students were given certificates commending them for their participation in the activity.

Transportation directors for the Texas border-area school districts also made safety presentations to school bus drivers



and vehicle maintenance personnel. A DVD, prepared by the National Highway Traffic Safety Administration for school bus operators and covering many safety issues including railroad-grade crossings, was shown during the presentations. Participants also witnessed a demonstration of a Level I inspection on a school bus.

NTSB Adds Technology-Driven Collision Avoidance to Most Wanted List

By The National Transportation Safety Board

Emphasizing that developing and installing new technologies—such as adaptive cruise control and collision warning systems—in commercial trucks, buses, and passenger vehicles will substantially reduce accidents, the National Transportation Safety Board (NTSB) added highway vehicle technology to its Most Wanted List of Transportation Safety Improvements.

The Most Wanted List, established in 1990, focuses attention on NTSB safety recommendations that have a high public profile and will save lives and reduce injuries.

At a public meeting last November, the NTSB reviewed its list and added the goal of preventing highway collision with enhanced vehicle safety technology. The NTSB is urging the National Highway Traffic Safety Administration (NHTSA) to act more quickly in setting performance standards and mandating collision warning and adaptive cruise control systems in new commercial and passenger vehicles.

“I can’t think of any other set of technologies that holds as much potential for improving motor vehicle safety as these do,”



NTSB Chairman Mark V. Rosenker said.

In a two-year period, the NTSB investigated nine rear-end collisions in which 20 people died and 181 were injured. Three of the accidents involved buses and one accident involved 24 vehicles. Common to all nine accidents was the rear-following vehicle driver’s degraded perception of traffic conditions ahead before striking other vehicles. The NTSB said these accidents did not involve the use of drugs, alcohol, or vehicle mechanical defects. The investiga-

tion showed that sun glare, fog, smoke, fatigue, distractions, and work zones interfered with a driver’s ability to detect slow-moving or stopped traffic ahead and resulted in rear-end collisions.

The NTSB cited U.S. Department of Transportation preliminary analyses that have shown that 1,836,000 police-reported crashes, or about 48 percent of accidents, could be prevented by rear-end or run-off-the-road and lane change collision warning systems.

The NTSB said that NHTSA, along with its cooperative partners—the FHWA, the FMCSA, and

RITA—appears to be working consistently, although slowly, on these technological safety issues. The preliminary results of the testing on advanced safety systems are encouraging, but rulemaking is needed to ensure uniformity of system performance standards, such as obstacle detection, timing of alerts, and human factors guidelines, on new passenger and commercial vehicles, according to the NTSB. The complete Most Wanted List is available on the NTSB website: www.nts.gov

A full copy of FMCSA’s 2006-2011 Strategic Plan is now available online at www.fmcsa.dot.gov.

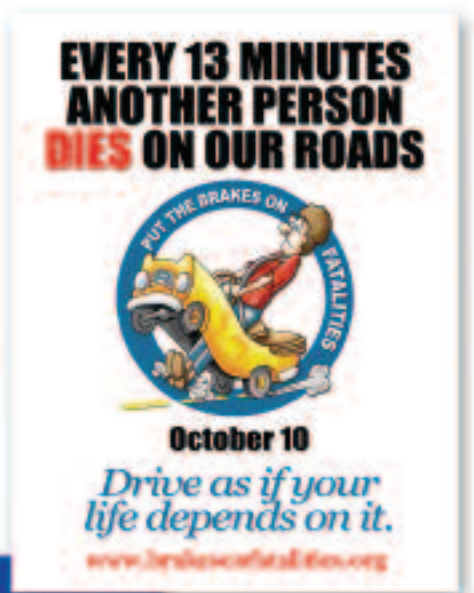
Printed copies may be obtained by writing: FMCSA, Office of Policy Plans and Regulation (Attention: Chris Chavez) W64-231, 1200 New Jersey Ave., SE, Washington, DC, 20590. Email: christopher.chavez@dot.gov Phone: 202-366-6408.

States Stamp Out Fatalities on the Road with Put the Brakes on Fatalities Day Campaign

Can you remember the last time you watched the news and did not hear about a traffic-related death? In every state, province and jurisdiction, every month, every day, every minute precious lives are lost due to traffic fatalities. It's a fact that may seem insurmountable but behind every statistic was a person, someone you may have known. This

year, the 7th Annual Put the Brakes on Fatalities Day® was Wednesday, October 10, 2007 and groups across the continent banded together and worked tirelessly for 24 hours to achieve one day of zero traffic deaths. The following is a snapshot of the media attention received and possibly the countless lives these activities saved.

States represented here are: (clockwise from top left) Kansas, Minnesota, Wisconsin, New Jersey, South Carolina, Florida, Alabama, Kentucky, New Mexico, and Ohio.



PBBTs Put to the Test at Demonstration During Brake Safety Awareness Week

By Stephen Keppler, CVSA, Director, Policy & Programs

As an education component of Brake Safety Awareness Week (BSAW) held August 26-31, performance-based brake testers (PBBTs) were demonstrated in six states, at eight different locations in the U.S. In conjunction with Level I inspections, the PBBTs were used during the week to measure the braking performance of over 520 commercial motor vehicles (CMVs).

To facilitate the demonstrations, high priority MCSAP funding was made available and PBBT vendors were paired with volunteer jurisdictions that wanted to learn about PBBT technology. Maryland, New Jersey, Pennsylvania and Michigan were provided with portable units along with PBBT technicians at no cost to the states. In addition, Indiana and Wisconsin, which already have in-ground units installed at their Terre Haute and Kenosha port-of-entry (POE) inspection facilities, respectively, were provided with PBBT technicians to provide training of additional inspectors on their PBBTs, and to assist with operating the units so that inspectors were freed up to conduct North American Standard (NAS) Level I inspections. In total, more than 60 inspectors participated in the demonstrations and use of PBBTs.

In addition to recording the number of PBBT tests conducted, data were collected on the number of vehicles that showed underperforming brakes. Using the criteria codified in FMCSR 393.52 for minimum braking force as a percentage of gross vehicle or combination weight (BF_{tot}/GVW), 46 were found to have an overall braking performance below the required minimum of 43.5 percent for property carrying vehicles over 10,000 lbs. GVWR. A total of 60 vehicles were placed out-of-service under the NAS Level I inspection criteria.



At the end of the week, an informal competition was conducted to see if any of the locations could test 50 vehicles in a day. Maryland reached 48 tests at the demonstration at the I-68 POE near Finzel, but was thwarted due to a lightning strike which cut power to the facility. The PBBT itself was still operational, as the portable units run off their own generator. But the lights and all other power at the POE were knocked out. Capt. Bill Dofflemeyer should be very proud of his teams at both locations for their enthusiasm in learning about PBBT technology and their near-miss of the record. Lightning notwithstanding, Wisconsin took the prize, with 102 PBBT tests being conducted on Friday on their two side-by-side units. Sgt. Michelle Martino is to be congratulated and should be very proud of her team for their demonstrated competence with the PBBTs. Capt. Chuck Teasdale of the Wisconsin State Patrol indicated he plans to install more PBBTs as new facilities are opened.

The use of approved PBBTs for placing vehicles with underperforming brakes out of service received a 91 percent majority of the voting CVSA jurisdictions on the recent out-of-service (OOS) revision ballot. The OOS criterion of minimum braking force as a percentage of gross vehicle or combination weight (BF_{tot}/GVW) of 43.5 percent, which parallels FMCSR 393.52, will go into effect with the publication of the 2008 *North American Standard Out-of-Service Criteria* at the beginning of April 2008.

While approved-PBBTs will continue to be eligible for MCSAP funding, plans are in the works to again provide no-cost demonstration units and technicians during BSAW 2008 to jurisdictions interested in seeing how a PBBT works and they might fit into their safety inspection program. If your jurisdiction is interested in participating, please contact Steve Keppler at stevek@cvsa.org.

Plans are in the works to provide no-cost demonstration units at BSAW 2008.

2008 CVSA Annual Conference Border Travel Update

By Joanne Kolba, MB Infrastructure and Transportation Motor Carrier Division, Research and Program Analyst, Winnipeg, Manitoba, Canada

Manitoba is excited to be hosting the 2008 CVSA Annual Conference in Winnipeg, MB, Canada, September 10-15, 2008 and welcomes all attendees and their guests! The following Border Travel information and document requirements are provided to help ensure that your cross border travel will be a pleasant experience without delays.

ENTRY/EXIT REQUIREMENTS

Entry into Canada is solely determined by Canadian Border Services Agency (CBSA) officials in accordance with Canadian law, see <http://www.cbsa.gc.ca> for details. Canadian law requires that all persons entering Canada must carry both proof of citizenship and identity. A valid U.S. passport or NEXUS card satisfies these requirements for U.S. citizens.

Traveling by Air?

Valid passports are required for all those traveling by air between the U.S. and Canada.

