



Idealease Safety Bulletin

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February 17, 2012

Question of the Week:

Question: While doing my pre-trip inspection I noticed a cut in the side wall of one of my tires, is this out of service violation?

Answer: It is an out of service violation if the sidewall is cut, worn, or damaged to the extent that the ply cord is exposed. FMCSA CFR (393.75(a))

Tire Safety is an important part of the driver's daily pre and post inspection.

Accidents are often caused by tires, which are improperly inflated. With fuel and tires, two of the largest expenses in operating a truck, it is important to make sure that the tires are properly inflated. The service life of a tire is shortened by improper inflation. Under inflated tires can significantly take a bite out of the unit's fuel mileage.

The only true and accurate way to determine the air pressure in a tire is to gauge the tire with a tire pressure gauge. At your next drivers safety meeting inflate 3 tires on rims with pressures varying by 10lbs each, with one tire at the correct pressure, one 10lbs under and one 20lbs under. See if they are able to tell which tire has the correct pressure. A unique workers compensation case I reviewed was for a driver who was checking his tires by thumping them with a hammer and the hammer bounced back breaking the drivers jaw!

When inspecting tires also pay close attention to the wear patterns and tread depth. The FMCSA regulations CFR 393.75 require that steer axle tires have a minimum tread depth of 4/32" and all other applications including trailers to have a minimum tread depth of 2/32". Pay attention to your tires and they will provide many miles of service.

American Trucking Association is suing to overturn the new hours of service rule.

ATA is asking the U.S. Circuit Court of Appeals for the District of Columbia to set aside the Federal Motor Carrier Safety Administration rule as arbitrary and capricious.

"We regret that FMCSA and the Obama administration have put ATA and its member companies in a position to take this legal action," ATA President and CEO Bill Graves said in a statement.

"The rules that have been in place since 2004 have contributed to unprecedented improvement in highway safety. The law is clear about what steps FMCSA must undertake to change the rules and we cannot allow this rulemaking, which was fueled by changed assumptions and analyses that do not meet the required legal standards, to remain unchallenged."

ATA said the agency overstated the safety benefits of the new rule, and that the costs outweigh the claimed benefits.

FMCSA TO ISSUE SUPPLEMENTAL NPRM ON EOBR MANDATE

The Federal Motor Carrier Safety Administration has indicated the agency will publish a Supplemental Notice of Proposed Rulemaking regarding Electronic On-Board Recording Devices for driver hours of service compliance and HOS supporting documents. The notice, which was supposed to be published in today's Federal Register, also states that the FMCSA plans to hold listening sessions on the issue of driver harassment; task the Motor Carrier Safety Advisory Committee to assist in developing material to support this rulemaking, including technical specifications for EOBRs and their potential to be used to harass drivers; and conduct research by surveying drivers, carriers, and vendors regarding harassment issues.



The U.S. Court of Appeals had vacated a related final rule that would have required carriers to use EOBRs if their HOS compliance was found lacking (the EOBR 1 rulemaking). The court held that the FMCSA had not considered a requirement in 49 U.S.C. § 31137(a) which states: "If [DOT] prescribes a regulation about the use of monitoring devices on commercial motor vehicles to increase compliance by operators of the vehicles with hours of service regulations . . . , the regulation shall ensure that the devices are not used to harass vehicle operators. However, the devices may be used to monitor productivity of the operators."

The FMCSA's proposed rule to mandate EOBRs for all motor carriers operating in interstate commerce (the EOBR 2 rulemaking) is also subject to this anti-harassment language, so the agency has decided to restart that rulemaking using a supplemental NPRM. The EOBR 1 rulemaking will be withdrawn permanently. (Information for this article provided by the NPTC)

Registration is now open online for the 2012 Idealease/NPTC Safety Seminars

Upcoming seminars to be held in March

- March 13 Madison, WI
- March 14 Youngstown, OH
- March 15 Cleveland, OH
- March 20 Ventura, CA
- March 21 Los Angeles, CA
- March 22 Santa Fe Springs, CA
- March 27 Atlanta, GA
- March 28 Chattanooga, TN
- March 29 Nashville, TN

NEW FOR 2012 SEMINARS!!!!

This year during the seminar you will receive Drug and Alcohol Supervisor Training. This training meets the requirements of FMCSA CFR 382.603 that requires all supervisors of commercial motor vehicle drivers to have the training for reasonable suspicion drug and alcohol testing.

To view the full schedule of all seminars in 2012 and to register for a seminar click on:

www.Idealease.com/safety

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