

## **SCHOOL OF MOTOR CARRIER REGULATORY COMPLIANCE™**

### **Class Overview**

The School of Motor Carrier Regulatory Compliance™ (SMCRC) is a five-day, in-depth curriculum designed for DOT compliance practitioners who are responsible for managing, or assisting in managing their company's DOT safety management programs.

The curriculum includes in class instruction, outside reading, work exercises, and two site visits following the School to review the student's application of the principles and practices learned in the classroom.

### **Class Outline**

**DAY 1** – At the conclusion the student will be able to navigate the FMCSRs to find the regulations that apply to their company's operations. They will know the terms and procedures that govern their business and be introduced to resources that are available to establish safety management controls. Each student will be able to thoroughly review and complete the driver's qualification file process, overcoming the common obstacles that are encountered in documenting a qualified applicant.

Topics –

- Introduction to FMCSRs, their organization and application
- Online sources of updated information and guidance
- The rule-making process
- Using the DOT Document Management System to receive advance warning of rule changes
- Identifying the enforcement resources in your area
- Minimum requirements for the driver's qualification file
- Establishing company-specific requirements to protect the company against litigation
- Useful tools for keeping the DQ file current
- Outside reading assignment for Day 2's topics

**DAY 2** – At the conclusion the student will develop skill in completing safety performance history investigations. They will know how to properly administer a drug and alcohol test program and review their company’s policies for non-regulated situations. Students will know how to document accidents and identify and preserve records that will be needed if litigation occurs.

- Establishing a system for properly documenting driver qualifications
- Understanding and evaluating long form medical results
- Dealing with non-responsive previous employers
- Evaluating drug and alcohol program performance
- Retention of drug and alcohol records
- Reviewing chain of custody forms and fatal flaws
- Developing a policy for dealing with dilute specimen and positive test results
- Effectively handling reasonable suspicion and return-to-duty situations
- Developing a protocol for accident response
- Preserving accident records and preparing for litigation
- Case studies in successful and failed litigations
- Outside reading assignment for Day 3’s topics

**DAY 3** – At the conclusion the student will develop skill in reviewing drivers’ hours of service performance and know how to counsel and instruct drivers in effective logbook practices. Each student will be able to communicate their company’s progressive discipline policy. They will know how to utilize available free technology and third-party technology for monitoring the driver’s hours of service performance.

- Hours of service rules and requirements
- Interstate verses intrastate rules and exemptions
- Identifying and documenting violations
- Using technology to gain compliance
- Establishing an effective hours of service program
- How to handle “Whistle Blower” situations
- Outside reading assignment for Day 4’s topics – “Trucking Litigation In A Nutshell”

**DAY 4** – At the conclusion the student will develop skill in establishing a system for documenting vehicle maintenance. They will gain experience in weighing the validity of driver statements through established forensic techniques. Each student will know to respond in the event of litigation.

- Systematically inspecting, repairing and maintaining your company’s vehicles
- How to respond to roadside inspection reports
- Obtaining your motor carrier profile and correcting the record
- Using forensic Statement Analysis to “get to the bottom” of a matter
- How to prepare and respond for your “day in court”
- Conference with former Dean of Willamette University School of Law
- Outside reading for Day 5’s topics – “USDOT Field Operations Training Manual”

**DAY 5** – At the conclusion the student will understand the USDOT/FMCSA guidelines and procedures for conducting a compliance review, and the software used to document the review. They will know how to effectively minimize the risk of a compliance review, and how to prepare and respond if one occurs.

- Understanding the Safety Fitness Standard
- Knowing what to expect if an audit comes
- Preparing for the audit
- Using the official CAPRI software to conduct an internal audit
- Responding to a Notice of Claim
- Appealing a Notice of Claim
- Establishing accident ‘preventability’
- Case studies in successful and unsuccessful appeals
- Review and written Comprehension Exam

**FIRST REVIEW** – Thirty days following the conclusion of the School each student will receive an onsite visit from the instructor to review the student’s efforts to implement practices a procedures learned in the School and to address special situations that may have come up.

**FINAL REVIEW** – Sixty days following the conclusion of the School each student will receive a final onsite evaluation where work samples will be evaluated and a certificate of completion awarded for successful implementation of safety management controls.