



Safety Manual for Trucking Operations

AIG RISK CONSULTING





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Introduction

Welcome to the AIG Risk Consulting (AIG) manual for fleet operations. This manual provides a basis to develop your own risk management program with the assistance of AIG.

Safety must be considered a primary issue for every motor carrier operation regardless of size, location or fleet type. Effective safety programs can result in significant cost savings for a carrier. Companies that do not have effective risk management programs can jeopardize themselves financially, legally and morally.

THE PURPOSE OF THIS MANUAL

This manual incorporates proven safety procedures and standards that can help you evaluate the effectiveness of your safety and compliance efforts. We have also provided sample documents for many of the safety measures recommended by both AIG and the Federal Motor Carrier Safety Regulations (FMCSR).

This manual provides overviews of what AIG believes are key elements of the FMCSR as well as some enhancements to the regulations. For a full list of federal regulations, please visit <https://www.fmcsa.dot.gov/regulations>.

AIG'S RISK CONTROL FOCUS

Driver hiring standards

Hiring qualified drivers is the most critical part of any trucking operation. Your hiring standards should ensure you are getting the best drivers available. Good drivers lead to fewer accidents.

Fleet safety efforts and accident experience

Effective safety efforts reduce your accident experience. Your program should identify accident types and trends, so appropriate corrective measures may be implemented, to improve the fleet's accident frequency.

Compliance with regulations

You are required to follow the FMCSR requirements designed to reduce the number and severity of crashes. AIG can assist in reviewing your compliance efforts and make recommendations for improvement



AIG Risk Consulting Services

AIG is equipped to support you in building your safety and compliance program. Upon request, your Casualty Risk Consultant can:

- Conduct on-site or virtual surveys* to assess your fleet safety efforts and accident experience, compliance with regulations, and your existing risk management and loss control programs.
- Provide written recommendations based on on-site surveys.* We work with you to determine specific time frames for completion. At your request, we will provide technical support needed to implement these recommendations.
- Periodic visits or phone consultations can be made by our consultants to review your progress with our recommendations, and to assist you with other elements of your safety program.
- Provide training for drivers and administrative personnel to address concerns developed in both accident analysis and our safety and compliance reviews. Training may include topics such as hours of service, what to do at the scene of an accident, vehicle inspection procedures, hazardous material training and defensive driving.
- Design a personal injury reduction program focusing on your particular operations to reduce accidents and injuries in your workplace.



AIG Risk Consulting Program Standards

AIG is committed to helping you be as successful as possible through the design of an effective safety program. Our suggested standards are those listed below, and your acceptance of these standards will provide a reasonable base from which you can build a targeted and cost-effective risk management and loss prevention effort.

Our consultants can review your program to determine whether your safety program meets our standards (listed below). We can also assist with suggestions and considerations to improve the program. However, you are ultimately responsible for the success of your company's safety programs.

Your safety program should comprise, at a minimum, the following elements (each of which are detailed in the manual):

- Driver hiring standards
- Compliance program
- Safety policy and procedure manual
- In-Service training programs / safety meetings
- Orientation program
- Drug & alcohol policy
- Accident analysis



Driver Selection & Qualification Standards

The success of every motor carrier operation begins with the selection and training of its drivers. They are your representatives both on the road and at your customer's dock. For these reasons and many more, it is vitally important that careful consideration be used when hiring new drivers.

Your driver hiring and qualification standards should be in written form, highlight key elements such as the minimum age, maximum number of tickets, maximum allowable tickets and anything else necessary to meet the FMCSR requirements. These standards should be included in your safety manual.

Refer to <https://www.fmcsa.dot.gov/regulations/title49/part/391> for the full details on the FMCSR requirements for Qualification and Disqualification of drivers.

The FMCSR's requirements are the minimum standards by which a driver may drive a commercial motor vehicle. In order to assist you in having the safest possible program, the Truck Insurance Group has established our own qualification standards, which exceed the minimum standards set forth by the FMCSR. The next page highlights driver requirements found in the Truck Insurance Group underwriting guidelines. We ask that you work to incorporate these guidelines into your own program in order to ensure that your drivers are compliant with our standards.

Minimum age

All drivers should be a minimum of 23 years of age or older. Ideally, drivers should be at least 25 years of age.

Minimum experience

Drivers should have at least 2 years of verifiable commercial driving experience in equipment similar to that which he/she will be operating. This experience should be immediately prior to employment. *Exception:* If an applicant has at least 5 years verifiable experience, the 12 months prior to employment may include non-driving employment.

Work history

Applicants whose history shows steady employment make more stable, dependable and safe drivers. For this reason, we recommend avoiding hiring anyone who has had more than 2 jobs in the last year and more than 6 jobs in the last 3 years.

Medical examinations

Drivers must not be allowed to operate a Commercial Motor Vehicle unless they have been medically certified as physically qualified by a certified Medical Examiner. Refer to FMCSR Part 391Subpart E - Physical Qualifications and Examinations for guidance.



MVR requirements

A driver's Motor Vehicle Report (MVR) is an important snapshot of his/her driving history and should be reviewed carefully. Each driver's MVR should be reviewed at least on an annual basis to assure drivers stay within AIG's guidelines for acceptable moving violations, accidents and non-moving violations within the last 36 month period. Drivers that are placed on probation should have an MVR review on a quarterly basis. The MVR should also be used to verify information on the application and the Certificate of Violations, as well as the Annual Review of Driving Record.

AIG's guidelines to determine acceptability of a driver's MVR is derived using the following point value system. The maximum acceptable number of points may not exceed 3 within the last consecutive 36 month period.