U.S. law requires that Americans entering the U.S. from Canada by air (including those returning by air from short trips to Canada) must have a valid passport.

Traveling by Land or Sea?

Travel to Canada - U.S. citizens traveling to Canada are required to show U.S. Government-issued photo ID, such as a driver's licence, and proof of U.S. citizenship, such as a U.S. birth certificate.

Travel to U.S. - As of January 31, 2008, the U.S. Department of Homeland Security (DHS) advises that U.S. and Canadian citizens, 19 and older, entering the U.S. from Canada by sea and land must present proof of identity (government-issued photo identification such as a driver's

licence) and a document showing their U.S. citizenship (for example, a birth certificate or certificate of naturalization). Children 18 and under must present proof of citizenship such as a birth certificate.

- Oral declarations of citizenship and identity alone from U.S. and Canadian citizens entering the U.S. will no longer be accepted.
- Passports and trusted traveler program cards - NEXUS, SENTRI and FAST - will continue to be accepted for cross-border travel by land or sea.
- Implementation of passport requirements for travel by land and sea, under the Western Hemisphere Travel Initiative (WHTI), have been delayed until June 1, 2009.

Canadians Living in the U.S. and Applying for a Passport

Passport Canada has produced a passport application checklist for Canadians living in the United States. According to Passport Canada, almost half of the applications from the U. S. are rejected due to common, avoidable errors. This checklist lists the most common problems and how to avoid them. Go to www.connect2canada.com/resources/CdnUsaChecklist.pdf to access the checklist.

Firearm Users Visiting Canada

The Canada Border Services Agency is responsible for controlling items brought into Canada. ***Due to severe Regulatory requirements, it is strongly recommended that you do not bring any firearms into Canada!***

Canadian Passports: Guarantor Policy

A new guarantor policy announced in October 2007, allows most Canadian

adult passport holders residing in Canada or the U.S. to act as guarantors for passport applications. Any family member as well as any individual residing at the applicant's address may act as guarantor, provided he or she meets the requirements. To view guarantor requirements go to: <http://www.ppt.gc.ca/cdn/section2.aspx?lang=eng®ion=Canada>

Applying for Canadian Passports, visit www.passportcanada.gc.ca or call: 1-800-567-6868 for additional information.

We strongly encourage all U.S. citizens traveling to Canada for the 2008 CVSA Conference to apply for a U.S. passport well in advance of anticipated travel. Wait times can be 6-8 weeks or longer from the time the completed application is submitted.

Applying for U.S. Passports, visit <http://www.travel.state.gov> or call: 1-877-487-2778 for additional information.

The U.S. Department of State recommends traveling with a valid U.S. passport to avoid delays or misunderstandings. A lost or stolen passport is also easier to replace when outside of the United States than other evidence of citizenship.

Both the U.S. and Canadian governments urge frequent travelers to join the NEXUS trusted traveler program. NEXUS members receive a special travel card that allows expedited border crossings for both private and commercial travelers through both U.S. and Canadian border controls very quickly. For information about the NEXUS program see <http://cbsa-asfc.gc.ca/prog/nexus/menu-eng.html>.

We look forward to the opportunity to introduce you to the many facets of our beautiful city and our friendly Manitobans. See you at the 2008 CVSA Annual Conference!

COVER STORY

The Story Behind the People Who Paved the Way to Create CVSA



In 1983 *Time* declared President Ronald Reagan and Yuri Andropov both as “Man of the Year.” “Rosanna,” by Toto was record of the year. That same year, Michael Jackson thrills an audience by performing the moonwalk for the first time. The British film *Gandhi* wins 8 Oscars. The Washington Redskins defeat the Miami Dolphins 27-17 in Super Bowl XVII at the Rose Bowl Stadium in Pasadena, California. Super Bowl; Baltimore beat the Philadelphia Phillies (4-1) in the World Series and the NY Islanders d. Edmonton (4-0) in the Stanley Cup. President Ronald Reagan calls the Soviet Union an “evil empire,” and in March makes his initial proposal to develop technology to intercept enemy missiles. The media dub this plan “Star Wars.” In April, Space Shuttle Challenger astronauts Story Musgrave and Donald H. Peterson per-

form the first space shuttle spacewalk for a duration: 4 hours, 10 minutes. That same month, the U.S Embassy is bombed in Beirut, killing 63 people. On June 18, Sally Ride becomes the first American woman in space, on the Space Shuttle Challenger. Lech Wałęsa wins Nobel Peace Prize. Singers Amy Winehouse and Carrie Underwood were born. And, amidst all of these events it was the year where several individuals representing states and provinces from Toronto to Texas formed a group that would help to improve commercial vehicle safety across the highways in North America.

Reading CVSA’s web site you will learn that CVSA began as an informal gathering of Western State Agencies that had the responsibility for conducting commercial vehicle enforcement functions. The first meetings of the founding agencies were held

in 1980. These meetings highlighted areas of common need and discussed ways in which uniform standards, procedures and methods could be utilized to greatest effectiveness. Early on, there was recognition that commercial vehicle highway safety was virtually the same in all the different States. At the same time, it was also recognized that various states were in large part using common criteria for regulation and inspection functions but there was not a system giving reciprocal credit for each other’s work. Thus, the States were involved in a redundancy of work effort. That redundancy wasted government resources as well as causing equipment/personnel time and monetary loss for the motor carrier industry.

A Memorandum of Understanding (MOU) was developed to establish uniformity and reciprocity of on-highway enforcement and improve the safe opera-

Do You Know?

1. How many Memoranda of Understanding (MOUs) were there?
2. Which is the original CVSA decal design?



3. Where was the first CVSA meeting held?
4. Which states were the first to join?
5. Which Canadian province was the first?
6. Name the first five CVSA presidents.

Look for answers in the next issue.



In 1983 a “laptop” weighed 23 lbs., Swatches were introduced, and Tom Brokaw became lead anchor of *NBC Nightly News*.



provinces in what was known as the Western States Commercial Vehicle Safety Alliance. Almost immediately, the agreement and the concepts initiated became successful. Virtually all of the agencies that initiated or modified significant programs to conform to the MOU had good results in the reduction of accidents caused by commercial motor vehicles. The worth of a shortened “critical item” inspection system which focused on the most common accident causes was established. Also of importance, the motor carrier industry and many other groups became very interested and supportive of the Alliance’s accomplishments and methods. That interest led to significant interaction and involvement of the Alliance membership with industry, public safety organizations, and the Federal Department of Transportation. The Alliance soon became a forum for discussing ways to improve the safety of motor carrier operation (buses as well as trucks) through enhanced and improved methods of both highway and terminal inspection of vehicles, drivers and cargo.

tion of commercial vehicles. The MOU was a working agreement which outlined the various minimum inspections and out of service criteria which parties to the agreement would follow. Most importantly, the MOU established that various state and provincial agencies would not only be uniform but would also recognize each others work in the inspecting of commercial vehicles, their drivers and cargo. Initially the MOU was adopted by seven states and two Canadian

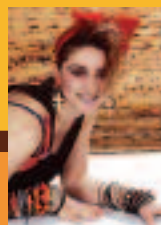
By 1982, interest in the Alliance was high in Canada and the U.S. with many additional states across the country becoming members. Also many non-governmental persons, associations, and companies wanted to play an active supportive role. To accommodate this expanding membership and associate interest, in October of 1982 the by-laws were ratified that created CVSA bi-national scope and added provisions for

associate membership. The new organizational structure set the framework for commercial vehicle uniformity and reciprocity in both countries, clearly establishing a system for associate persons to participate in and contribute to the safety effectiveness of CVSA.

What the web site does not say about the history of CVSA, can be expanded upon by Larry Stern, CVSA’s Director, Level VI Inspection Program:

The first Executive Director was Ed Kenneston from the California Highway Patrol. He was instrumental in getting in the movement started in the western states. He was based in Elk Grove, CA outside of Sacramento. He worked part time, from home.

