



## MJS Safety EXPANSION

• **We've Doubled our Office Space** •  
More Room for Fit Testing, Audiometric Testing  
and Operator Qualifications  
As Well As Drug Testing Collections

### ▶ **MJS SAFETY TRAINING ANNOUNCEMENT**

**MJS SAFETY LLC** is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services. **MJS SAFETY LLC** is an "Authorized Assessment Center" for Proctoring Final Assessments and completing Performance Evaluations for O.Q.S.G. and NCCER – as well as other OQ disciplines such as MEA-EnergyU, Veriforce & EnergyWorldNet. [call to schedule](#) [read more...](#)

▶ **Schedule of classes Sept 2019:** • *TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543* • [read more...](#)

## OSHA / CONSTRUCTION NEWS SUMMARY

### ▶ **U.S. Department of Labor's OSHA Requests Information on Table 1 of the Silica Standard for Construction**

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** is requesting information and comment on Table 1 of the agency's [Respirable Crystalline Silica Standard for Construction](#). [read more...](#)

▶ **RAPID READINESS FALL RESCUE: 6 MINUTES TO TRAUMA**— [Construction](#) [General Industry](#) [Fall Protection](#)  
Learn the additional action steps to take when falls from heights are involved. [read more...](#)

### ▶ **U.S. Department of Labor Launches Redesigned OSHA Whistleblower Protection Program Website**

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** announced the recent launch of a redesigned website for its **Whistleblower Protection Program**. [read more...](#)

▶ **Did You Know That When You Place Flaggers Near a Curve or a Hill You Are in Direct Violation of NIOSH Recommendations?**  
*"Avoiding Flagger Fatalities - It could happen to you!"* [read more...](#)

## TRANSPORTATION NEWS SUMMARY

### ▶ **Can You Take CBD and Pass a Drug Test?**

The 26-year-old video producer from Reno, Nev., was shocked when a drug test he took as part of a job application came back positive for marijuana. [read more...](#)



### ▶ **FMCSA to Charge Carriers \$1.25 Per Query in New Drug and Alcohol Clearinghouse**

Carriers will have to pay the **Federal Motor Carrier Safety Administration** \$1.25 per query into the looming **Drug and Alcohol Clearinghouse**, which will compile records of all drivers who have failed or refused a drug or alcohol test. [read more...](#)

▶ **More Than 1,600 Commercial Motor Vehicles Removed from Roadways for Critical Brake-related Violations...**

On May 15, 2019, the **Commercial Vehicle Safety Alliance's** (CVSA) law enforcement members conducted **10,358 commercial motor vehicle inspections** during an unannounced inspection blitz focused on **identifying brake system violations**. [read more...](#)



▶ **Nationwide Brake Inspection Spree...September 15-22**

During **CVSA's Brake Safety Week**, inspectors will be **paying special attention to brake hoses/tubing**. [read more...](#)

▶ **Trucker Safety Program Unveiled**

The Colorado Department of Transportation, in partnership with the Colorado State Patrol, Colorado Motor Carriers Association, and in-cab driver alert providers, PrePass Safety Alliance and Drivewyze are coming together to help enhance safety for truckers traveling through the state's mountainous areas. [read more...](#)

▶ **Updating Your Registration or Authority**

Any time a carrier or other regulated entity changes its name or address, or other details in their record, they should update their US DOT and operating authority record with **FMCSA** in a timely manner. [read more...](#)

▶ **FMCSA DRUG AND ALCOHOL CLEARINGHOUSE — Fall 2019 Registration Begins**

This secure online database will provide access to real-time information, ensuring that drivers committing these violations complete the necessary steps before getting back behind the wheel, or performing any other safety-sensitive function. [read more...](#)

▶ **What "PROPOSED CHANGES" to Hours of Service Rules are being considered?**



[read more...](#)

▶ **Fines for Trucking Regs Violations Increased**

The U.S. DOT announced recently it has increased fines across the board for violations of federal trucking regulations. [read more...](#)



▶ **The AOB RD-To-ELD Shift: Data/Edits and Visibility at Roadside**

For owner-operator "John", who switched from the Continental VDO RoadLog's **AOBRD** version to its **ELD** around the time of the mandate's first enforcement deadline, edit limitations amount to the only significant difference between the two specifications. [read more...](#)

▶ **Designated Route Network for Hazardous Material Transporters Traveling from/to the DJ Basin Area in Weld County, Adams County, and Commerce City** [read more...](#)

## MSHA NEWS SUMMARY

▶ **Immediate Stop Use and Recall:**

Twin Leg Nano-Lok Edge and Twin Leg Nano-Lok Wrap Back Self Retracting Lifeline  
[read more...](#)



▶ **MSHA issues Fire Safety Alert — Surface Mine Equipment**

The **Mine Safety and Health Administration (MSHA)** has issued a **Fire Safety Alert — Surface Mine Equipment** after documenting **nine equipment fires** involving Hitachi excavators and shovels and Caterpillar haul trucks, **front-end loaders**, and dozers since **September 2018**. [read more...](#)