Use the following Point Value System to determine each individual driver's total points. When two violations occur on the same date, use the higher point value.

1 point: speeding < 15 MPH, any other moving violation

2 points: speeding > or = 15 MPH, following too closely, improper lane change, accident

Non-moving violations, such as equipment or seatbelt violations count 1 point for every 3 occurrences within the last consecutive 36 month period

Road tests

AIG recommends all drivers, regardless of age, experience or record, be road tested in comparable equipment to what they'll be operating. This recommendation applies to owner/operators as well as drivers employed by owner/operators. The road test should require the driver to demonstrate all the skills necessary for safe operation of the vehicle and should be documented in the driver qualification file.

Other resources

Other resources are available from several sources that can aid in the selection process. Personality tests, aptitude tests, criminal background checks and credit checks are also effective tools that can assist you.

PSP reports

The Pre-Employment Screening Program (PSP) allows carriers, individual drivers, and industry service providers access to commercial drivers' safety records from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via the PSP web site. Please visit <https://www.psp.fmcsa.dot.gov> and click on "Enroll in PSP." Once the appropriate agreement is complete, follow the instructions to return the entire agreement to NIC Federal. The account holder agreement includes FMCSA-required consent language that all account holders must use to capture a driver's consent before making a PSP record request.



Driver Safety Standards

PASSENGER POLICY:

AIG prefers that its policyholders adopt a “no rider” policy for the commercial vehicles we insure. However, those policyholders who choose to allow passengers should follow these guidelines:

Driver/operator qualifications:

1. Must be employed as a driver for at least 6 months.
2. Must not have been involved in a preventable accident within the last 12 months.
3. Must not have received any moving violation convictions within the past 12 months.
4. Must be approved in writing by both the safety and operations departments.

Passenger qualifications:

1. Passengers authorized under the program should be at least 18 years of age.
2. Only one passenger per vehicle is allowed at a time.
3. The carrier must show proof of valid coverage under an acceptable passenger accident contract.
4. The passenger should sign a waiver relieving the carrier of any responsibility should they be injured in an accident.

Prior to dispatch the driver must have a written authorization form from the carrier granting permission to have the passenger as required by FMCSR. The form should include the name of the person to be transported, the points from which the transportation will begin and end and the date on which the authority expires.

DISCIPLINARY POLICY

AIG recommends that every carrier have a written disciplinary policy in place to deal with drivers who have been involved in preventable accidents, received citations, violate company policy or DOT regulations, have log violations or commit any other safety violations that may be included in the policy.

The program should be progressive in nature beginning with a documented verbal warning, progressing to a written warning and ending with termination. **All disciplinary actions should be documented and be made part of the employee’s personnel file.**

It is also recommended employees receive remedial training in disciplinary areas. Communicating at each point in time during the disciplinary process helps ensure clarity on expectations.



Driver Qualification Files

AIG requires you to adhere to the FMCSR guidelines on maintaining proper documentation of all drivers. Key elements for driver qualifications are detailed below. If you would like further information, please see the FMCSR guidelines at: <https://www.fmcsa.dot.gov/regulations/title49/section/391.51>

1. A file should be kept for each employed driver.
2. The qualification file for a driver must include the following:
 - a. The driver's application for employment (391.21)
 - i. The application for employment must include the following two questions:
 1. Whether they were subject to the FMCSR's while employed by the previous employer.
 2. Whether the job was designated as a safety sensitive function subject to the drug and alcohol testing requirements of 49 CFR Part 40.
 - a. A copy of the original motor vehicle record (MVR)
 - b. The certificate of driver's road test issued to the driver or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test.
 - c. Annually updated MVRs
 - d. Notes relating to the annual review of the driver's driving record
 - e. A list or certificate relating to violations of motor vehicle laws and ordinance.
 - f. The medical examiner's certificate or a legible copy of the certificate.
3. Except as detailed above, each driver's qualification file should be retained for as long as a driver is employed by that motor carrier and for three years thereafter.
4. In order to ensure that driver's physicals and CDL's do not expire, it is recommended that carriers develop a system to track these expiration dates. This can be done on paper or on a spreadsheet. The driver should be notified 60 to 90 days prior to the expiration date, to give them ample time to complete the renewal. 1-2 weeks prior to renewal of these, the drivers should not be dispatched to ensure violations do occur before he/she can return.



Driver Qualification Files

DRIVER INVESTIGATION HISTORY

The FMCSA requires that all motor carriers are required to obtain and review the “safety performance history” of each new driver hired.

The driver’s safety performance history includes: (3) years of information about where the driver worked, the motor vehicle accidents involved in and the driver’s drug/alcohol testing history. The Driver Investigation History (DIH) information can be combined with existing files, (drug/alcohol or DQ), or a New DIH file, as long as all the records are kept confidential and secured with limited access.

Previous employer information must be maintained in a secure location with controlled access. This can be in the DQ file, a drug/alcohol file or a new Driver Investigation History (DIH) file.

The Drivers’ Application should include the Driver Rights listed in FMCSR 391.23(i)(1).

- (i) The right to review information provided by the previous employer;
 - (ii) The right to have the errors in the information corrected by the previous employers and for that previous employer to re-send the corrected information to the prospective employer;
 - (iii) The right to have a rebuttal statement attached to the alleged erroneous information, if the previous employer and the driver cannot agree on the accuracy of the information.
- These Driver Rights must be provided to the driver prior to any hiring decision.