When CVSA got up and running one of the biggest things of CVSA, the cornerstone really, was uniform inspections. Industry had come to law enforcement and said they were getting duplicative inspections two and three times in one day – that was the reason CVSA started and it grew from there. CVSA picked up some additional western states. And then once MCSAP came into place with the U.S. DOT that’s when the majority of the states started to join – and it started a big movement. The first meeting I attended was as a West Virginia state representative and we worked on the *North American Standard Out-of-Service Criteria* (OOSC) – that was always a federal document wasn’t shared with industry – and shared very little with the states. I was a representative from West Virginia in Oklahoma City working on the OOSC and that was the start of CVSA work-taking over the OOSC. From roughly 1983-84, state and



Ronald Reagan was President, Madonna released her first album, McDonald’s introduced Chicken McNuggets, and Motorola sold the first mobile phone.

federal officers sat down together and frankly, it was a bit of a turf battle at first. We discussed brake measurements (the federal representatives were opposed to it for Level I inspections). There weren't any different levels back then – it was just one inspection. Then we set up working committees, like the vehicle committee. If it was not for Jim Daust, a CVSA two-term past president, we would not be where we are today. He used a lot of resources from the state of Michigan. The *North American Standard* training program and manual was developed by CVSA and Jim used his Michigan resources to print the training manuals. For the first year it was voluntary to pay dues. But, we needed a full-time executive director, so we hired Russ Fiest. He had worked with the old Motor Carrier Bureau, and we voted to move offices from California to Washington D.C. because we had enough smarts to see what this could grow into to and we had to start representing the states and to work with the DOT. CVSA had no money and hardly any money to pay Russ. So, we had to start collecting dues before we could hire him. At the time, CVSA had about \$1,700 in the bank and we stretched our neck out and hired him on a contract basis. A DOT contractor at the time gave us free office space on 16th Street in Washington D.C. and there, in a basement of a row house we set up shop. Russ started to work. If it wasn't for Russ and Jim Daust, there wouldn't be a CVSA today. They spent hours of their time, and much of it unpaid. Executive committee would meet all night because we had so much work to do.

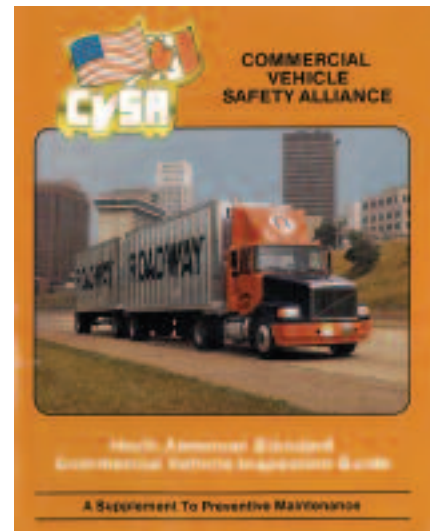
About that time, Jim, Russ and myself met with most all of the Canadian provinces and signed on Canada in roughly

1986 and that started CVSA's international outreach. Russ started hiring staff members and got the Department of Energy cooperative agreement in place in 1986 and that gave us income to hire one staff person.

Things started to gel together with the federal government and CVSA becoming a stronger voice of the states. There was a whole shift in power from the federal to state level that many people were not comfortable with. We were sharing all the information with all the states and provinces and slowly began to build our ground as the voice of the roadside commercial vehicle inspector.

The issues we were working on back then were many of the same issues we are working on today such as: MCSAP reauthorization. Thanks to the federal government they paid for the states to pay dues and for the CVSA decals and we've had our family feuds but overall we work very well together – all for our common goal of improving the roadside inspection process and highway safety.

Today, we've got many more people attending CVSA conferences and meetings and some are very active, but we always have to remember that our focus is the roadside officers. We need to constantly assess how we get information to all of the roadside enforcement officers across North America. They are the ones that CVSA represents and looks and it is extremely important for people who attend the CVSA meetings to share the information and communicate to their people who don't get to attend – everything they learn to do their job better. That's the key.



Larry Stern, then employed at the West Virginia Public Service Commission, served as CVSA's Vice President from 1986–1987. After a period in the private sector, he returned to CVSA as Director of Administration from 1990 – 2001. He currently serves as the Director, Level VI Program for the DOE cooperative agreements.

Throughout the year, CVSA's *Guardian* will peek back in history, interviewing members and the movers and shakers who were instrumental in forming the Alliance. If you would like to share your memories of CVSA's early days please contact Laura Zabriskie Martin at communications@cvsa.org.



Sally Ride was the first American woman in space, *Return of the Jedi* was in movie theaters, and CVSA got its start.

INSPECTOR'S CORNER

Critical vs. Non-Critical Vehicle Inspection Items and When to Apply a CVSA Decal Understanding the *North American Standard Roadside Inspection Program*

By: Collin Mooney, CVSA, Director, Enforcement Programs

Prior to the early 1980's the transportation industry was subject to a variety of compliance and enforcement activities while traveling from one jurisdiction to another. In the early 80's the trucking industry was going through economic deregulation. In both cases, there was much concern about the potential consequences of not having a coordinated and comprehensive approach to safety.

As a result, various levels of government, transportation safety professionals and industry created an organization to assist with the implementation and coordination of roadside truck and bus inspection activities — CVSA. Over the next several years CVSA developed, and to this day continues to maintain, in conjunction and collaboration with federal agencies such as FMCSA, as well as the industry, the details of an inspection, training and certification program for government employees who conduct roadside inspections on commercial motor vehicles (CMV). These standards and procedures were agreed upon throughout all of North America and are collectively referred to as the *North American Standard Inspection Program*. They are recognized in the U.S. in several locations in the Federal Motor Carrier Safety Regulations (FMCSRs) and in particular, 49 CFR §350.105.

As a part of this program, a critical development occurred in the late 1980's — the creation of a set of enforcement guidelines and tolerances for uniform “out-of-service” standards for CMVs conducting interstate or interprovincial operations. These guidelines were later formally recognized in the FMCSRs as the *North American Standard Out-of-Service Criteria* (OOSC) [49 CFR §385.4 and §390.5].

In order to fully appreciate the roadside inspection program and the intent of the OOSC, one must recognize and fully understand the three separate and distinct types of commercial motor vehicle inspections.

1. The annual/periodic and preventative maintenance requirements for all commercial motor vehicles;
2. The driver trip inspection requirements; and,
3. The roadside inspection program conducted by law enforcement officials.

All three types of vehicle inspection are intended to compliment each other, and one inspection is not any more important than another. The roadside inspection is the “last line of defense” for highway safety. When a driver or vehicle

and non-critical vehicle inspection items (i.e. windshields, horn, safety belt, conspicuity tape, identification and clearance lamps, etc.) in addition to any driver, hazardous materials and/or carrier administrative violations. All violation and/or defects identified and documented on the roadside inspection report would be cross referenced to the OOSC to determine whether they are likely to cause or contribute to a crash or breakdown if the driver and/or vehicle is allowed to proceed. This is defined as an “Imminent Hazard” [49 CFR §390.5]. The OOSC does not supersede or summarize any federal safety regulation or trade association standards. Although the OOSC was developed with the assistance of (and continues to rely on) a variety of applicable trade associations, it does not reflect their recommended manufacturing standards.

The CVSA decal serves as an identifier
to another law enforcement official that
this CMV was recently inspected ... and to
choose another [CMV to inspect].

is placed out-of-service during a roadside inspection it is indicative that the motor carrier likely has a failing or defective preventative maintenance and/or driver trip inspection program.

During a roadside inspection, all commercial motor vehicles are inspected to applicable highway safety regulations, this includes all 13 critical vehicle inspection items identified in Part II of the OOSC

Far too many drivers, roadside inspectors, mechanics, company safety professionals and owner operators reference the OOSC as the “DOT” standard. In our judgment it is a mistake and a misuse of the intent of the *North American Standard Inspection Program* and the OOSC. The OOSC serves as a uniform set of guidelines for law enforcement officials when determining whether a driver and/or

Santa Surprises Truck Drivers During Commercial Vehicle Inspection at VA Beach

By Tpr. R. C. Powell, Virginia State Police

vehicle are an imminent hazard. The Policy Statement under Part II of the OOSC states “These criteria are neither suited nor intended to serve as vehicle maintenance or performance standards.”

There are many aspects to the roadside inspection program. However, the *North American Standard Inspection Program* begins with the regulatory authority found in the applicable Canadian, U.S. and Mexican CMV safety regulations. When a new inspector is first introduced to the roadside inspection program, the regulations surrounding CMV safety can be quite overwhelming. As a result, the various *North American Standard Inspection Procedures* conducted by a CVSA-certified inspector were developed to provide an inspector with a structured uniform procedure to follow while applying the CMV safety regulations to ensure that a thorough and compressive roadside inspection is conducted.

In summary, it is critically important to remember that a CVSA decal application only applies to the 13 critical vehicle inspection items listed in Part II of the OOSC. CVSA decal application does not pertain to driver, hazardous materials or the administrative items listed in Parts I, III and IV of the OOSC. When a CMV with non-critical equipment violations or defects are documented with no critical vehicle inspection items listed on the inspection report, a CVSA decal shall always be applied. The CVSA decal does not certify that the vehicle is violation or defect free; the CVSA decal when displayed on a CMV serves as an identifier or indicator to another law enforcement official that this CMV was recently inspected by a CVSA-certified inspector and to choose another truck.

December 17, 2007 was a cold windy morning in Virginia Beach, with temperatures in the thirties and wind gusts in the forties. But, nothing could stop Santa’s merry band of elves from this annual event. The Virginia Beach Police Department Motor Carrier Safety Unit working with Drive Safe Hampton Roads’ Specialized Transportation Safety Committee conducted the 14th Annual Commercial Motor Vehicle Driver Appreciation Day. Drive Safe Hampton Roads (DSHR) is a non-profit regional coalition whose goal is to increase the community’s involvement and awareness of traffic safety issues.

