Transport Safety Pro Advisor

Vol. 12/No 7 July 2015

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CARB levels major fine

The California Air Resources Board (CARB) recently fined a carrier $524,675 for violating two of its regulations. The two regulations are the "Truck and Bus" regulation and the "Periodic Smoke Inspection Program," or PSIP.

The Truck and Bus regulation requires the retrofitting of older heavy-duty diesel-powered vehicles operating in California (regardless of where they are based) with emission control systems. Presently under the Truck and Bus regulations, all heavy-duty vehicles (26,001 pounds or more) originally equipped with a pre-1994 model year (MY) diesel engine must have been retrofitted with a MY 2010 (or newer) engine to operate in California. Also, vehicles with a MY 1996 to 2006 engine must be equipped with an approved particulate matter filter.

The PSIP requires that all heavy-duty diesel-powered vehicles based in California undergo an annual emissions check. California-based fleets of two or more diesel vehicles must perform annual smoke opacity tests and keep records for at least two years for each vehicle. The annual test under the PSIP becomes mandatory when the vehicle reaches four years old.

Other programs

As well as the two programs for which this carrier was fined, CARB

see **CARB**, *pg. 8*

ELD rule still on track

The electronic logging device (ELD) final rule is still on track for later this year. The remaining steps required for the rule to become a final rule are:

- The principal parties at the Federal Motor Carrier Safety Administration (FMCSA) finishing their work and reviews.
- The Secretary of Transportation's Office reviewing and approving the rule.
- The Office of Management and Budget approving the final rule.

There will be announcements from the FMCSA and others as the rule moves through these final steps.

What's in the rule?

As far as the content of the final rule, anything you might read at this time is nothing but speculation. The FMCSA does not officially release any information related to a final rule until the rule is released. At that time the details of the rule and an explanation of it in the accompanying "preamble" will be released. However, due to the rules involved in rulemaking the final rule must, in concept, match the proposed rule. Therefore, looking at the proposed rule can provide insight into what to expect in the final rule.

Proposed rule

The proposed rule covered three critical areas: required use, technical standards, and the retention of supporting documents.

Required use

In the proposal, any driver of a commercial vehicle that is required to complete paper logs would be required to switch to an ELD within two years of the publication of the final rule. If the final rule is published at the end of September this year (2015), that means it will go into effect at the end of November. This means that carriers would have until the end of November 2017 to switch to ELDs.

see **ELD rule**, *pg. 6*

Factor 3, the "Operational Factor"

In this series of articles we are taking a detailed look at the processes involved in an "audit" (correctly known as a "compliance" or "comprehensive" review). The overall process follows a format called the "Six Factors." The six factors and the regulation areas that are checked in each factor are:

- Factor 1 General: Part 387 *Financial Responsibility* and Part 390 *General Compliance*
- Factor 2 Driver: Part 382 *Drug and Alcohol*, Part 383 *CDL*, and Part 391 *Driver Qualifications*
- Factor 3 Operational: Part 392 *Safe Operations* and Part 395 *Hours of Service*
- Factor 4 Vehicle: Part 393 *Parts and Accessories* and Part 396 *Inspection and Maintenance*
- Factor 5 Hazardous Materials: Parts 171, 177, 180, and 397
- Factor 6 Accident: Recordable Accident Rate per MM (no regulations involved)

In the recent articles in this series, we looked at Factor 1, the "General" factor, and Factor 2, the "Driver" factor. In this article, we will look at the third factor, the "Operational" factor.

Schedules, driving, and logging

This factor looks at the "where the rubber meets the road" issues. The auditor will check roadside inspection and citation information and other records to determine if you're using drivers that are under the influence, ill, or fatigued. The auditor will also be keeping an eye on various records to determine if your schedules and assignments can be done legally, and if your drivers are operating your vehicles safely and compliantly. Finally, the auditor will check your hours-of-service compliance.

Under the influence, ill, or fatigued

To check this, the investigator will look at your roadside inspections over the last 12 months to see if you have had incidents involving drivers driving when under the influence of alcohol or any drugs, were caught with alcohol in their vehicles (the only exceptions are alcohol that is billed cargo or passengers with alcohol in a passenger-carrying vehicle), or were found to be driving when fatigued. If, during roadside inspections these violations were written, the investigator will look into the situation surrounding the violation. If it is discovered that the carrier required, encouraged, or allowed the action that led to such a violation occurring, either by action or inaction, the carrier may receive a violation during the audit (on top of any citation the driver received at the time).