Training Policy

Training is an important element in driver safety. In addition to building and sharpening the basic driving and safety skills of your personnel, continued training keeps your people current on changes in such areas: the FMCSR's, vehicle inspections, company accident trends, hazardous material (hazmat) regulations and OSHA information, among others.

ORIENTATION

All new hires, including owners/operators, should attend an orientation program to become familiar with your company. This program should include at the minimum, company rules, safe driving practices, routing, hours of service, personal injury protection, hazmat procedures, accident reporting procedures, load securement, drug and alcohol policies.

IN-SERVICE TRAINING / SAFETY MEETINGS FOR ACTIVE EMPLOYEES

Regular safety meetings are an effective means to communicate with all employees. These should be held at your terminal or any other centralized location that all employees can easily access. They should be set up on regular, standard intervals and attendance should be mandatory. Discussions can include regulatory changes, accident cost and trends and updates to company and/or FMCSR regulation policies.

The following are minimum elements for effective safety meetings which should be conducted at least twice per year and attendance is mandatory:

- Roadside Inspection data / CSA BASIC Values
- Include results of accident analysis
- Emphasize hours of service
- Provide hazardous material and other regulatory updates
- Bring in outside speakers periodically to add interest and give different views

Document All Training:

- Copies can be maintained in a training file or the drivers' personnel files.
- Documentation should include: date of training, topics covered, instructor information and a signed attendance roster.



ADDITIONAL TRAINING

Hazardous material training: If your company transports any amount of hazardous material, it is required that any person directly affecting hazardous materials transportation be trained in accordance with 49 CFR 172.700 Subpart H. This training must be completed for a new hazmat employee and recurrent training is required every three years. All training should be documented and kept on file.



Training Policy

- Special equipment training: Should your company use any specialized equipment in transportation –dump, reefers, tankers, flatbeds, lowboys, etc. – special training should be done to assure the driver is familiar with the operation of the specialized equipment. In the case of flatbeds, lowboys, etc., load securement techniques and requirements, tarping procedures, and special handling characteristics of the equipment should be covered prior to initial dispatch.
- Supervisor training: Each employer must ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and at least 60 minutes of additional training on controlled substance use. This training will enable supervisors to detect whether reasonable suspicion exists to require a driver undergo testing under FMCSR (Part 383.307). This training must include but is not limited to physical, behavioral, speech and performance indicators or probable misuse of alcohol and controlled substances. This training should be documented and kept in each supervisor’s training file.
- Dispatcher training: Training should be done to ensure that all dispatchers and other supervisory personnel are familiar with FMCSR, and in particular, the “hours of service” portion of the regulations. This will assure they are not dispatched on a run if they don’t have enough hours to legally complete it. If you transport hazardous materials, dispatchers should also have a working knowledge of the hazardous material regulations.
- Newsletters: Newsletters are an effective way to distribute information to employees. You can encompass training materials as well as updates on industry trends or changes in regulations. The newsletter can also be used to keep employees up to date on company happenings and upcoming events.



Training for Entry-Level Drivers with Less than 2 Years of Experience

While AIG's minimum driver qualification standards indicate drivers should have at least 2 years of verifiable driving experience, some insureds may wish to establish an in-house training program for those entry-level drivers.

A successful in-house driver training program involves several key elements:

CARRIER QUALIFICATIONS

- FMCSA rating of satisfactory
- Carrier not having more than one CSA basic in Alert
- The one Alert cannot be Unsafe Driving
- Must have a dedicated Safety Manager
- Department of Transportation (DOT) carrier authority for five years
- Regional operation of not more than 200 mile radius
- DOT crash rate of less than .75 accidents per million miles driven
- Underwriting must receive confirmation from an AIG Casualty Risk Consultant that the carrier is in compliance with AIG guidelines

TRAINER'S QUALIFICATIONS

- Five years of experience operating similar equipment to that being driven
- Completed PTDI Train the Trainer course or an equivalent
- Should have a clear MVR for the past 24 months
- No preventable accidents within the past 24 months
- Should be employed by the company for a minimum of 2 years.
- Should have an annual performance evaluation



In addition, the Trainer should be held accountable for any and all losses involving the trainee until the trainee is released.

TRAINEE REQUIREMENTS

At a minimum, the driver must successfully complete a driver training course conducted under the Professional Truck Driving Institute of America (PTDIA) or like standards. The insured should do an on-site inspection of these driving schools and their curriculum. AIG does not support entry-level driver training conducted by a spouse, friend or other closely related third party.



Training for Entry-Level Drivers with Less than 2 Years of Experience

On top of completing the course, the trainees should meet the following criteria:

- No moving violations in the past three years
- All trainees, including owner operators, should meet all other minimum hiring guidelines set forth in this manual, with the exception of the experience level.
- A transcript from the driving school should be provided indicating a passing grade of 80%

ON THE JOB / BEHIND THE WHEEL TRAINING

After Trainees complete their schooling and the orientation program, they should be assigned to a driver trainer for behind the wheel training. Following are suggestions for this very important part of training:

- Identify progressive goals for the trainee as part of the training program
- Review the trainees progress every 10-14 days
- Allow the trainee to critique the trainer as well over the same time period
- Continue the process for a minimum of 6 to 8 weeks
- After a reasonable time of demonstrating safe driving habits, move the trainee to a local or short run capacity (50-200 miles from terminal)
- If this portion is successfully completed, then a final assessment should be done. If the trainee passes a comprehensive skills test, he/she may be moved to a fleet position. If not, additional training may be done or termination if necessary.