Trucks were warned of a commercial vehicle inspection ahead. Once they arrived at the inspection site drivers were surprised to be greeted by Santa, offered a choice of orange juice, hot chocolate, coffee, egg nog, Chick-Fil-A biscuit, ham roll, or doughnut. Drivers were also given a packet of traffic safety awareness issues.

This event is held during the busy holiday season to promote highway safe-



ty. For the 14th consecutive year, Master Police Officer F. Dean Godwin of the Virginia Beach Police Department has co-sponsored this Annual Commercial Motor Vehicle Driver Appreciation Day.

Sponsors included Chick-Fil-A, Golden Corral Restaurant, Krispy Kreme, and Dunkin Donuts.

Santa Claus and the Chick-Fil-A Cow were in attendance. Drive Safe Hampton Roads and other Hampton Roads law enforcement motor carrier teams, came together to distribute goodies during an “alternate type” of roadway safety inspection stop.



North Carolina State Highway Patrol Partners With Allied Agencies in Operation Road Watch

In the first quarter of 2006 Capt. George E. Gray held a MCSAP sergeants meeting to discuss strategies to reduce the commercial motor vehicle (CMV) collision rate for each troop. As a result of collision data that was provided by Dr. Ron Hughes, of the North Carolina State University Institute for Transportation Research and Education (ITRE) Center, Capt. Gray gave a directive to each troop representative to establish a program that included our allied law enforcement agencies in efforts to reduce CMV collisions. Lt. Douglas R. Shackelford of Troop C was the forerunner and developed a local program called Operation Road Watch (*Wolfpacks, Alcohol Detection, Traffic Enforcement, CDL Violations, Homeland Security*).

This program involved training allied agencies on CMV Enforcement and what to look for when trying to detect an unsafe truck or driver. It also provided training on State laws that these agencies could use and when a CVSA-certified trooper should be called to complete a NASI.

Maj. Jamie J. Hatcher, Director of the Motor Carrier Enforcement Section (MCES), was so impressed with the results of Operation Road Watch and of the Port Check operations being conducted within the State, that he requested the MCES staff to incorporate the enforcement part of the Port Checks into Operation Road Watch.

Operation Road Watch is an unannounced, 48-hour, MCSAP-intensive enforcement effort aimed at getting unsafe commercial vehicles and drivers off the road. The program is a key element of the patrol's strategic plan and a major objective of MCSAP for North Carolina. The goal is to conduct an

Operation Road Watch in each of the patrol's eight troop areas statewide and for these operations to become a part of each troop's standard operating procedure for commercial motor vehicle enforcement.

Prior to each Road Watch operation, CMV enforcement personnel in the troop conduct an intensive four-hour block of CMV Awareness training for non-SHP enforcement agencies in that troop area. A key focus of these CMV awareness sessions is on the importance of CMV crash data accuracy and timeliness.

Although CMV enforcement personnel in the Patrol are responsible for 'all' truck-involved crashes, they only write, on average, less than one half of all CMV-involved crash reports. It is hoped that this CMV awareness training, conducted in the context of every Road Watch operation, will help to improve North Carolina's data quality in the area of CMV crash data. Through the patrol's quality management process, the impact of this training on data quality will be carefully monitored.

This CMV awareness training is also focusing on the problem of 53 ft. trailers and doubles operating off the published STAA 'truck network.' The CMV awareness training conducted in conjunction with each Road Watch operation provides each law enforcement agencies with maps of STAA routes in their troop area, an overlay of suspected off-route crashes, and on the reverse side, an explanation of the general statutes to be used in citing illegal off-route travel.

The training emphasizes, especially to agencies in the larger metropolitan areas (e.g. Charlotte-Mecklenburg, Wake County, etc.) the importance of off-network crashes on congestion in these areas

— which in metropolitan areas can pose a greater problem than crashes themselves.

ITRE's GIS-based analysis support enables the patrol to identify problem areas (both in terms of crashes as well as congestion) and to use this information to more specifically 'target' enforcement operations.

While Operation Road Watch is, in principle, MCSAP-intensive, it also involves a coordinated weight enforcement element as well. While MCE personnel also conduct size and weight intensive enforcement efforts, termed weight crackdowns, over time these two activities are becoming more integrated, differing more in terms of the resources dedicated to the operation than the end goal itself – getting unsafe commercial motor vehicles and drivers off the road.

Whether an Operation Road Watch or weight crackdown, there is significant enforcement activity conducted on bypass routes, both inspection activity and size and weight activities, the latter making use of portable and trailer-mounted, mobile platform scales.

These types of integrated operations permit the patrol to capture data that address the empirical basis of the common belief that "overweight trucks are unsafe trucks." Crash-based empirical support for this position can be difficult to obtain, but by systematically conducting a comprehensive Level I inspection on each vehicle found to be overweight (in a weight crackdown), or vice versa, weighing each vehicle put out of service as the result of a Level I inspection (in a Road Watch operation), we can empirically close the loop on this issue.

Thus far, Operation Road Watch has been conducted in two troops in North Carolina. Troop H, the Charlotte area,

was conducted on July 18-19, 2007 and Troop C the Raleigh area, was conducted September 6-7, 2007. These two operations alone (a combined total of four-days of effort) have been responsible for placing over 90 drivers and 104 vehicles out of service and for collecting over \$11,000 in driver fines and over \$10,000 in vehicle related fines.

These types of unannounced enforcement operations give us a more informed view of the true state of CMV safety and operations on North Carolina highways.

Operation Road Watch and weight crackdowns follow the model set by North Carolina's leadership in the *Click-It-or-Ticket* and *Booze-It-and-Lose-It* enforcement programs in the seat belt and drunk driving areas, respectively.

At the time of this article, the MCE component of the NCSHP is planning to conduct its next Road Watch operation in the Troop B area and to integrate the operation with a port operation to be conducted in the Wilmington, NC area. The bottom line is this: Since 2003 when the motor carrier enforcement component (then in NCDOT Division of Motor Vehicles) was merged into the NC State Highway Patrol, there has been a continuous movement toward the integration of MCSAP and size and weight enforcement operations. There has also been a move toward increased integration of motor carrier enforcement and non-motor carrier enforcement operations within the larger patrol organization. The MCE component of

the patrol has moved toward a much improved operational concept of 'partnering' (with other enforcement agencies), and has taken steps through the CMV working group of the Governor's Executive Committee on Highway Safety to more effectively involve the judicial branch of the adjudication of serious CDL violations. In many respects, the MCE unit of the NCSHP is also taking the lead in a number of other areas; e.g., the development and integration of GPS, the continued utilization of a university-based support contract for GIS-based analysis and program evaluation capabilities, the development of an effective data management system utilizing the FuelTaCS system of the NC Department of Revenue.

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PREVENTING DRIVER FATIGUE

Time is money when you're on the road. There's no arguing that. A professional driver under a deadline may overlook the signs of driver fatigue. This program will help drivers, terminal workers, dispatchers and family work together to avoid this problem. You will be shown some reasons and causes of fatigue. You will also be given tools to help you see the signs of fatigue before they become a problem.

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Ontario Hosts Region V Instructor Development Course

By Ian Walters, Assistant Training Coordinator, Carrier Enforcement Program Office

Ontario hosted the Region V CVSA Instructor development training course October 14 - 26, 2007 in St. Catharines which is located near Niagara Falls. The students listed in the picture represented Alberta, British Columbia, Manitoba, Newfoundland, Nova Scotia and Ontario. The same event was also used to train two new instructor developers, one from Québec and one from Ontario. I think I speak for all who attended the course, that it was very rewarding and well worth the



From left to right: Bruno Fauteux Qc., Richard Roberts BC, Tom Power NFL, Brent Grice On., Rene Boileau On., Reg Wightman Mb, Travis McMunn On., Paul Cormier NS., Pierre Pratte Qc., Maurice Steen Ab., Ian Walters On., Jacqueline Morrish On., Sam Hardie On., Kerri Wirachowsky On.

time and effort that was spent. New friends and contacts were made that will

certainly be an asset in the future and assist the CVSA program as a whole.

KCC Assesses \$145,750 in Fines Against 62 Motor Carriers

The Kansas Corporation Commission (KCC) assessed \$145,750 in fines and penalties against 62 motor carriers for violations of Commission rules and regulations during the fourth-quarter of the state's fiscal year, April 1– June 30, 2007. The violations were discovered during Safety Compliance Audits of 136 motor carriers, performed by the Commission's Transportation Division.

In fiscal year 2007 (July 1, 2006 through June 30, 2007) 607 Safety Compliance Audits were performed.

These audits revealed safety violations with 213 motor carriers, resulting in fines of \$397,750. This represents an increase in fines and penalties of \$147,500 or approximately 58 percent from fiscal year 2006.