Schedules and assignment

In the course of checking various records, the investigator will be watching for situations where a driver was assigned a movement he/she could not complete legally (too much distance assigned for the time allowed). One situation that triggers an investigator's interest in this area is if the carrier has a high rate of speeding or hours-of-service violations. High numbers of these types of violations tend to indicate that drivers are operating too fast or trying to drive too many hours. In either case, it could be a scheduling issue creating the violations.

Driving safely and compliantly

Roadside inspection data will also be reviewed to determine how safely your drivers are operating your vehicles. Compliance with speeding and other traffic regulations will be checked, as will compliance with other driving-related safety regulations, such as not texting when driving, not using a hand-held cell phone, and driving with unsecured loads.

Hours of service

This portion of this factor will take the bulk of the time the investigator spends on Factor 3. Much like Factor 2, the investigator will not be checking the logs for all of your drivers. The investigator will be asking for a specific number of logs for a specific driver, surrounding a specific date. The investigator will ask for logs for drivers that were:

- involved in accidents,
- placed out of service,
- cited for hours-of-service violations during roadside inspections, and
- your "top performers" (had the most hours and/or miles).

Basically, the investigator will not be asking for logs from your best and brightest drivers.

Once the investigator has the logs for the requested driver, the auditor will then verify that the form and manner of the logs are correct. This means checking things such as the driver's signature, that the duty lines have been completed correctly, each date is

reflected on a log, a mileage has been recorded on logs where driving is shown, and that all other required information is on the log.

After checking the form and manner, the investigator will do the math to determine if the driver complied with the 8, 11, 14, and 60 or 70 hour rules — if the driver hauls property — and the 10, 15, and 60 or 70 — if the driver is a passenger-carrying driver.

Next, the investigator will verify that any time a driver used an exception (one of the short-haul or oilfield exceptions, the adverse conditions exception, the sleeper berth exception, etc.), that the driver met the requirements for using the exception and used it correctly.

Finally, the auditor will ask for supporting documents that he or she knows you should have. Supporting documents are any documents you retain in the course of doing business that can be used to verify the accuracy of the drivers' logs. Examples include:

- Roadside inspection and accident reports
- Fuel receipts and fuel billing statement
- Toll receipts and toll device billing statements
- Traffic and oversize/overweight citations
- Dispatch, payroll, and expense records (including lumper receipts)
- Bills of ladings, shipping invoices, delivery receipts, and overage, shortage, and damage documents
- Scale tickets
- Port of entry, agricultural station, and customs clearance documents
- Gate receipts
- Records from the company's GPS tracking system

Note: if the carrier uses a GPS tracking system, the list of documents that will be requested will be shorter.

Using these supporting documents, the investigator will check that duty time was logged correctly, in other words any on-duty time related to the activity was logged as on-duty time, and that the log (or time record if the driver is a short-haul driver) reflects the time and location on the supporting document. Investigators normally give a window of one hour to each side of the time on the record if they cannot prove the accuracy of the clock used to generate the time on the document. However, if they can prove the accuracy of the clock involved, such as on a roadside inspection or crash report, they can expect the time to match exactly.

Any time the driver's log or time record does not match the supporting document, the investigator will document this as a false log.

Scoring Factor 3

Violations of "acute" regulations — such as allowing or requiring a driver to drive when ill or fatigued — will automatically lead to the carrier being assigned one point.

A pattern of violations related to a "critical" regulation will result in one point being assigned. A "pattern" is defined as 10 percent or more of the records checked were not in compliance. There is an exception in this factor. If the violation involved a critical regulation in the area of hours of service — such as allowing or requiring a driver to submit false logs or not having logs for a driver — two points will be assigned rather than one.

Once all of the violations are scored, Factor 3 will be assigned a "rating" The ratings (and what leads to them) are:

- Satisfactory — if the acute and/or critical equals 0 points
- Conditional — if the acute and/or critical equals 1 point
- Unsatisfactory — if the acute and/or critical equals 2 or more points

Minimizing Factor 3 violations

Avoid violations in Factor 3 is all about taking actions to either prevent or stop violations from occurring. A carrier should:

- Have a hard and fast policy (that is regularly trained on) that states that drivers are to operate safely and legally at all times, and are to never drive when ill, fatigued, or under the influence of alcohol or ANY drug.
- Conduct driver training on safe, compliant, and defensive driving, and make sure drivers understand that safe and compliant driving is a requirement of employment.
- Have a policy that requires supervisors to verify that all assignments can be completed legally.
- Have a policy that requires drivers to operate in compliance with all traffic laws.
- Make sure all drivers know how to secure the loads you transport (and actually do it!).
- Have a policy in place (that is trained on and enforced) that requires ALL hours-of-service rules related to limits and logging be followed to the letter.
- Conduct driver training on the hours-of-service regulations, and make sure drivers understand that compliance with these rules is a requirement of employment.
- Conduct in-house log auditing and immediately counsel and correct drivers that are found in violation.
- Verify that any time a driver used an hours-of-service exception that the driver was qualified to use it and used it correctly. A

FMCSA considering a 'Beyond Compliance' program

In an attempt to reward carriers for serious efforts to reduce crashes, the Federal Motor Carrier Safety Administration (FMCSA) is considering a "Beyond Compliance" program. This program would reward carriers that invest in crash reduction technology and possibly other safety and compliance technology and programs.

The program would only reward carriers that voluntarily adopt non-required technologies and programs. Of course, there would be "strings" attached, such as the carrier would have to prove that it is actually installing and using the technology and/or programs, and that the technologies or programs are having a positive impact on safety.

When considering the program, the FMCSA asked carriers a series of questions to get their input, including:

- What voluntary technologies or safety program best practices would be appropriate for a Beyond Compliance program?
- What safety performance metrics should be used to evaluate the success of voluntarily implemented technologies or safety program best practices?
- What incentives would encourage motor carriers to invest in technologies and best practices programs?
  - Credit on appropriate SMS scores (e.g., credit in Driver Fitness for use of an employer notification system)?
  - Credit on ISS scores?
  - Reduction in roadside inspection frequency?
  - Other options?
- What events should cause the incentives to be removed?
  - If safety goals for the carrier are not consistently achieved, what is the benefit to the motoring public?
- Should this program be developed by the private sector like PrePass, ISO 9000, or Canada's Partners in Compliance (PIC)?
- How would FMCSA verify that the voluntary technologies or safety programs were being implemented?

Review of onboard safety systems

As onboard safety systems are one of the technologies that would apply under the Beyond Compliance program, let's take a quick look at some of the onboard safety systems that are available today.

Electronic Stability Control (ESC) or Roll Stability Control (RSC). This system uses yaw and roll sensors to detect when the vehicle is becoming unstable during a maneuver. If the vehicle becomes unstable, the system reduces the vehicle speed by defueling the engine. This system may become mandatory on new vehicles under a rulemaking underway by the National Highway Traffic Safety Administration. However, it would remain voluntary on older vehicles.

Lane departure warning system (LDWS). LDWS uses video technology (visual or infrared) to alert the driver if the vehicle deviates from its assigned lane without a turn signal.

Collision warning system (CWS). This system uses radar, sonar, infrared, or laser technology to alert the driver if the vehicle comes too close to another vehicle or a fixed object.

Intelligent cruise control system (ICCS). ICCS works with other safety systems (ESC, RSC, LDWS, or CWS) to automatically reduce speed by defueling the engine. Newer versions will repower the engine once appropriate space is achieved if the vehicle cruise control is turned on. There are experimental versions that even make intelligent braking decisions and apply braking to reduce speed if defueling alone is not adequate.

Tire pressure monitoring system (TPMS). These systems monitor the air pressure in all tires of the vehicle and warn the driver if a tire loses a percentage of its air pressure. Some systems available for air-brake vehicles can refill tires that are low enough to trigger a warning, as well as monitoring the tire.

Automatic on-board recording device (AOBRD). These systems use the vehicle data system and entries made by the driver to construct a driver's record of duty status (log). The proposed newer systems are referred to as electronic logging devices (ELDs). Like ESC, these are likely to become mandatory in the future, but for the time being the installation of them is voluntary.

Each of these systems is designed to reduce the risk that the vehicle will be involved in a specific type of accident. These systems can be independent or "bundled." Bundled systems attempt to leverage the best performance of each system to keep the vehicle out of an accident. A

Medical paperwork: who needs what?

Question: Do I have to have a copy of the 'long form?' If not, why would I want one?

The regulations only require that the carrier be provided with a copy of the driver's Medical Exam Certificate (the "medical card") following an exam. If the driver is a non-CDL driver, a copy of the medical card must be kept in the driver's DQ file for three years. The driver must carry his/her copy of the medical card and have it with him/her whenever operating a commercial vehicle.