Accidents

RECORD KEEPING REQUIREMENTS

The DOT defines an accident as an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

- A fatality
- Bodily injury to a person who as a result of that injury immediately receives medical treatment away from the accident scene
- One or more vehicles which, due to disabling damage, is towed from the scene
- For these accidents, FMCSR 390.15 requires that they be recorded in an accident register and maintained for 3 years from the date on which the accident occurs.

The accident register must contain at least the following information:

- Date of the accident
- City or town closest to where the accident occurred
- Driver's name
- Number of injuries
- Number of fatalities
- Whether or not any hazardous material, other than diesel fuel from the fuel tanks, was released in result of the accident

In addition, copies of all accident reports required by state or other governmental entities or insurers must also be retained for a period of 3 years from the date of the accident. AIG recommends a separate file be kept for each accident. Accident registers may be kept as hard copies or electronically, as long as they can be presented to a DOT or other state agents upon request. See the Appendix for a blank accident register that can be utilized.

AIG recommends that an internal accident report form be used for documentation and investigation of the accident. All carriers, regardless of size, should perform ongoing accident analysis to determine trending in the accidents they are having. Accidents and their root causes should be tracked, so that training and other preventative measures can be directed towards eliminating those causes. All accidents should be reported to AIG as soon as possible. This can be done by calling our 24 hour claims support number: 1-877-399-6442.



ROUTINE MAINTENANCE

FMCSR requires that “every motor carrier shall systematically inspect, repair and maintain, or cause to be systematically inspected, repaired or maintained, all motor vehicles subject to its control.”

Record keeping requirement:

The following is a list of maintenance record keeping requirements for vehicles a motor carrier has controlled for 30 days or more outlined in FMCSR 396.3:

- An identification of the vehicle, including company number, make, serial number, year and tire size. If the vehicle is not owned, provider of the vehicle should be noted.
- A schedule of inspections & maintenance to be performed, including type & due date
- Inspection, repair and maintenance records

These records must be retained for one year at the location where the vehicle is either garaged or maintained for 6 months after the vehicle leaves the carrier's control.

PERIODIC OR ANNUAL INSPECTIONS

In addition to routine maintenance each commercial motor vehicle under your control must pass a periodic inspection performed by a qualified inspector (FMSCR 396.17).

The record keeping requirements include periodic inspection reports. The Periodic inspection reports should include the following information:

- The individual performing the inspection
- The motor carrier operating the vehicle
- Date of the inspection
- Vehicle inspected
- Vehicle components inspected and the results of the inspection

An original or copy of the record must be maintained by the motor carrier or the entity responsible for the inspection for a period of 14 months from the date of inspection. Documentation of the Annual Inspection must be on the vehicle. The original or a copy should also be retained where the vehicle is housed or maintained.



PRE-TRIP INSPECTION

Before driving a motor vehicle the driver must perform a pre-trip inspection on each vehicle driven throughout a workday to make sure the vehicle is in safe operating condition. This pre-trip inspection should be entered on the driver's daily log.

POST TRIP INSPECTIONS / DAILY VEHICLE INSPECTION REPORTS (DVIR'S)

The FMSCR 396.11 requires that each driver inspect and prepare a DVIR at the end of each workday, listing any defects discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. This must be done for each vehicle operated during that workday and the driver must sign this report. No DVIR Report is required if no defects or deficiency is discovered by or reported to the driver (FMCSR 396.11(a)(2)(i))

Record keeping requirement

The daily inspection report should cover at least the following parts and accessories:

- Service brakes and connections
- Parking brake
- Steering mechanism
- Lighting devices and reflectors
- Tires, horn, windshield wipers, mirrors, coupling devices, wheels and rims
- Emergency equipment

The original DVIR report, certification of repairs and certification of the drivers review must be retained by the motor carrier for a period of 3 months from the date the report was prepared. Owner/operator DVIR's must be retained by the motor carrier they are leased to.

ROADSIDE INSPECTION REPORTS

Immediately following a roadside inspection, the driver must deliver a copy of the report to the motor carrier. If the driver is not scheduled to arrive in a terminal within 24 hours, the report must be immediately mailed to the motor carrier. The motor carrier must examine the



report and violations or defects noted should be corrected. Within 15 days of the inspection, the carrier must certify all violations have been corrected and return the form to the issuing agency.

The motor carrier must retain a copy of each roadside inspection in the carrier's principle place of business for a period of 1 year from the date of the inspection.

If the carrier has been certified to perform its own periodic or annual inspections and/or the carrier has certified brake inspectors, evidence of their qualifications must be retained by the motor carrier during the time they are performing the inspections and one year after they cease to perform the inspections.

OWNER/OPERATORS

AIG recommends prior to entering into a lease agreement with an owner/operator, that the equipment to be leased is inspected by a qualified inspector. We also recommend you establish an age limit on the equipment you lease. It is important that any equipment you lease be well maintained and in good appearance. Remember, your company placards will be on the doors of the tractor. Since, according to the FMCSRs, the motor carrier is responsible for the maintenance of all the vehicles it controls, the carrier will be ultimately responsible to ensure that the owner/operator equipment is maintained as well as your company owned tractors.

AIG recommends you require all owner/operators to submit a monthly record of all repairs and maintenance performed on the leased equipment. We also recommend you monitor the due dates of the owner/ operator annual inspections, to avoid being put out of service.



Drug & Alcohol Testing

AIG's DRUG POLICY

While DOT regulations permit the rehabilitation and retention of drivers who have tested positive for controlled substances, AIG does not support placing anyone in a driving position, who has ever tested positive for controlled substances.