The Transportation Division offers free compliance seminars. The seminars are held weekly on a rotating basis in Topeka, Hutchinson, Hays, and Garden City. The seminars, beginning at 9:00 a.m. and lasting approximately two hours, are presented by the Commission's

Transportation Division staff and are designed to help motor carriers comply with safety and economic regulations. The seminar schedule is available on the Commission's website at <http://kcc.ks.gov> or by calling 785-271-3231.

The KCC Transportation Division is responsible for regulating public and private motor carriers in Kansas. The Commission's goal is to ensure appropriate and effective regulation and oversight of motor carriers and protect the public interest and safety.

NWT Unveils Drive Alive! Road Safety Program

The Northwest Territories (NWT) Department of Transportation has unveiled a new road safety public information campaign called *Drive Alive!* The campaign will develop and communicate all departmental road safety messages in the territory. Commercial carriers and others with an interest in road safety are invited to collaborate with the department on Share the Road, Bison Awareness,

and other road safety campaigns of interest to the industry.

The new program will draw together youth, community groups, businesses, enforcement, and industry to collaborate on efforts to reduce the number of collisions, injuries, and fatalities on the roads and trails of the Northwest Territories. The Minister of Transportation for the Northwest Territo-

ries, the Honourable Norman Yakeleya, invited anyone who had an interest in public safety on NWT's roads and trails to work with the Department of Transportation to achieve this objective.

Minister Yakeleya pointed to four key themes of the new program:

- Drive according to conditions, at a speed appropriate for the road

WSP Clarifies Requirements for DOT Numbers on Intrastate Commercial Motor Vehicles

By Lt. Kevin Zeller, Washington State Patrol

The Washington State Patrol, in partnership with the Washington Trucking Association, Department of Licensing, Washington Utilities and Transportation Commission, the state legislature, and other committee members developed and passed House Bill 1304 which requires Department of Transportation (DOT) numbers on all intrastate commercial motor vehicles by June 30, 2009.

In order to comply with the first phase of HB 1304 all intrastate commercial motor vehicles that meet the following specifications are required to begin the application process for DOT numbers after January 1, 2008. Commercial motor vehicles who have a gross vehicle weight rating of 26,001 lbs. or more inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 lbs. or more; or has a gross vehicle weight rating of 26,001 lbs. or more; or is of any size and is used in the transportation of hazardous materials.

It will be mandatory for intrastate carriers meeting the above requirements to have DOT numbers displayed on their vehicles by June 30, 2009. Washington State Patrol officers will

begin taking enforcement action for phase one violations after June 30, 2009.

The second phase of HB 1304 affects all intrastate commercial motor vehicles with the following specifications: a gross vehicle weight rating of 16,001 lbs. or more inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 lbs. or more; or has a gross vehicle weight rating of 16,001 lbs. or more; or is of any size and is used in the transportation of hazardous materials. Intrastate carriers that meet these requirements shall apply for DOT numbers by January 1, 2011 and have their DOT numbers displayed on their vehicles by June 30, 2012.

Motor vehicles owned and operated by farmers in the transportation of their own farm, orchard, or dairy products, including livestock and plant or animal wastes, from point of production to market or disposal or supplies or commodities to be used on the farm, orchard or dairy are required to obtain DOT numbers, but are exempt from safety audits and compliance reviews.

If you have any questions, please contact Lt. Kevin Zeller at (360) 753-0304.

- or trail;
- Wear or use appropriate safety equipment;
- Prepare for the unexpected, and be ready to respond to changing weather, road conditions, or wildlife on the road; and
- Give driving your full attention – do not drive while impaired, and do not be a passenger in a vehicle where the driver is unable to

give full attention to his or her driving.

For more information, please visit DOT's website at www.dot.gov.nt.ca, or contact: Earl Blacklock, Manager of Public Affairs and Communications, Department of Transportation, GNWT, phone: (867) 873-7712 or email: earl_blacklock@gov.nt.ca.

REGIONAL RAP

ON THE SIDELINES WITH SASKATCHEWAN ROUGH RIDERS

By John Meed, Saskatchewan Highways and Infrastructure, Program Manager



On November 25th, 2007, the Saskatchewan Rough Riders beat the Winnipeg Blue Bombers 23-19 in the 95th annual Grey Cup (the Canadian equivalent of the Super Bowl). As a result of a wager made between Blair Wagar (Director, Transport Compliance), John Meed (Program Manager, Transport Compliance and Region V President) and Andy Cipywnyk (Trucking Policy Manager) of Saskatchewan Highways and Infrastructure, and the Manitoba Ministry of Infrastructure and Transportation officials (left to right in the picture), Reg Wightman (CVSA Administrator, Motor Carrier Safety Programs), Darren Christle (Executive Director of the Motor Carrier Division and CVSA Vice-President) and Dwight Solon (Director of Motor Carrier Enforcement Programs) were forced to smile and proudly wear the colors of their hated opposition in their home jurisdiction.

INDIVIDUALS MAKING A DIFFERENCE

Brian Libby, Looking at the Numbers and the Big Picture

He began driving trucks when he was 13 and started in emergency services (fire, ambulance and police) at 16. Today, more than four decades later, Brian Libby continues to convert people and companies to commit to commercial motor vehicle safety.

Libby began his official career in 1971 with Connecticut State Police. "I took an oath to serve and protect and thirty years later I'm staying true to that oath but now I train people and get them back to basics. When I work for any company, I'll work and help them, but within 30-60 days I expect that company to meet some specific criteria. One is to join CVSA as an associate member. The way I explain it to the company representatives when I begin working with you is when you join CVSA. Then you will get to meet with some great people who can help you get into various state associations with your same goals. CVSA is a great organization and I have been a supporter since 1993."

What Brian Libby does though is much more than his job description. "Pretty much what I do is read the SafeStat scores and read the reports in detail; I can get a lot of information by reviewing the reports monthly. I then create a safety advisory process with the company to assist in the training of all drivers, dispatchers and managers. I enjoy what I do and to me it's not about the 1,500 or more truck drivers as much as it is the wives and children that company supports."

"The company I presently working for has multiple trucking companies under their corporate name – but when I started there in July 2005 and started getting into the SafeStat numbers they were way out of whack. The driver and

vehicle numbers up in the high 90's and 80's, inspection (ISS) number was at 98. How do you train that many people in two weeks? Every month I would go in and read the SafeStat, where we were being hit the hardest and where the drivers and managers needed advised and updated as to the current rules. Through that, every two to three weeks I would send out different safety/training advisories. I started from that point because I recognized that there were drivers, dispatchers and managers not being serious nor realizing the magnitude of their non-compliance to the company, industry and safety of the public as well as the individual driver himself.

He has a unique perspective. "Back in 1972-73 a few of us with CSP started the updated state police commercial units. Back then, you were looked upon as if you had three eyes. Some people were not quite ready for commercial motor vehicle education. As an investigator you need to have excellent resources in order to accomplish the long term goal — safer highways, reduction in fatalities."

"Later I left the police force and moved to New Jersey to join Exxon. At Exxon, I began developing and implementing training programs. A review of statistics during the late 70's and early 80's indicated that our society was killing approximately 77,000 people annually on our nation's highways. My previous tenure in emergency services and trucking had prepared me for my quest. Now, in 2007, our society has achieved a reduction in fatalities, which was recently published for 2006 at only 42,500 fatalities."

"When you take a look at the number of vehicles we have on the highways today, as compared to registered vehicles from 1977 to 2007 and the mileage that

we do, our fatalities have almost been cut in half. Although a small part of the overall picture, I receive gratification from more lives being saved. You really don't know who you have impacted until you receive some of the phone calls from professional drivers thanking me for increasing their awareness."

"I am a long-time believer that you can't manage from behind the desk. During World War II, *LOOK* Magazine was a total pictorial of how our life was seen around us. A young reporter in the European Theatre was interviewing General George Patton and asked him why he was considered one of the best generals. General Patton, replied, 'MBWA.' The reporter chased after him and asked what did that mean? "Manage By Walking Around, replied General Patton." That's one of the things I've always kept in the forefront. Drivers see me teaching defensive driving classes, reviewing with them 'back to basics' or for disciplinary reasons, as well as driving a trailer truck. They have seen me as I teach at state police academies. As a manager, you need to be out there all the time interacting with the drivers, dispatchers and other managers. If you can show a driver that you talk the talk and walk the walk you will have more credibility with them. Probably not enough managers do that today. A commercial drivers license (CDL-A) is also a good thing to have in your back pocket. Many years ago, in Connecticut, a trooper was sent to a home because a truck driver had a heart attack while driving on I-95. His vehicle had come to rest in the median divider and left lane partial right lane. I was brought to the scene and I backed the vehicle out and brought it to the barracks. I had the experience of

May Trucking, Oregon State Police Work Together to Develop K-9 Training Program

By John Stibor, May Trucking Co., Compliance Manager

what to do and shared it with many of the others.”