## MONTHLY SAFETY & HEALTH TIP NEWS SUMMARY

▶ **Understanding the Hazards of Workplace Noise**

We encounter many **different types of workplace noise** and need to think about **how** that noise **impacts our hearing**. Many **working environments** not only make it more **difficult** for workers to hear but also can have **detrimental effects** on their hearing. [read more...](#)



▶ **AAA study: 20 killed on Colorado Roads from drivers *RUNNING RED LIGHTS***  
**One intersection in Denver has had 15 crashes this year.** [read more...](#)



# MJS SAFETY TRAINING ANNOUNCEMENT

**MJS SAFETY LLC** is proud to announce the addition of NCCER and O.Q.S.G. to our OQ Services.

**MJS SAFETY LLC** is an "Authorized Assessment Center" for Proctoring and Testing for ENERGY worldnet, Inc., as well as OQ Performance Evaluation Services.

**MJS SAFETY LLC** continues to offer Proctor and Testing Services, as well as Operator Qualification [OQ] Performance Evaluations under the "EnergyU" system – a service of Midwest ENERGY Association – as well as Veriforce.

**MJS SAFETY LLC** has "Authorized" Performance Evaluators on staff that can perform this service for specific "Covered Tasks."

**MJS SAFETY LLC** is also available to assist with the Knowledge Based Training for these tasks. Knowledge-based training is designed to help personnel successfully pass the OQ Knowledge Based Testing as well as the Performance Evaluation process.

The Operator Qualification Rule – commonly referred to as the "OQ Rule" addressed in Title 49 of the Code of Federal [US DOT] regulations, mandates that individuals who perform "Covered Tasks" on covered pipeline facilities be qualified through the Operator Qualification Process.

The intent of the OQ rule is to ensure protection of both pipeline personnel and the public at large. Providing individuals with the necessary knowledge and skills is an essential element of any Operator and Contractor OQ plan.

Acceptable requirements for qualification are determined by the operator. The quality and validity of data related to OQ training, testing, and performance is critical to meet these requirements.

If we can be of assistance with these types of services for your company, please [call to schedule](#).

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- ~PEC SafelandUSA Basic Orientation
~OSHA 10 Hour General Industry
~OSHA 30 Hour General Industry
~NUCA Confined Space
~Hydrogen Sulfide [H2S] - Awareness
~Respirator: Medical Evaluation & Fit Testing
~Hazard Communication - GHS Training
~Teens & Trucks Safety
~1st Aid/CPR Course- Medic 1st Aid
~HAZWOPER 8, 24 & 40 Hour
~PEC'S Intro to Pipeline
~Confined Space Rescuer Training
~PEC Core Compliance
~OSHA 10 Hour Construction
~OSHA 30 Hour Construction
~NUCA Competent Person for Excavation & Trenching
~Hands-on Fire Extinguisher training
~DOT Hazmat Training
~MSHA Sand & Gravel Training [Part 46 only]
~Fall Protection for the Competent Person
~Defensive Driving Safety for large and small vehicles
~Instructor Development for Medic 1st Aid/CPR
~Bloodborne Pathogens Compliance Training
~Respiratory Protection Training

MJS SAFETY offers these courses as well as custom classes to fit the needs of your company

Schedule of classes Sept 2019: TRAINING CENTER - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- PEC Safeland Basic Orientation: September 6, 17, 26; 8 - 4:30
• First Aid/CPR/AED/BLOODBORNE PATHOGENS (We offer MEDIC FIRST AID): September 9, 24; 8 - noon
• TEEK H2S Operator Training - Awareness (ANSI Z390-2017 Course): September 9, 24; 12:30 - 4:30
• Excavation & Trenching Competent Person (NUCA Course): Call to schedule a class

[ For any last minute schedule updates, go to www.mjssafety.com ]

NEED ANY OF THESE CLASSES IN SPANISH? CONTACT carriejordan@mjssafety.com TO SCHEDULE TODAY

GO TO mjssafety.com FOR UP-TO-DATE CLASS LISTINGS
To sign up for one of these classes, or inquire about scheduling a different class
Call Carrie at 720-203-4948 or Jeremy at 720-203-6325 or Mike at 303-881-2409

FEATURED TRAINING PROGRAMS

- Safeland Basic Orientation • Hydrogen Sulfide Awareness • First Aid/CPR
• OSHA 10 Hour for General Industry or Construction • Confined Space for Construction

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- PEC Basic 10 - 2 days that cover both Safeland and OSHA 10 for General Industry in 1 class

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## OSHA / CONSTRUCTION

### U.S. Department of Labor's OSHA Requests Information on Table 1 of the Silica Standard for Construction

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** is requesting **information** and comment on **Table 1** of the agency's [Respirable Crystalline Silica Standard for Construction](#). **OSHA** seeks **information** on **additional engineering** and work **practice control** methods to effectively **limit exposure** to silica for the **equipment** and tasks currently **listed** on **Table 1**. The agency is also **requesting** information about other **construction equipment** and tasks that **generate silica** that it should consider **adding** to **Table 1**, along with information about their **associated engineering** and work **practice control** methods.