DOT Drug & Alcohol policy requires carriers to conduct the following tests:

Pre-employment

A pre-employment drug screen with a negative result is a requirement for each new driver before they are allowed to perform any “safety sensitive” function.

Post-accident

If a driver is involved in an accident involving a fatality or any other DOT recordable accident in which they receive a moving violation citation, the company must require the driver to submit to both drug and alcohol testing.

Alcohol testing must be performed within 2 hours from the time the accident occurred. If this is not possible, you have up to 8 hours from the time of the accident to have the driver tested.

- If the 2 hour time limit is exceeded, documentation as to why the test could not be completed must be completed and retained.
- If the 8 hour time limit is exceeded, you must cease attempts to test the driver and document why the testing could or did not take place.

Controlled substance tests must be performed within 32 hours from the time of the accident. If the testing cannot be performed within 32 hours, you must cease attempts to complete the test and document the reasons why the test could not be completed within the allowable time. This record must be retained.

Below is a chart to help simplify whether or not a post-accident drug and alcohol test must be conducted on your driver.

Type of accident involved	Citation issued to your driver?	Testing required?
Human Fatality	Yes or NO	YES
Bodily injury with treatment away from the scene?	YES NO	YES NO
Disabling damage requiring tow away of any vehicle	YES NO	YES NO



Drug & Alcohol Testing

RANDOM TESTING

On an annual basis, carriers must randomly test a number of drivers equal to 10%* of their average annual number of driver positions for alcohol and 50%* of their average annual positions for controlled substances. Random alcohol tests must be performed immediately prior, during or immediately after a driver performs a safety sensitive function. All drivers must have an equal chance of being selected and the selection process must use a scientifically valid method, such as a random number table, or a computer-based random number generator, that is matched with some form of driver ID number such as Social Security, Payroll, etc.

* The FMCSA Administrator may change the annual percentage of testing based on the reported violation rate for the entire industry. It is the carrier's responsibility to verify proper testing rates are being followed.

REASONABLE SUSPICION

A driver must submit to an alcohol and/or controlled substance test when a properly trained company official or supervisor has observed and documented suspicious behavior, which may indicate alcohol or controlled substance abuse.

RETURN TO DUTY

Before a driver returns to a safety sensitive position, each carrier must ensure that the driver undergoes an alcohol test with a result indicating an alcohol concentration of less than .02 and a controlled substance test with a verified negative result.

FOLLOW-UP

A substance abuse professional must require follow-up testing after referral. A minimum of six tests must be conducted in the first 12 months after a positive result. The driver may only be subject to the test for a maximum of 60 months.



Drug & Alcohol Testing

RECORD KEEPING REQUIREMENTS

One Year:

Negative and canceled controlled substance test results

Alcohol tests indicating a BAC of less than 0.02

Two Years:

Records related to the collection process and required training

Five Years:

Alcohol test results indicating a Breath Alcohol Concentration of 0.02 or greater

Verified positive drug test results

Refusal to submit to required alcohol and drug tests

Required calibration of Evidential Breath Testing (EBT) devices

ALCOHOL & CONTROLLED SUBSTANCE TRAINING

Every motor carrier should provide educational materials explaining the requirements of the regulations as well as the carrier's policies regarding alcohol misuse and controlled substance abuse. At a minimum, details containing the following should be administered:

- The identity of the persons designated to answer drug and alcohol questions
- Which drivers are subject to these requirements, what behavior is prohibited, and a clarification of "safety sensitive function".
- The circumstances under which a driver will be tested and the procedures that will be used for testing.
- Explanations of the requirement that a driver submit to the testing as well as what constitutes a driver's refusal to submit to testing.
- The consequences for drivers who have violated the testing requirements.
- Information concerning the effects of alcohol misuse, and controlled substance abuse on health, work and personal life.

The DOT Drug and Alcohol testing requirements are extensive and the high points have just been touched on here. Carriers should familiarize themselves with all aspects of the testing requirements to ensure compliance with the regulations.



Drug and Alcohol Clearinghouse

As of January 6, 2020 all motor carriers of current and prospective employees holding a commercial driver's license (CDL) or commercial learner's permit (CLP) must register with the Drug and Alcohol Clearinghouse. This Clearinghouse is a secure online database giving employers and the Federal Motor Carrier Safety Administration (FMCSA) real-time information about CDL and CLP holders' drug and alcohol program violations, including positive drug or alcohol test results, test refusals and when a driver completes the return-to-duty (RTD) process and follow-up testing plan. Once registered motor carriers must:

- Conduct a full query of the Clearinghouse as part of each pre-employment CDL or CLP driver investigation process.
- Conduct limited queries at least annually for every CDL or CLP driver they employ. If limited query indicates information in the Clearinghouse the motor carrier must complete a full query.
- Request electronic consent from the driver for a full query, including pre-employment. Limited query require a signed General Consent for Limited Queries consent form.
- Report drug and alcohol program violations.
- Record negative return-to-duty (RTD) test results & date of successful completion of a follow-up testing plan for any driver employed with unresolved drug & alcohol program violations.

Drivers must only register if they are actively seeking employment or if a limited query run by the motor carrier they are currently driving for indicates information. FMCSR 382.701 (b) requires a motor carrier to obtain drivers consent prior to requesting a Limited Query. This signed consent form must be retained on file for 3 years after the date of the last limited query.



Sample Format:

General Consent for Limited Queries of the FMCSA Drug and Alcohol Clearinghouse

I, (Driver Name), hereby provide consent to (Company Name) to conduct a limited query of the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) to determine whether drug or alcohol violation information about me exists in the Clearinghouse. I understand that if the limited query conducted by (Company Name) indicates that drug or alcohol violation information about me exists in the Clearinghouse, FMCSA will not disclose that information to (Company Name) without obtaining additional specific consent from me.