If the driver has a CDL and has merged his/her CDL and medical card, the carrier needs to keep a copy of the medical card on file for the first 15 days after the exam. By the 16th day, the carrier must have a new MVR showing the driver as medially qualified. At that point, the carrier can remove the copy of the medical card. However, you should consider keeping it on file, just in case.

As far as CDL drivers, they have to carry the medical card with them for 15 days after the physical. After that, the driver is not required to carry it anymore because the information should be on the driver's MVR (provided the driver submitted a copy to the licensing agency immediately after the exam). HOWEVER, if the driver was late providing a copy to his/her state, the state was late getting the information onto the driver's license, or there was an error made by the state, officers on the road will normally accept the medical card for up to 60 days as proof the driver is medically qualified. Be aware, the 60 days is temporary and will eventually be shortened to 15 days. Therefore, drivers should be carrying their medical card for at least 60 days after the exam. It might be a good idea to instruct your drivers to carry the new medical card the entire time it is valid.

Keep in mind that carrying a copy of the medical card only has to do with medical qualification. If the driver's CDL has been downgraded due to the medical information not being submitted or accepted by the state, the driver will be placed out of service. This is true even if the driver has a valid medical card on his/her person. In other words, once the CDL has been downgraded over medical qualification issues, having a valid medical card does the driver no good.

Long form

As far as the long form (the "Medical Examination Report" or MER), it remains on file at the medical examiner's location for three years. The carrier has no requirements when it comes to retaining a copy of the MER. However, many carriers request a copy of the long form and review it for errors. This is done to:

- verify that the driver reported any previous medical conditions the company is aware of,
- check that the examiner has not made any errors, such as giving a two-year card to a driver with documented blood pressure, blood sugar, or other health issues, and
- verify that the driver has not reported, and that the examiner has not discovered, any disqualifying conditions (epilepsy, insulin dependent diabetes, vision or hearing below the standards, etc.).

Any time a problem is found, the carrier contacts the examiner's office to discuss what was discovered on the report.

To get a copy of the MER, the driver will have to sign a HIPPA release at the examiner's office. Once the carrier has a copy of the MER, only the people directly involved in medical qualifications can view the MER.

After the review of the MER, it must be filed in a secure location with limited access due to the sensitive medical information it contains (if the carrier chooses to retain it). If the DQ files are available to people other than the people designated to handle medical qualifications, then the DQ files would not be considered secure and could not be used to house the MERs.

Setting up the process

To begin the process, the company needs to have the drivers do a HIPPA release when completing a physical. This way, the examiner's office will provide a copy of the report and allow the company access to the examiner. This process is much easier if you use the same examiners for all of your drivers. This way, you will know what paperwork the examiner will require to release the long form and you and/or the examiner can have the right form on file for the driver to sign.

Next, you need to have someone (or a couple of people) authorized to view the incoming MERs. These individuals should be knowledgeable in the medical qualification requirements and medical exam procedures. One key point these people will need to be trained on (and completely understand) is the confidential nature of the information they will be viewing. They also need to understand that it is not their job to deal with problems on the forms (no making corrections or taking action). When problems are found, they must be instructed to contact the examiner and discuss the issues with him/her. A

ELD rule from pg. 1

Contrary to public opinion, there were not many exceptions. The only exception in the proposal was for drivers that only had to complete a log 8 or fewer days out of the last 30. These drivers would be allowed to continue to use paper logs on the few days they are required to log.

Examples of such drivers would be drivers that operate under the 100 or 150 air-mile exceptions, drivers that operate under one of the exceptions that exempts a driver completely from the hours-of-service regulations (such as the agricultural and utility exceptions), and intermittent drivers.

To sum this up: If your driver is presently required to fill out paper logs more than 8 times in a 30-day period, the driver will need to be switched over to an ELD within two years of the final rule going into effect.

Technical standards

The proposal included technical standards intended to bring the regulatory requirements up to date. Presently, the technical requirements related to existing devices are fairly simple. The device must:

- Meet the definition of an "automatic onboard recording device" (or AOBRD) provided in §395.2. This requires the device to be "integrally synchronized" with the vehicle and use the data to automatically determine when the driver is driving.
- Display the driver's present day and past 7 days for officers on the road (using "text").
- Not allow the driver to make any changes to the record.

The location of duty changes is the only required position fix under the present regulations. These can be generated by the system or entered by the driver.

Under the proposal, the new devices (referred to as "ELDs") must:

- Get data from the vehicle (using the ECM for MY 2000 or newer vehicles).
- Be mounted within view of the driver and not allow driver entries while the vehicle is in motion.
- Do "automatic data captures," which include location, vehicle hours and miles, and driver and carrier, at all duty changes.