In addition, **OSHA** is **considering** whether to revise **paragraph (a)(3)** of the [Respirable Crystalline Silica Standard for General Industry](#) to broaden the **circumstances** under which **general industry** and maritime **employers** would be **permitted** to comply with the **silica standard** for construction as an **alternative** to the **general industry** standard.

Information **submitted** will allow **OSHA** to consider **new developments** and enhanced **control methods** for equipment that **generates exposures** to silica, and provide **additional data** on exposures to **silica** from **equipment** and tasks using a **variety of control methods** under different **workplace** conditions.

**Expanding Table 1** to include **additional engineering** and work practice **control methods**, equipment, and **tasks** could provide **employers** with more **flexibility** and reduce **regulatory burdens** while maintaining **protections** for employees.

If information **submitted** in response to this **request** indicates that **revisions** to the **silica standards** are needed, the **agency** will then **publish** the proposed revisions in the **Federal Register** for **public comment**.

**Comments** and materials must be **submitted** by November 13, 2019, either [electronically](#) at the **Federal e-Rulemaking Portal**, or by **facsimile** or **mail**.

See the [Federal Register notice](#) for **submission details**.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. **OSHA's** role is to help ensure these conditions for American working men and women by setting and enforcing standards, and providing training, education, and assistance.

The mission of the Department of Labor is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

### RAPID READINESS FALL RESCUE: 6 MINUTES TO TRAUMA

Construction   General Industry   Fall Protection

**Learn the additional action steps to take when falls from heights are involved.**

You already know that working at heights presents some unique hazards. That's why you insist that your workers use full-body harnesses and the appropriate fall-arrest system.

You've trained them how to inspect and don them properly, realizing that a proper fit is crucial to their effectiveness. You've shown them how to assess anchor points and attach to them correctly. But... the training can't stop there.

You must also teach them about orthostatic intolerance, also called suspension trauma, and how it affects the body. They must understand that a rapid response to a fall accident is critical to protecting a worker from further injury, and possibly death.

#### — LEARN WHY.

Imagine this hypothetical employee named "Bob". Bob's an excellent worker. He knows what he's doing, and his boss knows he can count on him to get the job done and done right.

We'd all like to hire Bob, right?

There's another reason Bob's one of the best team members anyone could ask for... he *always* uses his safety equipment. He knows how vital PPE (*personal protective equipment*) is for performing each job safely, without injury.

But... accidents do happen unexpectedly.

#### ***That's why they call them accidents, right?***

And while using the proper PPE helps reduce the impact of accidents, there are additional action steps to take when falls from heights are involved.

You already know that working at heights presents some unique hazards. That's why you insist that your workers use full-body harnesses and the appropriate fall-arrest system.

You've trained them how to inspect and don them properly, realizing that a proper fit is crucial to their effectiveness. You've shown them how to assess anchor points and attach to them correctly.

#### ***But... the training can't stop there.***

You must also teach them about orthostatic intolerance, also called suspension trauma, and how it affects the body.

They must understand that a rapid response to a fall accident is critical to protecting a worker from further injury, and possibly death.

#### — HERE'S WHY.

### What are orthostatic intolerance and suspension trauma?

You've probably experienced orthostatic intolerance (*OI*) yourself. It can happen without a hazardous work environment, and without you realizing what's going on.

Here's an abbreviated description. Anytime you stand or sit for an extended period with little or no leg movement, *OI* is possible. It can be the reason people faint after standing a long time without moving. (*More than one bridesmaid or best man has toppled over during a long wedding.*)

It can happen if you sit for a long time as well, perhaps at your work desk or in your easy chair while binge-watching your favorite TV show.

You stand up quickly, and get a little light-headed or dizzy. It takes a few seconds to get your balance. It's kind of a strange feeling, but passes fairly quickly.

That's orthostatic intolerance... on a small scale.

### Why and how does that happen, anyway?

In the safety and health bulletin, ***Suspension Trauma/Orthostatic Intolerance***— a joint paper from the U.S. DOL and OSHA (*SHIB 03-24-2007, updated 2011*) — the causes and symptoms of *OI* and suspension trauma are explained. The paper also outlines potential hazards and recommendations to prevent permanent injury.

It's all about the body's circulatory system. We understand the main components: the heart (*the two-stage pump*), the arteries and veins (*the supply and return piping*), and the blood (*the fluid*).

Your heart pumps oxygen-enriched blood into the arteries. It flows throughout the system, feeding your organs and other body parts. The oxygen-depleted blood flows back to the heart through the veins, drawn through the superior vena cava (*main vein*) by the right ventricle (*the intake pump and valve*).

Interestingly, the circulatory system in an adult is approximately 60,000 miles long. Blood completes the circuit in about 20 seconds! Obviously, the heart must have some help moving all that fluid around the body.

It does... and leg muscles are one of the "***auxiliary pumps.***" When you move them, it helps push your blood along the circulatory system more efficiently.

That's the reason you feel dizzy or disoriented when you stand up quickly. Your brain and other organs are slightly starved of oxygen because the lack of leg movement caused blood to collect in your legs, a condition called venous pooling.