I further understand that if I refuse to provide consent for (Company Name) to conduct a limited query of the Clearinghouse, (Company Name) must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

Driver's Signature

Date



Safety Programs

Throughout this manual, we mentioned several key components to maintaining good safety policies. These include the following:

- Driver Selection & Qualification Standards
- Driver Training
- Regularly Held Safety Meetings
- Vehicle Maintenance
- Compliant Driver Qualification Files
- Accident Analysis for Preventative Measures
- Mandatory Drug and Alcohol Testing

SAFETY MANUAL

AIG recommends that all carriers maintain their own safety manual. The manual should include, at a minimum, the following elements:

- Safety policy (signed by President / CEO)
- Job description and rehire policy
- Drug and alcohol abuse policy
- Drug and alcohol testing policy
- Operational information
- Policies on accidents and personal injuries
- OSHA information
- Disciplinary policies for accidents, safety and log violations
- Hours of service program
- Vehicle inspections
- Hazardous material information (if applicable)
- Incentive and safety award program

ACCIDENT/INJURY REVIEW COMMITTEES

The purpose of an accident review committee is to “review” accidents or injuries which have already been ruled preventable by the safety director. The committee is a forum in which the driver has a chance to tell his/her side of the story should he disagree with a safety director’s ruling. The committee will hear all the facts surrounding the accident or injury and then make their ruling. If your policy gives the driver the right to another appeal, he/she could then go to the ATA, OSHA or a police organization, for example, to get a final ruling.

ACCIDENT/INJURY REVIEWS

Remember two main points when preparing to review an accident:

- The purpose of an accident review is to identify contributing accident causes in order to prevent future accidents of a similar nature.
- Disciplinary action against an employee should never be part of the outcome of the accident review. If disciplinary action is necessary because of an employee’s failure to follow on established work procedure or rule, the disciplinary action should take place before, not as a result of, the meeting.



Safety Committee Setup

PURPOSE

A well-run safety committee demonstrates management's concern for job safety and provides a forum for management and labor to discuss ways of dealing with reducing the frequency and severity of work accidents.

COMMITTEE MAKEUP

Members of the safety committee should include:

- A high ranking operational manager
- Management's safety or personnel representative
- Company physician or nurse, when applicable
- At least one member from each labor group (drivers, dispatchers, mechanics, etc.)

Committee members should be rotated periodically to help maximize employee involvement. Timing of the rotation should allow committee members long enough to have a constructive impact on the task at hand, but also allow for fresh opinions to be included. The size of your labor force should help dictate the timing of member rotation, but we suggest a staggered rotation every 1-2 years.

MEETING STRUCTURE

Meetings should be structured with clear agendas and should be held on regular intervals. The agendas should include a review of the meeting notes from the last meeting, new information to be covered and time to review outstanding items that will be carried over to the next meeting. Agendas should also include a summary of accident and injury activity since the previous meeting.

SUGGESTED ACTIVITIES

Work accidents are caused by a combination of unsafe work behaviors, inappropriate work procedures and unsafe physical conditions. It is important that safety committee members direct their efforts to identifying which of these factors have caused accidents in the past or have a high likelihood of causing accidents in the future. Once the committee identifies the hazards, the task before committee members is to decide what action is necessary to minimize the likelihood of future accidents.



Safety Committee Setup

INSPECTION PROGRAM

One of the key factors in identifying job hazards is observing the job as it is performed and noting where improvements can be made. Committee members must be aware of the fact that if an inspection program is to be effective, it must include all three facets of accident causes:

- The physical condition of the work place.
- The appropriateness of the work procedures.
- The appropriateness of individual employee behavior.

One suggested safety committee activity would be for each member to inspect the work place, working conditions and work habits in their area of concern. Subsequent committee meetings should include discussions of notations made during the inspection time, along with possible solutions to any deficiencies observed.

OUTSTANDING ITEMS

If there are any outstanding items, one of the committee members should be designated as a point-person for each task to handle the resolution before the next meeting. It is important to make sure all discussions of safety procedures and identified hazards that can help prevent future workplace incidents are compiled in a manner that is easily relayed to the entire staff either with a memo or during the next staff meeting.

Driver's Road Test Examination

Drivers Name _____ Address _____

City _____ State Zip _____ Social Security

No. _____ License No. _____ State _____

Truck Equipment Driven: Tractor _____ Trailer(s) _____

Length of Test _____ From _____ To _____

- _____ Pre-trip inspection
- _____ Coupling and uncoupling of units including combination units
- _____ Placing equipment in operation
- _____ Use of vehicles controls and emergency equipment
- _____ Turning the vehicle
- _____ Braking and slowing the vehicle by means other than braking
- _____ Backing and parking the vehicle
- _____ Other - Explain _____

Remarks: _____

General Performance: Satisfactory [] Needs Training []

Explain _____

Qualified For: _____ Straight Truck _____ Tractor/Semi-trailer _____ Doubles _____ Other _____

Signature of Examiner _____ Date _____

Certification of Traffic Violations

Driver's Name _____

I certify that the following is a true and complete list of all traffic violations (other than parking violations) for which I have been convicted or forfeited bond or collateral during the past 12 months.

Date	Offense	Location	Type of Vehicle
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation required to be listed during the past 12 months.