“Why is safety so difficult to achieve?” asks Libby. If a company isn’t careful, drivers can drive them out of business. The Safer/SafeStat System is a transportation manager’s best tool. Managers who pay attention to their monthly scores and collected data can better manage all aspects of their job.

Upward trends need to be addressed with pro-active prevention. It tells you if the managers are tracking what they should be tracking or they don’t fully comprehend what they are doing.

“Never assume that all hands (drivers, mechanics, dispatchers or managers) have remembered what they were taught a number of months or years ago.”

At this point, you should look to go, back to basics, retrain, retrain, retrain.....

“Additionally, I stay in close contact with the State Enforcement Agencies of the states that we operate. Should a driver fail to turn in an inspection report, I receive notification. All drivers, dispatchers and managers have my business card. I get calls from those who have questions and they know that they have someone they can turn to. I don’t want to see one driver ruin the income potential of the other drivers,” said Libby.

“I enjoy what I do, I also have received great support from owners, senior managers, managers drivers and dispatchers of the trucking companies.”

Interestingly enough, when you look at the back of Brian’s business card, not much else needs to be said;

“If You Are Not
Part of The Solution,
Then You Must Be
Part of The Problem”



On the afternoon of December 5, 2007, May Trucking Company of Salem, Oregon hosted a training session for five Oregon State Police (OSP) K-9 drug suppression teams. A variety of training scenarios were developed to provide the K-9 teams with an opportunity to train on and around commercial motor vehicles.

The OSP Troopers participating in the training were Tpr. Delgreco with partner “Reggie” from the Salem Patrol Office, Sr. Tpr. Costanzo with partner “Cookie” from the Central Point Patrol Office, Sr. Tpr. Chichester with partner

“Judge” from the Pendleton Patrol Office, Sr. Tpr. Rector with partner “Brogan” from The Dalles Patrol Office, Tpr. Hunt with partner “Hemi” from the Springfield Patrol Office and Canine Program Coordinator Sgt. Dave Beck from the Central Point Patrol Office.

May Trucking Company appreciates the opportunity to partner with the law enforcement community, and looks forward to working with the OSP K-9 teams again in the future to help make the roads safer for the public.

NEW CVSA ASSOCIATE MEMBERS

Airgas
B.E. & M.E. Trucking
Digital 2000, Inc.
DriverTech
Fleetpro, Inc.
Joule Yacht Transport, Inc.
Kenan Advantage Group
Maryland Motorcoach
Association, Inc.

National Association of Trailer
Manufacturers
R.W. Bozel Transfer, Inc.
Renny Tanouye, Inc.
Southwest Research Institute
Torres Trucking
Transport Distribution M.T.I., Inc.
Truckers’ Dispatch Service, Inc.

INTERNATIONAL SPOTLIGHT

Australia's NTC Visits U.S., CVSA Members to Discuss Transportation Challenges

Recently, Australia's National Transport Commission (NTC) Chair Michael Deegan, and CEO Nick Dimopoulos, visited Washington D.C in November 2007 to meet with CVSA staff and to discuss current transport or logistics issues that are important in North America, and to compare the Australian experience where relevant. NTC is an organization that was established in Australia to develop and maintain nationally consistent regulatory and operational reforms for road, rail and intermodal transport. It works in consultation with Australian state, territory and federal governments and industry stakeholders, and has a focus on reforms that improve the safety, productivity, efficiency and environmental performance of land transport. These include rail safety regulation, performance based heavy vehicle standards, fatigue management, compliance and enforcement regulation and road pricing for heavy vehicles.

"The purpose of the trip was to meet with twenty two organizations across the U.S., Canada and Europe," said Dimopoulos "These organizations included Government Transport Departments, Rail and Road Associations, Transportation Research Bodies and Universities, Rail and Road Administrators and Regulators, Private Rail Operators, the United Nations Transport and Energy Directorate, the OECD European Conference of Ministers of Transport and the World Bank. Discussions with these organizations



centred around the key transport challenges facing authorities and industry across the U.S., Canada and Europe and how they are being addressed. These challenges predominantly relate to productivity, safety, environment and energy, infrastructure, planning and finance, research and institutional reforms."

As with Australia, the freight task in the U.S., Canada and Europe is expected to increase significantly over the next ten to 15 years. Generating the necessary capacity and productivity to meet the freight demand is a key challenge being faced by all nations. There is now strong acceptance that the critical transportation issues facing all countries cannot be addressed separately – the issues are interwoven so tightly that a system wide approach and new thinking is required.

"The discussions held with CVSA were most interesting and informative," said Dimopoulos. "As CVSA is a public

advocacy group for commercial vehicle safety, which challenges adequacy of legislation in relation to safety and represents all 50 U.S. States, Canadian provinces and Mexico and is involved in promoting and sharing best practice from a regulatory perspective, the National Transport Commission will be approaching CVSA and inquiring about becoming a member as we believe CVSA is a great source of practical knowledge."

The Australians visited Michigan on November 19, 2007. The meeting was held at the University of Michigan Transportation

Research Institute (UMTRI) in Ann Arbor. Mr. Kirk Stuedle, Director of the Michigan Department of Transportation, Mr. Mike Prince, Director for the Michigan Office of Highway Safety Planning and Capt. Robert Powers, the Michigan State Police and CVSA member, attended. The meeting was hosted by Mr. Peter Sweatman, PhD, Director of UMTRI. Dan Blower, PhD of UMTRI gave a detailed overview of a large truck crash causation study.

"The discussion of the meeting focused mostly on the U.S. representatives in attendance providing the Australians with an overview of transportation issues and programs here in the U.S.," said Powers. "What we did find was a lot of commonality between Australia and the U.S. in terms of traffic safety problems, but the Australians seem to be more aggressive in their application of countermeasures."

2008 Basic Level VI Classes Scheduled

Under a cooperative agreement with the U.S. DOE, CVSA has the following Level VI Classes scheduled for 2008 to certify inspectors to conduct Level VI inspections on all transuranic waste and Highway Route Control Quantities (HRCQ) of radioactive materials. CVSA provides Level VI training to inspectors who meet the prerequisite of being Level I and HAZMAT certified.

- Havana, FL—February 25-29
- Las Vegas, NV—April 21-25
- Springfield, IL—May 5-8
- Columbus, OH—June 16-17—
Level VI Instructor Meeting
- Columbus, OH—June 18-19—
Level VI “Train the Trainer”
Refresher Course
- Nashville, TN—July 14-17
- Vaughn, NM—August 18-22
- Sacramento, CA—October 20-23
- Austin, TX—November 3-6

Any state or federal agency interested in sending inspectors to a scheduled class is asked to contact Larry D. Stern, Director, Level VI Inspection Program, at larrys@cvsa.org or 304-292-1601.

Visit CVSA's Level VI Website for the Latest Program Information

To find the most up-to-date information on the CVSA's Level VI Program and the Level VI training schedule, public outreach schedule, RAM Subcommittee and Ad Hoc RAM/Security/ITS committee minutes, visit our web site at www.cvsa.org then select Programs, and then select North American Standard Level VI Inspection Program.

100th Level VI Class Completed

The first Level VI Class was held at Woodburn, OR in August 1992 and the 100th Level VI Class was held at Austin, Texas in November 2007. We have had 1,751 attendees over the 100 classes and 27 states have had Level VI Classes during this time period.

CVSA hosted Level VI classes in Scranton, PA, October 15-18; Austin, TX, November 5-8; and Industry Awareness Class in Carlsbad, NM, September 27-29. The students were from the Pennsylvania State Police, WV PSC, Mississippi DOT, New York State Police, Texas DPS, New Mexico DPS/MTD, U.S. DOT/FMCSA, Illinois Division of Nuclear Safety, and CAST Transportation drivers.

As reflected by the evaluations and comments received, instructors—Rion

Stann, Pennsylvania State Police; Tony Anderson, Idaho State Police; Reggie Bunner, West Virginia PSC; Tom Fuller, New York State Police; and Tim Labier, New Mexico DPS/MTD—did a great job instructing the classes. CVSA appreciates the instructors and the support they received from their individual departments that allow them to instruct these important classes.

CVSA also commends the DOE, Tri-State Motor Transit, and CAST Transportation for taking the Trupact unit to the training sites making it possible to have the practical exercise. Thanks to Gaylon Fuller, CAST Transportation; Rion Stann, Pennsylvania State Police, and Janice Cranford, Texas DPS, who arranged the classes and provided assistance throughout.

RAM Subcommittee, Ad Hoc RAM/Security/ITS Committees Pack Agendas at the CVSA Workshop in Denver

The RAM Subcommittee and the Ad Hoc RAM/Security/ITS Committees will be meeting at the 2008 CVSA Workshop & 3rd Annual FMCSA/MCSAP Leadership Conference in Denver, CO. The Ad Hoc RAM/Security/ITS Committee will be meeting March 29 and the RAM Subcommittee will be meeting on March 30.