Now, imagine that you are suspended in a harness after a fall. The potential for venous pooling is increased and prolonged. That can lead to:

- *Dizziness*
- *Weakness*
- *Sweating*
- *Fainting*
- *Increased heart rate*

To find out more about how your heart works, check out this [article from WebMD](#).

If the worker is suspended for an extended period of time, orthostatic intolerance — suspension trauma — can set in. According to a joint paper from the U.S. Department of Labor and **OSHA** (*SHIB 03-24-2004, updated 2011*):

Prolonged suspension from fall arrest systems can cause orthostatic intolerance, which, in turn, can result in serious physical injury, or potentially, death. Research indicates that suspension in a fall arrest device can result in unconsciousness, followed by death, in less than 30 minutes.

That's why your employees' training must include more than preventing a fall and using a fall protection system. It must also include an ***emergency response plan*** for recovering a coworker in the event of a fall. ***And recover them quickly.***

### Preparation and the 4 types of rescue

Preparing for a potential fall accident should be an important part of your overall safety program and training. Because of the health and life hazards, emergency medical preparations must be considered.

You may need medical staff onsite. Or, as an alternative, trained responders for first-aid and CPR. It would be best to have an attendant monitoring the worker (*a requirement when doing any permit-required confined space tasks*).

Additionally, understand the four types of rescue, and the equipment involved in each one.

1. *Self-rescue*
2. *Assisted rescue*
3. *Mechanically aided rescue*
4. *Pick-off rescue*

The first scenario is **a self-rescue**. In this instance, the fallen worker is conscious and able to perform the rescue unassisted. However, there must be equipment within reach that the worker can use.

This can include:

- A *fixed ladder in close proximity to the worker*
- A *fixed, vertical lifeline, or*
- An [integrated self-rescue harness](#)

With these options available, the worker makes a controlled, smooth descent.

In **an assisted rescue**, the fallen worker is aware and able to contribute to the process. A portable rescue ladder can be used. In some instances, a mechanical winch, operated by another team member, can hoist the fallen worker to safety.

For a worker that's conscious, but unable to assist (*possibly injured*), you may need to perform a **mechanically aided rescue**. An aerial lift with a basket is often used.

An incapacitated or unconscious worker can't contribute to the rescue at all. In this case, **a pick-off rescue** is used. Other team members must perform the descent operations, and immediately render any necessary medical attention.

This isn't time for spur-of-the-moment or snap decisions. Proper planning **before** an accident occurs is essential for a successful rescue.

**But... there is also a way to lessen the effect of venous pooling during suspension.**

### **“Steps” to relieve suspension trauma**

Remember Bob, the top-notch employee who always wore his PPE, including fall protection harness and lanyard?

Well, Bob did fall, but his descent was stopped by his equipment. Now there are only six minutes to get to him and perform the rescue.

### **What happens during that time?**

As Bob is suspended in midair, the leg straps on his harness pinch his arteries and veins, applying a tourniquet-like grip. But, if he can just move his legs, the pumping action will assist in getting his blood circulating again, slowing down the effects of venous pooling and suspension trauma.

### **How can he do that with nothing to stand on, though?**

The addition of one, simple and easy to use device to his harness will allow Bob to pump his legs and help to prevent suspension trauma. Harness leg straps let Bob hook his feet into a ladder-like webbing that relieves the stress on his legs and blood vessels.

The device is available as an add-on feature that attaches easily to almost any harness. It's positioned to be out of the way during work tasks, but easily deployed in a fall accident.

Some newer fall protection harnesses, such as the [V-FLEX™ Full-Body Harness](#), have the suspension safety straps integrated permanently on the harness.

They're easy to use and, more importantly, always with the worker.

### **— FINAL THOUGHTS.**

Our imaginary worker, Bob, is safely on the ground now. He's a little shook up, but he'll survive... with all his body parts intact. The scant minutes between the initial fall and his rescue seemed like an **eternity** to him.

But thankfully, his employer had an excellent **rapid response plan...** and the equipment in place to perform a quick, safe rescue.

**Want to learn more about preparing for rapid response fall rescues?**

Be sure to check out **OSHA regulation 29 CFR 1926.502(d)(20)** and **ANSI Z359.2-2007** to understand your required role in preventing injuries from a fall.

## **U.S. Department of Labor Launches Redesigned OSHA Whistleblower Protection Program Website**

The U.S. Department of Labor's **Occupational Safety and Health Administration (OSHA)** announced the **recent launch** of a redesigned website for its **Whistleblower Protection Program**. The interactive, streamlined design **highlights important** information and **data** on more than 20 **statutes** **OSHA** enforces.

The **redesign includes** a new **homepage** with a **video** that **showcases industries** the program covers, and menu options that **allow employers** and employees to easily find **information** about their **rights** and responsibilities. Users can **access information** on protected **activities**, filing deadlines, and **resources** based on **subject/industry** or statute. **OSHA** used feedback **received** at recent **whistleblower stakeholder** meetings to **inform the redesign**.

Did You Know That When You Place *Flaggers Near a Curve or a Hill* You Are in Direct Violation of NIOSH Recommendations?

