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DRIVE-Safe Act: Apprentice Drivers

A senate bill sponsored by Senator Todd Yound (R-IN) titled "Developing Responsible Individuals for a Vibrant Economy Act" (DRIVE-Safe Act, S.569) seeks to allow CDL drivers under 21 to operate in interstate commerce. So far the bill has only been referred to the Committee on Commerce, Science, and Transportation. Even though it hasn't received much attention in the U. S. Senate, it's worth taking a closer look at some of the specifics.

"Apprentice" drivers (those under 21 with a valid CDL) would be allowed to operate a commercial motor vehicle (CMV) in interstate commerce under the supervision of an experienced driver. The experienced driver must be at least 21 years old, have at least two years experience driving in interstate commerce, and have no DOT reportable preventable accidents or pointable violations in the prior year.



The bill envisions that employers would set up an apprenticeship program for under 21 drivers. Upon successful completion of that program they would be allowed to drive in interstate commerce without supervision. The program would be divided into two training periods.

The first would span 120 hours of on-duty time, of which not less than 80 hours would be driving time. The bill does not specify what activities must take place during the balance of the on-duty time. At the conclusion of this period the apprentice must demonstrate competency in these areas:

- Interstate, city traffic, rural and evening driving
- Safety awareness
- Speed and Space Management

- Lane Control
- Mirror scanning
- Right and left turns
- Logging and complying with hours of service

Upon satisfactory completion, a 280 hour training period begins, of which not less than 160 hours are driving time. At the conclusion of this period the apprentice must demonstrate proficiency in these areas:

- Backing and maneuvering in close quarters
- Pre-trip inspections
- Fueling procedures
- Weighing loads, weight distribution, sliding tandems
- Coupling and uncoupling
- Trip planning, truck routes, map reading

During the training periods the apprentice may only drive a vehicle that is equipped with an automatic transmission, active braking collision mitigation systems, a forward facing video event capture device, and governed to a top speed of 65 mph

Although this bill may not make it to a vote, with all of the discussion regarding the driver shortage it seems certain that there will be other attempts to lower the driving age. However, this bill leaves more questions than answers, not the least of which how it would interact with the now delayed Entry-Level Driver Training regulation.

This bill does introduce a concept that the trucking industry may need to consider in order to ensure an adequate and continuous supply of new drivers: apprenticeship. Other industries adopted this concept years ago in order to set up a defined entrance pathway. Although the concept might not be easily adopted to trucking, it's a thought process that may help the industry.

Currently the industry relies on a handful of carriers who are willing to run their own training program, or employ those who recently completed training at a CDL school. Although it might be argued that this has served the industry for many years, now may be a good time to take a look at alternatives.

Interesting Quotes & Facts

The acting administrator for enforcement at FMCSA, Joe DeLorenzo, has said that the switch to ELD's resulted in a large drop in falsification violations during roadside inspections. However, he explained that "as officers got comfortable with it, that level of violations per inspection for false records is *higher than it's ever been before*, which means now law enforcement has figured out what the tricks are, and how easy it is to find the falsifications."

Driver knowledge plays a very important role in making ELD inspections go smoothly. Kerri Wirachowsky, director of the roadside inspection program at the Commercial Vehicle Safety Alliance, suggests that all motor carriers "Ensure your drivers are trained on how to use the device."



Since the Drug and Alcohol Clearinghouse became active on January 6th, nearly 8,000 positive test results have been recorded in the database. Although the Clearinghouse got off to a rocky start, the long term effects should be beneficial. However, there is still a possibility that a positive drug test could go undetected by a motor carrier. The situation would unfold like this:

One of your current drivers decides to switch jobs. However, they fail the pre-employment drug screen, they are tuned down by the new employer but continue to drive for you. The positive results are reported to the Clearinghouse, but there is no provision that the current employer be notified. You would eventually find out when you run the required annual query of the database for each of your drivers.

During a roadside inspection the inspector will run a query of the Clearinghouse database. If the driver is found to be operating in a prohibited status, a violation is written. Effective April 1st, the driver will be placed out-of-service. Once a driver tests positive, the only way they can resume driving is to successfully completed a course of treatment with a substance abuse professional and pass a return to duty test.

Although this scenario might not be common, you might consider running the inquiry more often than once each year. In fact, it would also be a best practice to run MVR checks on drivers more often than the required annual check. Given the increasing likelihood of post accident litigation, you want to protect yourself against finding out about negative information after it's too late to take corrective action.

Congestion: Top 10 Locations

The American Transportation Research Institute (ATRI) has released their report on the top 100 truck bottlenecks. The results, although not surprising, show some significant change since 2015. Listed below are the top 10 spots in the country along with their ranking in an ATRI report issued in November, 2015. In that report Houston had three spots in the top 10, now they have only one. They have swapped places with Atlanta which now has three locations in the top 10. The slowest going is in Chicago along I290 @ I90/94 with an average speed of 21.7 miles per hour. That dips to 16.1 mph during peak periods. The number in brackets represents that location's placement in 2015.

1. [3] Fort Lee, NJ (I95 @ SR 4)
 2. [1] Atlanta (I285 @ I85)
 3. [30] Nashville (I24/I40 @ I440, East)
 4. [Not listed] Houston (I45 @ I69)
 5. [12] Atlanta (I75 @ I285, North)
 6. [2] Chicago (I290 @ I90/94)
 7. [26] Atlanta (I20 @ I285, West)
 8. [7] Cincinnati (I71 @ I75)
 9. [9] Los Angeles (SR60 @ SR57)
 10. [18] Los Angeles (I710 @ I105)
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