- Do a data capture that includes location, vehicle hours and miles, and driver and carrier once per hour when in operation.
- Display or print a standard four- or five-line grid-graph, the location of all duty changes, and other required information.
- Prompt the driver for entries at certain times (such as when a vehicle moves with no driver logged in).
- Default to on-duty when the driver stops driving.
- Be able to send the records to officers during roadside inspections.
- Have a unique login for all users
- Have a mechanism for accounting for all "unassigned" miles/hours.
- Require the driver to initiate or approve changes.

The new devices would also be required to capture time spent in two "special" statuses. These include:

- Personal use: Applicable when the driver is using the commercial vehicle as a personal conveyance (also referred to as "off-duty driving").
- Yard time: Applicable when the driver is operating the vehicle in an off-road environment, such as in the company yard or on a customer's property (also referred to as "on-duty driving").

The driver would be required to indicate the use of these special driving statuses at the beginning of the period. Finally, the driver must be able to have access (upon request) to all records in the system related to him/her upon demand.

Just an FYI: Most vendors that sell electronic logging systems (such as J. J. Keller) should be able to meet the new requirements using the older devices through software updates. This is due to most hardware that was sold over the last several years being able to meet the physical requirements.

If devices or a system you are currently using cannot be updated to meet the new standards, the FMCSA has included a "grandfathering" provision that would apply to you in the proposal. This would allow devices and systems that were already in use when the final rule was issued that cannot be updated to be used for four years after the final rule is published. Using the timeline provided above, such systems could be used until late November 2019, at which time they would have to be replaced with devices and systems that meet the new standards.

Supporting documents

The supporting documents portion of the proposal:

- Clarifies what a supporting document is
- Limits the number a carrier must retain (no more than 10, and the 10 must include the first and last for the day)
- Requires that they be "cross-referenced" so they can be tied to a specific driver

Be prepared

As the requirement for use is moving forward and is not likely to go away (it has been ordered by Congress), it is best if Safety Pros at least begin the search for a system that fits with the company. Waiting until the last minute will cause problems. Many carriers are going to delay implementation until the deadline is close at hand. The result is that when the deadline comes, available systems will be hard to find (limiting options) and support from vendors will be at a premium, making the transition more difficult than it needs to be. A

HR Focus

Diabetic drivers may be getting a break

The Federal Motor Carrier Safety Administration (FMCSA) has released a proposed rule that would make it much easier for insulin dependent drivers to be qualified to drive. The present process involves the driver going through an "exemption" program. Under the proposal, the process would be taken care of during the driver's physical.

Present process

If the driver uses injected insulin, at the conclusion of the driver's physical, the examiner must mark the box on the medical card that states "accompanied by a _____ waiver/exemption." In the blank, the examiner is to indicate what type of exemption would be required (diabetes). In this case, the medical card is only valid when accompanied by an exemption issued by FMCSA. To get the exemption, the driver will need to submit the proper paperwork to the FMCSA. Once the driver has the medical card and the waiver/exemption, the driver can operate until one of the two expires.

In the case of a diabetic driver, the process involves submitting to the Federal Diabetes Exemption Program Office in Washington, D.C.:

- a completed "Applicant Checklist,"
- a signed copy of the Medical Examination Report (completed by the Medical Examiner),
- a signed copy of the Medical Examiner's Certificate (also completed by the Medical Examiner),
- the "Endocrinologist Evaluation Checklist" (completed by the doctor that is treating the diabetes...the form is available through FMCSA),
- the "Vision Evaluation Checklist" (must be completed by an ophthalmologist...this form is also available through FMCSA), and
- a copy of the driver's license and motor vehicle record.

Additional information may be required by the FMCSA, based on review of the information submitted.

see **HR Focus**, *pg. 8*

Safety Tip

Tech problems

This month's safety tip has to do with an interesting phenomenon that is going on, drivers being distracted by systems that are on the vehicle. With all of the bells and whistles that are going off in a modern vehicle, it is too easy for drivers to become distracted by something that does not make any difference at that moment in time.

Safety Tip

Do not allow the vehicle's systems to become a distraction!

A good example for overcoming this might be fighter pilot training. When training fighter pilots, both the navy and air force drill their pilots on when which of the bells and whistles are important. An example would be a low-altitude warning notifying the pilot that he/she is only 50 feet above the ground when landing (the idea in that case is to get down to zero feet off the ground!). As long as the warning is coming at the right time, it does not require any action and should not be allowed to become a distraction.