## “Avoiding Flagger Fatalities - It could happen to you!”



**On February 22, 2000, a 42 year old male maintenance technician, who was performing the duties of a traffic control flagger, died when he was struck by a car at a highway work zone.**

[Watch video](#) — Taken from FACE summary — Washington Case Report 00WA011

People who construct and maintain roads and transportation infrastructure deserve to be protected from preventable injury and death. Therefore, protecting flaggers is a high priority.

The Bureau of Labor Statistics reports an average of 4.3 flaggers are killed every year. This may not seem like a lot but, with a national Zero Deaths strategy, don't let it happen on your watch!

NIOSHA recommends using [Automated Flagger Assistance Devices \(AFADs\)](#) near a curve, a hill, or a location where the flagger doesn't have an escape route, or clear visibility to motorists.

Based on this, should *standard drawings* and *MUTCD Figures*, depicting 1 Lane 2-Way traffic control with flaggers, have notes that echo NIOSHA recommendations?

Automated Flagger Assistance Devices (AFADs) are portable traffic control devices used by flagging personnel instead of traditional flagging equipment. AFADs allow flaggers to stand at a safe location and are effective at controlling traffic under all conditions.



See [more information](#) on AFADs.

## Can You Take CBD and Pass a Drug Test?



The 26-year-old video producer from Reno, Nev., was shocked when a drug test he took as part of a job application came back positive for marijuana. The problem? He hadn't used marijuana, he says. Instead, J.C., who prefers not to use his name, had taken CBD, or cannabidiol, from hemp to help with sleep and anxiety. And unlike THC, a related compound in cannabis plants, CBD can't get you high.

"I thought I was in the clear," says J.C. "From everything that I had heard, CBD oil wasn't supposed to show up on drug tests."

CBD is going mainstream. Late last year, Congress made CBD from hemp legal at the federal level. And it's increasingly found on store shelves, now even sold in some CVS, Rite Aid, and Walgreens stores. An estimated 64 million people have tried CBD in the last 24 months, according to a January 2019 nationally representative survey by Consumer Reports of more than 4,000 adult Americans, using it for pain, insomnia, anxiety, and other health problems.

But as more people try it, one unexpected "side effect" could be failing an employer's drug test, and even losing a job as a result.

Consider Bianca Thurston of Pennsylvania and Coni Hass of California. They are jointly suing Koi CBD, alleging that they failed drug tests because of the company's CBD product and, in the case of Thurston, lost her job, too. Or Douglas Horn, a truck driver in New York who alleges that he lost his job after taking a CBD product made by Dixie (a.k.a. Dixie Elixirs).

Koi CBD told Consumer Reports in a statement about the lawsuit: "Koi prides itself on providing the highest-quality products while being a leader in the industry. We take claims regarding our products very seriously. We are investigating this matter and the allegations, which at this time are unproven and unverified. We remain focused on continuing to carefully craft and offer a full array of beneficial cannabinoid products."

Dixie Elixirs did not respond to a request for a comment.

So how can you fail a drug test after taking CBD? The urine test most commonly used doesn't even look for CBD but instead a compound created by the body when it metabolizes THC, says Barry Sample, senior director, science and technology at Quest Diagnostics, the largest administrator of drug tests in the U.S. "There isn't going to be a laboratory analytical false positive confusing CBD with a THC metabolite."

But Sample says CBD products could have more THC than the label claims. CBD products from hemp sold in retail stores and online aren't supposed to contain more than 0.3 percent THC, or tetrahydrocannabinol, the compound in marijuana that can get you high.

It's also possible that over time, the small amounts of THC allowed in CBD products could build up in the body to detectable levels.

And while New York City recently passed a law that, starting May 10, 2020, will bar many employers from testing prospective employees for marijuana, that is still the exception, even in states that allow marijuana for medical or adult-recreational use. In fact, more than half of employers test job applicants for it, says Kate Kennedy, spokesperson for the Society for Human Resource Management, an industry group. That can help companies lower costs for disability insurance and workers compensation. Some people who work for the federal government or military or as pilots, bus drivers, train conductors, or truck drivers are also subject to drug testing.

So if you use CBD, especially if you are applying for a job or work in a sensitive field, you should be aware of the possible need to pass a drug test. Here's more on how to do it, as well as advice on how to avoid that problem or deal with a positive drug test because of CBD.

### Mislabeled Products

CBD products often have more THC than claimed, research suggests. For example, a 2017 study in JAMA found that 18 of 84 CBD products, all purchased online, had THC levels possibly high enough to cause intoxication or impairment.

And those elevated levels might also be high enough to cause you not to pass a drug test.

That's what Horn, the truck driver from New York, alleges happened to him after taking a product advertised to contain "zero THC."

After losing his job because of the failed drug test, the lawsuit says Horn purchased a sample of the CBD product, had it tested, and found that, contrary to the claim, it did contain THC. Enough, the lawsuit alleges, to cause a THC level in his urine of 29 nanograms per milliliter (ng/mL). That's double the amount that typically triggers a positive result, says Sample of Quest Diagnostics.