Carlisle Smith, Chairman of the RAM Subcommittee, asked the committee to review the CVSA Level VI Inspection Program Peer Review: State Differences, Lessons Learned, Best Practices, and Recommendations Report and to be prepared discuss the implementation of the recommendations in the report to the states to enhance their Level VI Inspection program and to assist the states to set up a new Level VI Program to be prepared for the spent nuclear fuel shipments that are planned for Yucca Mountain. The committee will have other agenda items to discuss.

Bill Reese, Chairman of the Ad Hoc RAM/Security/ITS Committee, will be working with the committee to identify technology projects that has been developed by contractors for the U.S. DOT/DOE/HLS that would relate or enhance the Level VI Inspection Program, and would be of interest to DOE for the security/safety for spent nuclear fuel shipments that are planned for Yucca Mountain. After the committee identifies the projects, there will be a brief description on what the projects are to accomplish and then evaluations with recommendations to DOE in a report.

WIPP Road Show Travels Through Southern States

Five states, five days and 1,100 miles. A WIPP Road Show recently took a swing through Texas, Louisiana, Mississippi, Alabama and Georgia to familiarize first responders, state officials and the public with the CNS 10-160B shipping container.

The team consisted of Bill Mackie from Carlsbad Field Office (CBFO), Bobby St. John from WTS Communication, and two Tri-State Motor Transit drivers, Tommy Cash and Emmitt Lamon. Reinforcing the teams' verbal message was the large CNS10-160B.



Beginning in Arlington, Texas, the road show followed interstate 20 and made two stops in Louisiana, Mississippi, Alabama and Georgia. States arranged for suitable locations to conduct the show. At each stop, a brief presentation was given regarding the container and WIPP transportation requirements. Attendees were then invited to get a closer look at the vehicle, talk to the drivers and ask questions. Additionally, members of the local media attended many of the shows.

The CNS 10-160B will eventually be used to ship remote-handled TRU (RH-TRU) waste to WIPP. The waste these shipments will transport to WIPP is no different than that shipped in the more familiar RH-72B shipping container, but the CNS 10-160B can carry more waste drums.

Shipments made in the CNS 10-160B will require additional permitting due to their weight. The road show unit weighed over 95,000 pounds.

"We're not seeking any special exemptions for these shipments," added Mackie, "We will obtain all the required permits and follow the regulations enforced by each state for such a shipment."

Shipments using the CNS 10-160B are expected to begin late this year from Savannah River Site.

FREQUENTLY ASKED QUESTIONS

Transporting Spent Nuclear Fuel, High-Level Radioactive Waste To Yucca Mountain

This is the seventh in a series of articles that will answer frequently asked questions about this matter. Look for more in future issues of CVSA's Guardian.

Q. How will spent nuclear fuel and high-level radioactive waste be transported within Nevada to the repository?

Within Nevada, the majority of spent nuclear fuel and high-level radioactive waste shipments will be by rail. DOE plans to construct a rail line to connect the Yucca Mountain repository site with an existing rail line in Nevada.

DOE identified and selected the remote, 318 to 344-mile long Caliente corridor within Nevada for the study of alignment options for the potential construction of a rail line. An Environmental Impact Statement is being prepared in accordance with the National Environmental Policy Act (NEPA) to consider alternative route alignments within the Caliente corridor. The final route alignment will define the path of the actual rail line. No construction of a rail line can begin until the NEPA process is complete.

DOE is working closely with local and tribal government officials and private citizens along the Caliente corridor to determine where the final railroad route alignment should be located.

Big Cat Claws its Way in to Attend Level VI Class in New Mexico

By Tom Wright, Idaho State Police

The alarms went off at the Idaho National Laboratory (INL) one early morning where the transuranic waste is loaded, then passed over to the Idaho State Police for a Level VI inspection and then shipped to the WIPP site in Carlsbad, NM. At first, some thought a leak had been discovered and radiation contamination may be an issue at the INL site.

For approximately five hours, people were told to stay inside the building and not venture outside. The danger turned out to be a mountain lion. This large cat had scaled an eight-foot security fence and was crawling around the containers and trailers used for the shipping the waste to Carlsbad. Idaho Fish and Game responded and tranquilized the cat. The cat was surveyed and all readings were found to be normal, the cat was released into the Idaho desert.



WIPP Requires the Best of the Best Drivers for Transporting Shipments

Waste Isolation Pilot Plant (WIPP) is setting very high driver hiring qualifications and requirements for those who transport WIPP shipments to Carlsbad, New Mexico.

The WIPP drivers must meet very stringent requirements. To be hired, drivers:

- Shall meet or exceed licensing, training, and physical qualifications set forth in the Code of Federal Regulations (CFR): “Qualifications of Drivers” CFR 391; and the Commercial Motor Vehicle Safety Act of 1986 and subsequent amendments;
- Must have logged a minimum of 325,000 miles in semi-tractor trailer combination within the last five years or 100,000 per year in two of the last five years;
- Must have at least two years of uninterrupted semi-tractor trailer commercial driving experience during the last five year;
- Shall not have repeated chargeable incidents, repeated convicted moving violations, or a single DWI or DUI in their private vehicle;
- Shall not have received a chargeable incident or be convicted of a moving violation in a commercial motor vehicle within the past five years;
- Shall have not been convicted of a felony;
- Shall be a U.S. citizen;
- Must pass a background check; and,
- Must have a current commercial operator’s driver’s license and possess the proper endorsements, including: General Knowledge; combination vehicle, Class A; tank vehicle/hazardous material (endorsement X) or hazardous material endorsement H; cannot have intrastate restriction “K.”

Once hired, a driver shall not be allowed to continue to transport waste under this contract under any of the following conditions:

- Conviction of a moving violation in a commercial motor vehicle;
- Unauthorized second deviation from route;
- Third failure to make mandatory DOE/CMR shipment notifications
- Chargeable accident in a commercial vehicle;
- Second constant surveillance violations;
- Maintaining repeated inadequate or deliberately fraudulent driver logs or other records;
- Conviction of a felony;
- Drug/Alcohol screening violation; or,
- Conviction of a DWI or DUI in a motor vehicle.

DRIVING TRAINING:

Drivers are also instructed in defensive, adverse weather, road hazards, and mountain driving. These skills are used daily. Once hired, WIPP drivers are subject to stringent penalties if they don’t follow WIPP-specific procedures.

Once hired and before being allowed to driver, drivers must take and pass these training requirements:

- Radiation worker
- Dosimetry
- Public affairs/media
- Command and Control
- First responder
- TRANSCOM
- Radio communications
- TRUPACT-II recovery
- Safe parking
- Adverse weather protocols
- Highway Route Controlled Quantities (HRCQ) of radioactive materials
- Decision driver training
- TRUPACT-II tie-downs and recovery
- Use of radiation detection instruments
- Specific TRUPACT-II inspections
- Commercial Vehicle Safety Alliance (CVSA) Inspector Training
- CVSA’s Enhanced North American Level VI Course Training
- Constant Surveillance
- Transuranic material shipment routing
- General driver training for hazardous & radioactive material shipments
- WIPP site General Employee training

DOE’s Motor Carrier Evaluation Program (MCEP)

DOE Order 460.2A, “Departmental Materials Transportation and Packaging Management,” requires that “All carriers who transport Highway Route Controlled Quantities (HRCQ) of radioactive materials in less-than-truckload (LTL) or truckload (TL) quantities, any TL quantities of radioactive material, and any quantity of hazardous waste must be evaluated for safety, financial status, security, and compliance with applicable regulations.” The Office of Transportation implements the DOE Order for the EM Program through the MCEP and assures that site operations management has the tools needed for the safe, efficient, timely, and regulatory compliant transportation of hazardous materials and wastes.

In the past three months, the Office of Transportation has completed evaluations of three motor carriers. POC is Brady Lester at: brady.lester@hq.doe.gov, 301-903-1693.

Edward F. Sproat, III Discusses Status of Environment and Public Works

Edward F. Sproat, III, Director of the Office of Civilian Radioactive Waste Management, DOE discussed the status with the U.S. Senate's Committee on Environment and Public Works on the Department's efforts to submit a license application to the Nuclear Regulatory Commission (NRC) for authorization to construct a repository for the permanent disposal of the Nation's spent nuclear fuel and high-level radioactive waste at Yucca Mountain, Nevada.

The Framework for licensing the Yucca Mountain Repository

The Nuclear Waste Policy Act of 1982, as amended (NWPA) established a process and schedule for the siting, construction and operation of a national repository for spent nuclear fuel and high-level radioactive waste. On February 15, 2002, the President submitted his recommendation to Congress recommending Yucca Mountain as the site for the development of a repository in accordance with the NWPA, and on April 8, 2002 Congress passed House Joint Resolution 87 approving the Yucca Mountain site as the location for the Nation's repository. This Joint Resolution was signed into law by the President on July 23, 2002.

