

## INTRODUCTION

This document was developed to assist motor carriers effectively operate under today's current Safety regulations, specifically **CSA**. Thorn Valley Enterprises believes that by following these guidelines, a company will not only lower risk and be more compliant, it will also realize greater "Profitability through Safety!"

## APPLICABILITY

**CSA (Comprehensive Safety Accountability)**; a safety initiative mandated by Congress and rolled out by the Federal Motor Carrier Safety Administration (FMCSA) to all states; the following interstate\* motor carriers must comply:


- 1) Commercial Motor Vehicles (CMV) with Gross Vehicle Weight (GVW) 10,001 lbs. or more; or
- 2) Vehicles designed or used to transport more than 8 passengers (including the driver) for compensation; or
- 3) Vehicles designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- 4) Vehicles transporting Hazardous materials requiring placarding.

\*Please note that most jurisdictions have adopted the Federal Motor Carrier Safety Regulations (FMCSR) in their entirety, so with very limited exceptions, the regulations also apply to intrastate operations. Even if based in a state that may have exemption(s), best practice would be to establish the FMCSR's as a standard by which company safety operations will be based. If in doubt, always err on the side of safety.

## DEFINITIONS

**SMS (Safety Measurement System)**; an online tool used by FMCSA and State partners to evaluate a carrier's safety performance. Formerly known as "Safestat", the SMS website address is <http://ai.fmcsa.dot.gov/sms/>.

**BASIC (Behavior Analysis Statistical Improvement Category)**; SMS is organized into seven BASICS that sort the carrier's safety information into specific categories and are described in detail in the remainder of this document.

**Threshold**; an "Intervention" level, above which motor carriers with relatively high on-road violation or crash rates will be noted by a  symbol on the SMS website.

## IMPLICATIONS

FMCSA will identify and prioritize operations that are above threshold through various means of intervention, such as warning letters and investigations. FMCSA will monitor

these motor carriers' safety performances for improvement on a monthly basis. If no sign of improvement is seen, they can anticipate further FMCSA intervention.

Heightened FMCSA scrutiny increases the risk of being inspected on the road, audited by a field investigator, fined for infractions and in instances of serious violation, being ordered to cease operations. High SMS BASIC scores that are near or above threshold also increase the potential of an increase in insurance premium, insurance cancellation, lost revenue, customer/load cancellation and inability to hire or retain quality drivers leading to higher fuel, maintenance, running and accident and administrative costs. Of equal or even greater significance is the potential legal ramification of operating under the shadow of high SMS BASIC scores. Some motor carriers have already been sued for negligence for continuing to operate while failing to address high SMS scores.

Whether in agreement with company philosophy or not, CSA can have a dramatic impact on profitability and therefore must factor highly into the overall management strategy.

## **GOALS and OBJECTIVES**

It is a big mistake to place the entire burden of improving SMS BASIC scores squarely on the shoulder of the drivers. Unless everyone in the company is held accountable for safety performance and involved in monitoring and improving SMS BASIC scores, the organization safety improvement plan will achieve limited success at best.

Using this document as a management tool, the company's primary goal is to reduce SMS scores through better CSA management and compliance. The objective is to correct behavior that leads to safety violations and crashes. This "*Organizational Behavior*" includes driver, dispatch/operations, maintenance, sales, administration, management, vendors and customers.

First, set realistic goals for OOS rates and BASIC scores, put them in writing and have Management, Operations/Dispatch and Drivers agree to them. Violations are time-weighted and reduce by 33% after 6 months, 33% again after 12 months, and drop to zero "0" points after 24\* months. Therefore it is unrealistic to say "we will reduce SMS score to zero in 60 days" as an organizational goal due to the existing SMS methodology (if there are violations in the past 24 months).

Something like the following would be a more attainable goal;

- *Example* - "Our goal is to lower our Driver OOS rate to 5% and lower our Fatigue BASIC to 55% within the next seven months."

\*Driver Safety Management System (DSMS) retains time-weighted data for 36 months with 33% reduction after months 12 and 24.

## GENERAL OVERVIEW AND GUIDELINES

Every company (motor carrier) has an obligation to educate their employees under [FMCSR 390.3](#) which states that “Every driver and employee *shall be instructed* regarding, and shall comply with, all applicable regulations contained in this subchapter.” Therefore it is insufficient for company policy simply to state that “we go by whatever the DOT and our insurance company requires”. The motor carrier bears the burden of proving that they have provided their drivers and employees with copies of the regulations and have checked for verification of comprehension.

The following guidance applies to all seven (7) BASICS:

- 1) “If it’s not in writing, it does not exist!” The company Safety Policy *must* be in writing. Don’t rely on common sense and good judgement when it comes to safety.
- 2) Safety policy should be reviewed annually and approved by senior management.
- 3) Have everybody (drivers, dispatch, maintenance, management, etc) sign, date and acknowledge that they have received and understand the company Safety Policy.
- 4) Review [www.safersys.org](http://www.safersys.org) (Safer Report) and <http://ai.fmcsa.dot.gov/sms/> (CSA/SMS) at least every 30 days; check any new violations for accuracy; establish accountability; monitor overall fleet safety performance and work toward continuous improvement. File MCS150 census to update fleet profile. Thoroughly evaluate every violation and determine the root cause of the problem; establish and communicate preventability measures.
- 5) When warranted, request that erroneous SMS data be expunged from the company’s record via the Data-Q system.
- 6) Publish or post the SMS scores each month where everyone can see how the company is performing. Highlight deficient areas, trends and improvements being made.
- 7) Make sure the drivers understand that, although they are not “scored” in SMS, the Driver Safety Management System (DSMS) still tracks all violations *by-driver*. Employing motor carriers, as well as prospective motor carriers have access to their information. Encourage and assist drivers in obtaining their personal DSMS record.
- 8) Provide education; invite DOT to talk to your group (be sure management is in attendance); host, or have managers attend a CSA seminar or webinar; facilitate inter-departmental cross training so more than one person can help with log, vehicle and maintenance issues, etc.
- 9) Set and enforce strict hiring guidelines; verify driver’s license, driving record, employment history and medical status on *all* new hires (no matter how well you might think you know them); Utilize Pre-Employment Screening Program (PSP) before hiring driver.

- 10) Review Owner Operators contracts to ensure they parallel current driver hiring standards and that they address Compliance, Safety and Accountability (CSA).
- 11) Use both reward (positive) and a discipline (negative) re-enforcement:
  - Create an incentive system to encourage everyone to strive and achieve the goal(s); this can be in the form of peer recognition, reward or monetary bonus. Recognition should have both group (team) and individual (employee) components.
  - Establish clear disciplinary measure and remedial actions including re-training of violators, elimination from award/bonus eligibility and restriction on company driving privileges. Implement unilateral measurement of all warnings, OOS violations, moving convictions as well as other violations of company safety policy; all infractions should count cumulatively toward driver disciplinary measures.

***Did you know? - The majority of CSA violations are for  
LAMPS – LOGS - SPEEDING***

***Did you know? - CSA enforcement varies by-state.  
Texas and Indiana are the top two (2) states for Driver Inspections,  
with Indiana writing the most speeding violations***