Mislabeled CBD products are a growing problem for American workers, Sample believes. "It's buyer beware," he says. "There's not always truth in labeling on the products."

And he believes those high levels could be due in part to how THC levels are measured in hemp plants. While those plants are supposed to contain no more than 0.3 percent THC, that's based on the dry weight of the plant. "But dry weight doesn't necessarily equate to what's in the finished product," Sample says.

Plus, he says, in some cases that percentage is based on the weight of the whole plant, or on the weight of the buds or flowers, which tend to have more THC.

Adding to the confusion is that each state can determine how it samples and tests hemp plants for THC content, says Aline DeLucia, senior policy analyst for the National Association of States Department of Agriculture. When sampling the hemp plant, "the closer you get to the flower, the higher the THC content. So some states collect the top 6 inches of the plant, while others do it differently," DeLucia says. But "everybody is on board that we need some kind of uniformity."

And once CBD is turned into a "finished" product like an oil, lotion, tincture, pill, or vape liquid, few states dictate how those should be tested for THC, save for Oregon and soon Vermont. State agriculture departments, DeLucia says, don't have jurisdiction over testing these products for safety.

Last, some states allow medical CBD products obtained through permitted channels to contain more than 0.3 percent THC. For example, the cutoff in Georgia and Virginia is 5 percent, Sample says, a level that is definitely high enough to cause impairment and a failed drug test.

**Best bet:** To increase the likelihood that a product doesn't have more THC than claimed, look for a manufacturer that can provide a "Certificate of Analysis" (or COA) for its product. That document shows the results of a company's testing for THC, CBD, and various contaminants. Though that testing is voluntary (except in Indiana and Utah) and the results aren't confirmed by independent experts, for now it's the best information available. If a store or website can't provide you with a COA, look for another product.

Read more about [how CBD products are tested](#).

## Small Amounts of THC Can Build Up

Many legitimate **CBD** products do contain small amounts of THC. And when taken regularly over as little as four to six days, that THC can accumulate in the body, according to several studies.

That's because THC is fat soluble, says Norbert E. Kaminski, Ph.D., professor of pharmacology and toxicology at Michigan State University. So THC that isn't immediately metabolized by the body will be stored in fat tissue. And, "over time, THC and THC metabolites will be slowly released," Kaminski says. As a result, it's possible to test positive for THC, and not pass a drug test, even after you've stopped taking the product.

Sample, at Quest Diagnostics, says chronic, heavy users of marijuana could test positive even a month after they stop using it.

**Best bet:** Consider products that claim to be "CBD only" and have COAs showing that they contain zero THC. Also, you can try tracking your own THC levels with an at-home drug test, says Mitch Earleywine, Ph.D., a professor of psychology at the University at Albany, State University of New York, who has studied the medicinal use of CBD. If you test positive but need to be THC-free, consider taking a two- to three-week break from the product to clear THC from your system, he says.

## What to Do If You Failed a Drug Test

**Talk with your employer.** That's what worked for J.C., in Nevada, after he tested positive for marijuana use. Armed with documentation from his doctor that he was taking CBD to treat anxiety and insomnia, he met with company co-founder Matt Ross, chief operating officer of [MySlumberYard.com](http://MySlumberYard.com)—a website that tracks user experiences with buying and using mattresses—and explained why he was taking it. He even brought in the bottle for them to see.

"I wasn't familiar with CBD at the time," Ross says. But he and his partner appreciated that J.C. addressed the situation. "He was really talented as a video editor, and we felt comfortable enough to get past it."

**If that doesn't work, try your company's HR department.** If your employer resists, you may be able to seek protection through the Americans with Disabilities Act (ADA) and state disability laws. Those laws allow people with documented needs to get exceptions, or "reasonable accommodations," to account for their medical situation. While the ADA does not apply to marijuana—because it remains illegal on the federal level, even for medical use—it's still worth asking your company's HR department, says James Reidy, an attorney at Bass & Green PA who focuses on drug policy issues with employers. That's because CBD from hemp is now legal on a federal level.

If you have any documentation from a medical provider, that can help, too. And you may have more luck if you live in Arizona, Arkansas, Connecticut, Delaware, Illinois, Maine, Massachusetts, Minnesota, New York, Pennsylvania, and West Virginia. Those states have passed laws providing some protection for people who use medical marijuana, potentially including CBD, Reidy says.

Other states like California, Oregon, Montana, and Washington have laws to assure that companies located in those states do not have to provide "reasonable accommodations" for people who use medical marijuana, and leave it up to each employer to decide, Reidy says. In those states, though, it's still worth asking your company's HR department about it if you've failed a drug test for marijuana after taking CBD.

**Ask for a re-test.** If you've stopped taking CBD for a few weeks or longer, or took CBD infrequently, and still test positive for marijuana, consider asking for a re-test. Though there are safeguards in place to prevent errors, says Sample, in rare cases they do happen.

In addition, some companies might set the threshold for THC very low to catch as many people as possible, Earleywine says. But doing so means the test can generate "some false positives, people who look as if they've used THC when they haven't."