(Date of Certification) (Driver's Signature)

(Motor Carrier's Name and Address)

(Reviewed by)

(Title)

Request Information From Previous Employer

From Company _____ To Company _____
Name _____ Name _____
Address _____ Address _____

The following individual has made application for employment with this company. Your company is listed on the application as a past employer. Would you please respond to the inquiry that follows with respect to this applicant. A self-addressed, stamped envelope has been included for your convenience. Your reply will be strictly confidential and will in no way hold you liable for information submitted with respect to this inquiry.

Sincerely, _____

Name of Applicant: _____ Social Security No. _____
Position applied for: _____ Employed from: _____ to _____

1. Are dates of employment correct as stated above? _____

2. What type of work did the applicant do? _____

3. If employed as a driver, please indicated equipment driven: Tractor/Semi-Trailer Bus
 Straight Truck Passenger Car Other

Give dates of all vehicle accidents in which he or she was involved. _____

5. Is there anything in applicant's history that would suggest he or she may not be trusted to handle company funds?

6. Was applicant's general conduct satisfactory? _____

7. Is applicant competent for position sought? _____

8. Reason for applicant leaving your company? Resigned Discharged Laid Off

9. Is this applicant eligible for rehire by your company? Yes No Please explain: _____

Remarks: _____

By: (Signature of person supplying information)

Date: _____

WAIVER (Detach for your records)
records records)

(Former Employer)

(Date)

I hereby authorize you to release all information concerning my employment, including oral assessments of my job performance, ability, and fitness, to each and every company (or their authorized agents) which may request such information in connection with my application for employment with said company. I hereby release you from any and all liability of any type as a result of providing the above mentioned information to the above mentioned person.

(Applicants signature)

Notice to Drivers & Certificate of Compliance

1. Notice to Drivers

The Commercial Motor Vehicle Safety Act of 1986 provides for stronger controls over drivers of commercial vehicles. The law applies to all drivers operating vehicles and combinations with a Gross Vehicle Weight Rating over 26,000 lbs., and to any vehicle, regardless of weight, transporting hazardous materials in a quantity requiring placarding.

The following provisions of this legislation became effective July 1, 1987:

1. No driver may possess more than one license, and no motor carrier may use a driver having more than one License.
2. A driver convicted of a traffic violation (other than parking) in any vehicle must notify the motor carrier and the state, which issued the license to that driver of the conviction within 30 days.
3. Any person applying for a job as a commercial vehicle driver must inform the prospective employer of any previous employment as the driver of a commercial vehicle for the past 10 years, in addition to any other required information about the applicant's employment history.
4. The Federal Motor Carrier Safety Regulations require that a driver who loses any privilege to operate a commercial motor vehicle, or who is disqualified from operating a commercial motor vehicle, must advise the motor carrier the next business day after receiving notification.

Penalties – Any violation of the above is punishable by a fine not to exceed \$2,500. Willful violation of (1) or (3), above, or failure to notify the motor carrier within 30 days of the loss of any driving privilege to operate a commercial vehicle can result in criminal Penalties not to exceed \$5,000 and / or 90 days in jail.

2. Certification by Driver

I hereby certify that I have read and understand the driver provisions of the Commercial Motor Vehicle Safety Act of 1986.

Drivers Name _____ Soc. Sec. # _____

Address _____

License: State _____ Class _____ Number _____

Driver's Signature _____ Date _____

Certification of Violations & Annual Review

Driver's Name _____

I. Certificate of Violations: I certify that the following is a true and complete list of all traffic violations (other than parking violations) for which I have been convicted or forfeited bond or collateral during the past 12 months.

Date	Offense	Location	Type of Vehicle
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation required to be listed during the past 12 months.

(Date of Certification) (Driver's Signature)

(Motor Carrier's Name and Address)

(Reviewed by) (Title)

II. Annual Review and evaluation of driver's record

In accordance with Section 391.25 of the Federal Motor Carrier Safety Regulations, all information pertinent to the above driver's safety of operations, including the list of violations furnished by him in accordance with Section 391.25 has been reviewed for the past 12 months.

Action Taken:

(Motor Carrier's Name and Address)

(Reviewers Signature) (Title) (Date)

Notification of Traffic Violation

The Commercial Motor Vehicle Act of 1986 requires that commercial drivers notify their employer and the state that issued their license of all moving violations, including those committed in a personal vehicle, for which the driver forfeited collateral or was convicted, within 30 days after the conviction.

The following information is provided by the below named driver to comply with the traffic violation notification requirements of the Act.

Driver's Full Name _____

Driver's Address _____

City State Zip () Ph one Number

Driver's License Number _____ State _____

Date of Violation ____/____/____ Citation Number _____

Type of Vehicle Operated:

Personal Commercial (26,001 lbs. or more) Other (Describe) _____

Location of Offense (City/Town/County) _____ State _____

Type of Violation _____

Disposition of Case (bail forfeiture, conviction with fine, loss of license, etc.)

Date of Conviction: ____/____/____

Driver's Signature: _____ Today's Date: ____/____/____

Owner/Operator Monthly Maintenance Record

Owner _____ Company Unit No. _____
 Address _____ Report for Month of _____

Identification Record

Year _____ Make _____ Model _____

No. of Tires _____ Tire Size _____ No. of Plys _____

This is a combination identification record, lubrication record, repair record and tire record. This sheet must be completed once each month and returned by the 5th of the following month. The following inspection report must be completed by a competent and qualified mechanic.

Lubrication Record

Date	Mileage	Lube Oil	Filter	Trans.	Diff.	Battery	Wheels	Pkd.

Repair Record

Date	Repairs (Explain & attach extra sheet if needed)	Parts or Accessories Installed

Tire Record

Date	List all repairs, replacements, rotations, etc.