On the other hand, if during violent maneuvering a "g-load warning" sounds, the pilot knows that he/she needs to take immediate action or risk having the plane come apart or passing out. In this case, the alarm is not a distraction; it is something that requires immediate action.

Carrying this logic over to the onboard systems in a commercial vehicle is fairly straightforward. If the vehicle's communication system sounds a warning while the driver is driving, the driver should know to ignore it. Another example is the lane departure system sounding a warning while the driver is dodging a traffic hazard. In this case, the driver should know to ignore the warning. On the other hand, if the collision warning system ever sounds an alarm while the vehicle is moving, the driver should take immediate action.

Basically, it comes down to training. Rather than simply installing the systems in the vehicle and letting the driver "figure out what's important and when it's important," use your training program to provide the necessary guidance. A

Do you have a safety tip to share?

Submit your transport-related safety tips to:

Transport Safety Pro Advisor

c/o Thomas Bray,
fax: (920) 727-7519,
email: tbray@JJKeller.com

CARB, from pg. 1

has several other programs in place that carriers operating in California need to be familiar with, including:

- The transport refrigeration unit rule (TRU rule)
- Emission control labeling rule
- The drayage truck rule
- The auxiliary power unit (APU) rule
- The greenhouse gas rule

Under the TRU rule, refrigerated trailers that have a MY 2007 or older diesel engine must be retrofitted with approved PM filters.

Under the emission labeling rule, the engine's emission control label must be affixed to the engine, must be legible, and must provide information on what MY emissions standards the engine meets. If the label is missing, it is the carrier's responsibility to contact the manufacturer and get a replacement.

To operate a Class 7 or 8 truck into or within a port or rail facility in California ("drayage" trucks), the truck must be equipped with a MY 2007 or newer engine. Vehicles retrofitted with PM filters are no longer allowed into these facilities. Vehicles with pre-1994 engines, even if retrofitted, are not permitted into the rail and port facilities, as well.

If the truck is equipped with an auxiliary heating and cooling unit or an auxiliary power unit, it is covered by the CARB APU rule. This rule requires that the exhaust from the unit meet the appropriate emissions standard or be plumbed into the vehicle's exhaust system upstream of any exhaust treatment devices (PM filter and/or SCR).

The last CARB rule we will discuss is the "greenhouse gas rule," which is also referred to as the "Smartway rule." This rule requires that 53 foot box-type trailers (vans and reefers) and the tractors pulling them meet aerodynamic and tire rolling resistance requirements when operating in California.

Exceptions and phase-ins

Most of the programs have exceptions (low-mileage, fiscal hardship, etc.) and alternate phase-in provisions (small fleet, PM filter credit, clean air areas) that can be used. There is also a "three-day pass" available that a carrier can use once a year to operate one non-compliant vehicle into California. These all require that the carrier register the fleet in the appropriate program at www.arb.ca.gov/truckstop. A

HR Focus, from pg. 7

Proposed process

Under the proposal, drivers with stable, well-controlled insulin-treated diabetes could be qualified by the medical examiner at the time of the physical. The exact process (under the proposal) would include the medical examiner determining that the driver meets the physical qualifications standards (with the exception of the insulin-controlled diabetes).

In the next step, the medical examiner would review documentation provided by the driver's "treating clinician" (the one treating the driver's diabetes). The driver must have been examined by his/her treating clinician prior to the medical exam. The treating clinician must have determined that within the previous 12 months the driver has:

- Had no severe hypoglycemic reaction resulting in a loss of consciousness or seizure, or requiring the assistance of another person, or resulting in impaired cognitive function; and
- Properly managed his or her diabetes (this is evidenced by test results the treating clinician will have access to).

The driver would also be required to provide blood glucose test results to the Medical Examiner proving that the diabetes is well controlled.

If the information provided by the treating clinician and test results verify that the driver's insulin dependent diabetes is stable and well controlled, the examiner can certify the driver for up to a maximum of one year.

Is this a big deal?

This has the potential to be a big deal for two reasons. First, the number of people affected by insulin-dependent diabetes is increasing sharply. Second, the population most at risk of adult-onset diabetes are inactive people suffering from obesity and poor diet. By the way, that describes a good portion of the professional driving population! In other words, if you have not had to deal with the loss of a driver to diabetes, the odds are you will in the near future. Once this process is finalized, it will be easier to get the driver back to work. A

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ISSN 1550-2074 GST R123-317687 (41810)

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