**Stop or skip using CBD products if faced with an upcoming drug test.** That's the only way to ensure that your CBD won't trigger a positive test result for marijuana. And that includes stopping use of topical CBD lotions, oils, and cosmetic products, says Kaminski, at Michigan State University. And it's best to stop two to three weeks before the test, he adds. That should allow for enough time for any THC and THC metabolites to clear out of your system.

## FMCSA to Charge Carriers \$1.25 Per Query in New Drug and Alcohol Clearinghouse

Carriers will have to pay the Federal Motor Carrier Safety Administration \$1.25 per query into the looming Drug and Alcohol Clearinghouse, which will compile records of all drivers who have failed or refused a drug or alcohol test.

Carriers, including small carriers who only employ a few drivers, can also buy query packages in bulk, to streamline the process. Though the bundles don't cut costs — a bundle of 7,500 queries costs \$9,375, for instance, and a bundle of 10 costs \$12.50 — they don't expire. [The full bundle schedule can be seen at this link.](#)

Starting Jan. 6, 2020, carriers will be required to query the database for all driver hires, as well as once a year for existing drivers.

FMCSA's Joe DeLorenzo, director of enforcement and compliance, says the clearinghouse will end the manual process of carriers having to call drivers' previous employers to inquire about drug and alcohol tests. However, carriers will need to continue that practice until 2023.

The clearinghouse will show records dating back five years, as well as whether a driver has completed the return to duty status after failing a drug test. If a driver does not complete the return to duty status, the record against him or her will remain in the clearinghouse forever, says DeLorenzo.

Carriers, including single-digit fleets, will need to open accounts in the clearinghouse, which will open for registration in November. Likewise, drivers will need to register as users so that they can consent to carrier queries within the database.

## More Than 1,600 Commercial Motor Vehicles Removed from Roadways for Critical Brake-related Violations...



On May 15, 2019, the **Commercial Vehicle Safety Alliance's** (CVSA) law enforcement members conducted **10,358 commercial motor vehicle inspections** during an **unannounced inspection blitz** focused on **identifying brake system violations**. Of those inspections, **16.1%** of vehicles had **brake-related critical vehicle inspection items**. Those **1,667 vehicles** were placed **out of service** until the **violations** could be **corrected**.

According to the U.S. Department of Transportation's **Federal Motor Carrier Safety Administration** (FMCSA), more than **half a million commercial motor vehicle violations in 2017** were related to **brakes**. **CVSA** aims to **call attention** to this **serious issue** through its **targeted brake safety enforcement** and **awareness campaigns**. This **enforcement initiative** highlights the **work** that's done by **inspectors** every day to **keep our roadways safe**. Checking **brake systems** and their **components** is **always** part of **roadside vehicle inspections**.

Inspectors also **paid close attention** to violations involving **brake hoses/tubing**:

- There were 996 units with chafed rubber hose violations.
- 185 units had chafed thermoplastic hose violations.
- There were 1,125 violations of 49 Code of Federal Regulations § 393.45 and Canadian equivalent violations that included chafed rubber hoses.
- There were 124 violations of 49 Code of Federal Regulations § 393.45 and Canadian equivalent violations that included kinked thermoplastic hoses.

"**Brake hoses and tubing** must be **properly attached**, undamaged, **without leaks** and appropriately flexible," said **CVSA** President Chief Jay Thompson with the **Arkansas Highway Police**.

"**Because they are such an important part of the braking system**, the failure of **hoses or tubing** can cause **problems** for the **entire braking system**."

Fifty-five **jurisdictions** in the U.S. and Canada **participated** in this **focused one-day brake safety inspection and enforcement initiative**. Participation by law **enforcement jurisdictions** is **voluntary** and depends upon **availability** of staff and resources. Each **participating jurisdiction** captured and **reported** its May 15 data to **CVSA**. Inspection data from Canada and the U.S. **featured the following notable results**:

- 55 jurisdictions participated – 45 U.S. states and territories and 10 Canadian provinces and territories.
- A total of 10,358 inspections were conducted.
- The U.S. conducted 8,738 commercial motor vehicle inspections; Canada conducted 1,620.
- 16.1% or 1,667 of commercial motor vehicles inspected were placed out of service for brake violations.
- In the U.S., 16.6% of commercial motor vehicles were placed out of service for brake violations.
- In Canada, 13.5% of commercial motor vehicles were placed out of service for brake violations.
- Nearly 84% of commercial motor vehicles inspected did not have any critical brake-related inspection item violations.

According to **FMCSA's Analysis and Information Online 2019** calendar year data snapshot as of **June 28, 2019**, out of 1.8 million **inspections**, the **top five brake-related** violations were:

1. Clamp or roto type brake out of adjustment (86,296)
2. CMV manufactured after Oct. 19, 1994, has an automatic brake adjustment system that fails to compensate for wear (45,594)
3. Brake hose or tubing chafing and/or kinking (37,737)
4. No or defective ABS malfunction indicator lamp for trailer manufactured after March 1, 1998 (37,343)
5. Inoperative/defective brakes (32,125)

## Nationwide Brake Inspection Spree... September 15-22

During **CVSA's Brake Safety Week**, scheduled for **Sept. 15-22**, **enforcement officials** will be conducting **roadside safety inspections** on commercial motor vehicles throughout North America. During this year's **Brake Safety Week**, inspectors will be **paying special attention** to **brake hoses/tubing**. While checking these **brake system components** is always part of the **North American Standard Inspection Program**, **CVSA** is **highlighting brake hoses/tubing** as a reminder of their **importance** to vehicle **mechanical fitness** and **safety**.