I certify that all entries hereon are complete, true and correct and that this information was compiled from individual bills and invoices in my possession.

 Owners Signature

 Date

Accident Investigation

Accident investigation is critical to the success of an effective fleet safety program. You must determine the true cause of the accidents. A proper accident investigation will also lead to a proper determination of whether or not the accident was preventable.

A thorough accident investigation should be done by management and: completed promptly after the incident.

- Secure facts and information from:
 - Injured employee
 - Witnesses
- Take photographs and/or video of the incident location
- Have driver describe what happened in writing and sign off
- Determine the cause(s) and corrective action necessary to limit recurrence

The following is a sample investigation form that can be used.

Vehicle Accident Investigation Report

Part I - General information			
1. Location or Branch	2. Driver Name	3. Department	4. Age
5. Date of Accident	6. Time AM PM	7. How long has driver been operating vehicle? Years: Months:	
8. Exact Location of Accident			
9. List dates of all vehicle accidents by this driver in the past three years			
Part II - Description of Accident			
10. (Describe what happened - who was involved - where - when - why - how)			
Part III - The Cause of the Accident (also complete page 2 of this form)			
11. What was the cause of the accident?			
Part IV - Corrective Action Taken			
12. What is being done to prevent a re-occurrence? (Be specific. List definite steps taken. Avoid vague or meaningless answers such as "Told driver to be more careful," etc.)			
Part V - Management Review			
13. Preventable by Driver		Yes	No
_____ Signature of Supervisor		_____ Date	
_____ Signature of Management		_____ Date	

Descriptions Below Assist to Determine the Cause of the Accident (Part III)

CHECK ALL THAT APPLY

Line 11– Unsafe Acts of Our Driver

- Failure to observe clearances
- Failure to signal intentions
- Failure to yield right of way
- Speed too fast for conditions
- Following too close for conditions
- Improper backing
- Improper parking
- Improper passing
- Improper turning
- Operating equipment without authority
- Unsafe acts of others
- Driving while under the influence of alcohol or drugs
- Insufficient visibility
- Operating beyond vehicle capacity - overweight
- Operating defective equipment
- Operating for excess hours of service - fatigue
- Operating without proper equipment
- Operating without proper license - driver
- Reckless driving
- Other
- None

Line 13– Unsafe Contributing Factors of Our Driver

- Personal impairment -- Alcohol/Drug Abuse
- Distraction
- Personal impairment -- Emotional/Mental state
- Equipment modified
- Personal Impairment - Fatigue
- Inadequate maintenance
- Interior hazard inside vehicle

Line 12 – Unsafe Conditions of Vehicle/Road

- Carbon Monoxide hazard
- Defective brakes
- Defective personal protection
- Defective turn signals
- Defective tires
- Inoperative lights
- Road conditions
- Road illumination
- Vehicle loaded improperly
- Excessive load
- Unauthorized or illegal cargo
- Other
- None

- Lack of knowledge/skill/training
- Personal Impairment - Physical capabilities
- Procedure improvised or not followed
- Unsafe act of others
- Other
- None

Descriptions Below Assist to Determine the Cause of the Accident (Part III)

CHECK ALL THAT APPLY

Base Causes/ Contributory Factors

- | | |
|-------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> Inadequate correction of known vehicle hazards | <input type="checkbox"/> Inadequate purchasing standards |
| <input type="checkbox"/> Inadequate design/mechanism | <input type="checkbox"/> Inadequate company rules |
| <input type="checkbox"/> Inadequate enforcement of company rules | <input type="checkbox"/> Inadequate employee selection or hiring |
| <input type="checkbox"/> Inadequate hazard identification system | <input type="checkbox"/> Inadequate training or orientation |
| <input type="checkbox"/> Inadequate vehicle inspection program | <input type="checkbox"/> Inadequate or failure to warn driver of hazards |
| <input type="checkbox"/> Inadequate maintenance | <input type="checkbox"/> Other |
| <input type="checkbox"/> Inadequate personal protection | <input type="checkbox"/> None |
| <input type="checkbox"/> Inadequate pre-job planning | |

SUGGESTED INSTRUCTIONS FOR COMPLETING AN INVESTIGATION

1. Begin your investigation as soon as possible after the loss. Record facts quickly.
2. Part I and II should be completed within 24 hours after an accident.
3. Parts III and IV should be completed within 2 weeks after an accident.
 4. Go to the scene of the accident if possible. Get the big picture first. Consider a diagram or photos.
5. Talk with the driver involved -- at the scene of the accident, if possible.
6. Talk with other people who know what happened -- witnesses, other employees. Put each person at ease. Investigate to get the facts, not to place blame. Make each interview in private away from others. Ask others not to talk amongst themselves until you have interviewed them.
7. Ask questions and repeat the story back to them to be sure you understand all of the circumstances.
8. End each interview on a positive note.
9. Look for all of the causes -- unsafe acts, unsafe conditions, contributing factors, and base causes.
10. Be careful of re-enactments. Don't ask for actions to be repeated.
11. Develop your conclusions. Confer with others, solicit prevention ideas.
12. Act positively to prevent re-occurrence. Correct or refer correction to higher authority.
13. Follow up to ensure corrective action is effective and publicize it for the benefit of all.

DEFINITIONS:

Unsafe act: the personal action which directly permitted or caused the accident.

Unsafe condition: the hazardous physical condition or circumstance which directly permitted or caused the accident.

Contributing Factors/Base Causes: Circumstances or policies/procedures or management controls which may have allowed the accident to happen.

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