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Want to sign yourself or someone else up to receive this newsletter? Send an email to [lnugen@mjai.com](mailto:lnugen@mjai.com) and Les will get you added to our list

## Websites of Interest

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)  
*Link to the Federal Motor Carrier Safety Administration website*

[smallcarrieruniversity.com](http://smallcarrieruniversity.com)  
*Webpage to Commercial Carrier University. Contains several well written manuals on trucking management, recruiting, etc. Best of all they are free!*

[Truckingsafety.org](http://Truckingsafety.org)  
*Michigan Center for Truck Safety. Offers free guidance and training materials for truck safety.*

[Weather.com](http://Weather.com)  
*Get the latest weather updates for anyplace in the world*

## National Truck Driver Appreciation Week

National Truck Driver Appreciation Week is the perfect time to show your drivers how much you appreciate their hard work, commitment and safe driving. This year from **August 24-30** it's all about saying "thanks" to the men and women who put food on our tables.

With over 3.5 million drivers nationwide that is a lot of pats on the back to dish out, but they deserve it. It is easy to get busy fighting the daily battle to survive in this tough business environment and forget to show your appreciation for those in the fight with you. But if you find the time to do it on a regular basis, thanking your drivers for what they do is one of the best retention tools you will ever find.

## TSA Issues Security Action Items for Hazmat

The Transportation Security Administration (TSA) released its long awaited list of "voluntary security action items" for the transportation of certain hazardous materials via highway. The 23 action items fall into the following four categories: General Security Awareness; Personnel Security; Unauthorized Access (facility security); and En Route Security.



TSA created two tiers of Highway Security Sensitive Materials (HSSM) based upon the DOT hazard class of the materials being transported. Tier 1 HSSM, for which all 23 action items should be considered, and Tier 2 for which 16 of the 23 action items should be considered. A list of the affected hazardous materials and the corresponding quantities that TSA is concerned about along with the security action items can be found on the Office of Hazardous Materials Safety website at

[http://hazmat.dot.gov/riskmgmt/hmt/hmt\\_security.htm](http://hazmat.dot.gov/riskmgmt/hmt/hmt_security.htm) .

Even though these action items are only voluntary at this time it would be a good idea to consider implementing them. They will help enhance your safety and security plan which could help prevent a potentially dangerous situation from happening. Also, many times once voluntary items are issued they may later become a requirement. By being proactive with these items you may save yourself some work later when/if they become required.

This website also contains several good tools to help you evaluate your company's security situation and develop and/or revise your company security plan. Not having a complete written security assessment and security plan are the most common violations we see when carriers who haul hazmat are audited by the DOT. Fines range in the thousands of dollars for these violations.

Contact Us:

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## Regulatory Watch - Drug & Alcohol Testing

In the June 25, 2008 Federal Register, the Department of Transportation amended certain provisions of its drug testing procedures to change instructions to collectors, laboratories, medical review officers (MRO), and employers regarding adulterated, substituted, diluted, and invalid urine specimen results.

This rule, **effective August 25, 2008**, makes it mandatory for laboratories to test all specimens for adulterants and urine substitutes; follow Department of Health and Human Resources protocols; and to report to DOT semi-annual statistical summaries on all of their DOT testing. Among other changes, drivers undergoing observed collections will be afforded less privacy, and an employee admission of adulterating or substituting a specimen is now considered a refusal to test. The rule will also require collectors to observe all tests for drivers who return to their jobs after a previous test failure (return-to-duty and follow-up tests).



These changes were pushed for by congress after an October 2007 report from the Government Accountability Office (GAO) which showed that out of 24 drug testing sites that they secretly tested 75% "failed to restrict access to items that could be used to adulterate or dilute the urine specimen. The GAO team also bought drug-masking products over the internet and was able to mix them with real specimens at the drug-testing sites "without

being caught by site collectors". Drug screening labs never realized that there was a problem with any of the specimens. "Every drug masking product went undetected by the drug screening labs," said the report.

It is unknown at this time if Congress and/or DOT will pass any additional regulations in the near future to address any other deficiencies. When presented with the GAO report the reaction in Congress was one of shock and concern. One potential change that has gained more traction is a national database for drug and alcohol test results. It now appears likely that this system will be established. More details as they become available.

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## Driver Qualification Files Guidance

Probably the most common area that we receive questions from clients on is in reference to driver qualification files. One tool that we have available to help you wade through the regulations in this area is the **Guide to Managing the Driver File System**. This guide will help you to set the files up properly and to maintain them over the time that the driver is with the company. This document is on our Online Safety Resource Center. Simply go into the Compliance 101 section of the site and click on the Driver Qualification link. You will find the guide there along with the other forms and tools dealing with driver qualification.