Under section 114 (b) of the NWPA, 42 U.S.C. 01034 the Department must now prepare and submit a license application to the NRC. The NRC will evaluate DOE's license application in accordance with the regulations developed pursuant to the NWPA and the Energy Policy Act of 1992, including 10 C.F.R. Part 63 (Disposal of High-Level Waste in a Geologic Repository at Yucca Mountain, Nevada). As part of the licensing process, DOE will be required to demonstrate that the proposed repository meets the regulatory radiation protection standards which

have been established and adopted by the Environmental Protection Agency (EPA) and incorporated by the NRC into 10 C.F.R. Part 63 pursuant to the Energy Policy Act of 1992, which required EPA to set site-specific standards to protect public health and safety from releases of radioactive material stored or disposed of in the repository at the Yucca Mountain site.

Pursuant to the Energy Policy Act of 1992, EPA promulgated public health and safety standards for radioactive materials to be disposed of in the Yucca Mountain repository. 40 C.F.R. 197 (2001) (Public Health and Radiation Protection Standards for Yucca Mountain, NV): 10 C.F.R. Part 63 (2004). In 2004, in response to legal challenges, the U.S. Court of Appeals for the District of Columbia Circuit remanded the portions of those standards that addressed the period of time for which compliance must be demonstrated. In 2005, EPA proposed new standards to address the court's decision. Under the existing standards, estimated repository performance will be compared to a mean annual dose of 15 millirem for the first 10,000 years after closure. Under the proposed standards, estimated repository performance would be compared to a median annual dose of 350 millirem for the post-10,000 year period. The Department expects that EPA will issue its revised final radiation exposure standard in the near future and that NRC will subsequently adopt those regulations. While the NRC will need to have adopted its corresponding final regulations before it can issue the construction authorization, DOE does not need the final radiation protection standard to develop or submit its license application. Finally, under the NWPA the NRC retains National Environmental Policy Act (NEPA) responsibilities with respect to issuance of a license. However, the NWPA

provides that any environmental impact statement that DOE prepares "...shall to the extent practicable, be adopted by the Commission in connection with the issuance by the Commission of a construction authorization and license for such repository." To the extent NRC adopts DOE's environmental impact statement, under the NWPA that adoption shall be deemed to also satisfy the responsibilities of the Commission under NEPA.

Current Status of License Application

The Department is currently preparing its license application as required by the NWPA and plans to submit the application to NRC not later than June 30, 2008. Approximately five years will have elapsed between when the site recommendation was approved and submittal of the application. In working towards a submittal by June 30, 2008, DOE has not put schedule ahead of quality. Quality and timeliness are not mutually exclusive and our license application will be the product of a disciplined approach. Our application must be sufficient to withstand a thorough and rigorous adjudication by the NRC, with scrutiny by the NRC's technical experts and with full opportunity for challenges by the State of Nevada and other interveners. The license application will integrate the results of over twenty years of scientific and engineering work which is now ready to be scrutinized by the NRC's technical experts and the public. When the EPA standard is final, FRC can finalize its corresponding regulation. NRC will then be able to examine the results of our analyses and determine, as part of NRC's decision as to whether the materials can be disposed of without unreasonable risk to the health and safety of the public. Therefore, NRC cannot reach its licensing decision on the safety of the facility until EPA stan-

FY08 Level VI Public Outreach Program Launched at the PATRAM International Symposium

dards and NRC regulations become final. I am confident that the analyses contained in our application will be sufficiently robust for the NRC to be able to make that determination.

The Department has also prepared a Final Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Waste at Yucca Mountain, Nye County, Nevada (Final EIS) that was issued in 2002. On October 12, 2007, the Department published a Notice of Availability of a Draft Supplemental Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, (Draft Repository SEIS) — which DOE also expects will be completed — evaluates the potential environmental impacts of constructing and operating the Yucca Mountain repository under the repository design and operational plans that have been developed since the Final EIS was issued in 2002.

On October 19, 2007, the Department certified its document collection for the NRC's Licensing Support Network (LSN). The LSN is a web-based information system that makes electronically available documentary materials related to the Department's license application. As of today, DOE has made approximately 3.5 million documents, estimated to exceed 30 million pages, electronically available to the public on the LSN. These documents include scientific, engineering, and other documents related to DOE's license application. The Department will update its certification at the time of license application submittal as is required by NRC regulations, and we will continue to supplement the document production throughout the discovery phase of the NRC licensing proceeding.

Duane Sammons, the Level VI Public Outreach Coordinator, was very busy answering questions and providing written material on the CVSA's Level VI Inspection Program to the attendees of the 15th International Symposium on the Packaging and Transportation of Radioactive Material-PATRAM 2007 October 21-26 in Miami, Florida. The event was sponsored by the U.S. DOE and U.S. Nuclear Regulatory Commission in cooperation with the IAEA and the Institute of Nuclear Materials Management. A record number of 650 registered participants (approximately 330 from 32 countries) attended the week-long conference. More than 300 papers on all aspects of the packaging and transportation of radioactive materials were presented by worldwide experts from government, industry and research organizations. The federal and contractor experts from the EM Office of Transportation and the Packaging Certification Program presented 9 papers on various topics including packaging classification and selection, radiofrequency identification technology, Type A (F) packaging for low-enriched uranium oxide, life cycle management of packaging and the quality assurance assessment of packaging suppliers. Also, the DOE Office of Safety Management and Operations (EM-60) chaired the working session on the Physical Protection Measures and Emergency Response. The abstracts of all papers presented in the Oral and Poster Session is published in the PATRAM-2007 program document distributed to all attendees. The full papers and conference proceedings will be available on CD in February 2008. POC is Ashok Kapoor at

Ashok.Kapoor@hq.doe.gov 202-586-8307.

The remainder of the Level VI Public Outreach schedule for FY08 is as follows:

- **Industrial Fire, Safety & Security**
Houston, TX—February 6-8
- **Waste Management Symposium**
Phoenix, AZ—February 24-28
- **Council on Safe Transportation of Hazardous Articles**
St. Petersburg, FL—March 9-12
- **2008 CVSA Workshop & 3rd Annual FMCSA MCSAP Leadership Conference**
Denver, CO—March 24-29
- **Contractors Management Association**
Palm Springs, CA—June 9-13
- **U.S. Conference of Mayors**
Miami, FL—June 20-24
- **National Association of Counties**
Kansas City, MO—July 11-15
- **National Congress of State Legislators**
New Orleans, LA—July 20-25
- **National Congress of American Indians**
Phoenix, AZ—September 19-24



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Motor Transport Association of Connecticut, Inc.
Nevada Motor Transport Association, Inc.
Pitt Ohio Express, LLC
TanTara Transportation Corp.

Calendar of Events

3RD ANNUAL FMCSA MCSAP
LEADERSHIP CONFERENCE
March 25-26, 2008
Hyatt Regency Denver at Colorado
Convention Center
650 15th Street
Denver, CO 80202
Phone: 303-436-1234
Fax: 303-486-4450

NORTH AMERICAN CARGO
SECUREMENT HARMONIZATION
PUBLIC FORUM
March 26, 2008
Hyatt Regency Denver at Colorado
Convention Center
650 15th Street
Denver, CO 80202
Phone: 303-436-1234
Fax: 303-486-4450

2008 CVSA WORKSHOP
March 27-30, 2008
Hyatt Regency Denver at Colorado
Convention Center
650 15th Street
Denver, CO 80202
Phone: 303-436-1234
Fax: 303-486-4450

ROADCHECK 2008
June 3-5, 2008

NAIC 2008
August 18-24, 2008
Houston, TX

SUMMER EXECUTIVE
COMMITTEE MEETING
August 19, 2008
Houston, TX



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Keep an eye out for news and
events celebrating our 25th
Anniversary in 2008.

CVSA'S 2008 TRADE SHOW APPEARANCES

TECHNOLOGY MAINTENANCE COUNCIL (TMC)
2008 ANNUAL MEETING & TRANSPORTATION
TECHNOLOGY EXHIBITION
February 4-7
Orlando, FL
www.truckline.com/aboutata/councils/tmc

TRUCK WORLD 2008
April 17-19
Toronto, ON
<http://truckworld.ca/>

CCMTA ANNUAL MEETING
May 11-15
St. John's, NF
www.ccmta.ca

THE TRUCK SHOW
June 26-28
Las Vegas, NV
www.truckshow.com

ATA MANAGEMENT CONFERENCE & EXHIBITION
October 4-7
New Orleans, LA
www.truckline.com/upcomingevents

ANPACT EXPOTRANSPORTE 2008
November 12-14
Guadalajara, MX
www.expotransporteanpact.com.mx

IANA - INTERMODAL EXPO 2008
November 15-18
Fort Lauderdale, FL
www.intermodal.org