**Routine brake system inspections** and **component replacement** are vital to the **safety** of **commercial motor vehicles**. The brake systems on **commercial motor vehicles** are comprised of **components** that **work together** to slow and **stop** the vehicle and **brake hoses/tubing** are **essential** for the proper **operation** of those **systems**. Brake hoses/tubing **must** be **properly attached**, undamaged, without **leaks** and **appropriately flexible**. Brake hoses/tubing are an **important part** of the **braking system** so when they do **fail**, they can **cause problems** for the rest of the **braking system**.

The goal of **Brake Safety Week** is to reduce the **number** of crashes caused or **made more severe** by **faulty brake systems** on commercial **motor vehicles** by conducting **roadside inspections** and identifying and **removing unsafe** commercial motor vehicles from our **roadways**.

In addition to **inspections** and enforcement, **outreach** and awareness efforts by **law enforcement agencies** to educate drivers, **motor carriers**, mechanics, **owner-operators** and others on the **importance** of **proper brake maintenance**, operation and performance are **integral** to the success of this **safety initiative**.

**Vehicles with critical brake violations**, or other **critical vehicle inspection item violations**, will be restricted from **traveling** until those violations are **corrected**. Vehicles **without critical vehicle inspection item violations** are eligible to receive a **CVSA decal** indicating that the **vehicle passed inspection**.

In the **14 jurisdictions** using **performance-based brake testers** (PBBT), vehicle **braking efficiency** will be **measured** using that tool.

**Brake Safety Week** is part of the **Operation Airbrake Program**, sponsored by **CVSA** in partnership with **FMCSA** and the **Canadian Council of Motor Transport Administrators**.

# Trucker Safety Program Unveiled

The Colorado Department of Transportation, in partnership with the Colorado State Patrol, Colorado Motor Carriers Association, and in-cab driver alert providers, PrePass Safety Alliance and Drivewyze are coming together to help enhance safety for truckers traveling through the state's mountainous areas.



*The Mountain Rules* is a comprehensive, strategic and safety-focused effort to inform and educate in-state and inter-state trucking companies and drivers on the challenges of driving in Colorado's mountains. It includes information on potential hazards, and a consistent reminder on the need to be slow, steady, and safe for the long haul.

"It's no secret that our mountains create immense challenges for semi-truck drivers," said CDOT Executive Director Shoshana Lew. "*The Mountain Rules* has a simple mission - get everyone home safely. And this campaign, which supports CDOT's Whole Safety - Whole System initiative, is a major step towards achieving that goal."

In addition to an educational effort, *The Mountain Rules* consists of infrastructure and informational improvements, including:

- Signing eastbound Interstate 70 and all eastbound chain stations, east of the Eisenhower/Johnson Tunnels, with information on the brake check locations for truckers.
- Restriping the wide eastbound exit ramp at the Genesee Park Interchange into a more-defined short-term truck parking area where overheated brakes can cool down and equipment checks can take place prior to the final descent into the Golden area.
- A new subscription-based, in-cab alert system, warning truck drivers about specific areas where brake failures could occur, and the location of brake check and runaway truck ramps.
- Information gathering on the feasibility of a new ramp and other measures to mitigate runaway trucks, such as geometric and signage improvements to the existing Mount Vernon Canyon Truck Runaway Ramp.

"I want to dispel any misconceptions, myths or rumors about truck ramps for all commercial carriers who travel our mountain corridors," said CSP Colonel Matthew Packard. "Commercial carriers will not be cited by law enforcement for using truck ramps. Should your brakes fail, please save lives, and use the ramps."

The I-70 Mountain Corridor will be the initial pilot for *The Mountain Rules*. CDOT then will expand the program to other mountainous locations.

"Our mountains, and the highways winding through them, provide some of the greatest vistas in the world and make Colorado special," said the Chairman of the CMCA Jim Coleman. "These same roadways, such as I-70, pose a particular challenge for truck drivers and truck brakes, with long and steep downgrades of up to seven percent. This outreach effort and program will go a long way in educating truck drivers of how to navigate through our mountains, which will enhance safety for all highway users."

Digital press kit with fact sheets, photos, and logos are available [here](#).

## Whole System - Whole Safety

To heighten safety awareness, CDOT recently announced its Whole Safety - Whole System initiative. This project takes a systematic statewide approach to safety combining the benefits of CDOT's programs that address driving behaviors, our built environment and the organization's operations. The goal is to improve the safety of Colorado's transportation network by reducing the rate and severity of crashes and improving safety conditions for those traveling by all transportation modes.

**The program has one simple mission - TO GET EVERYONE HOME SAFELY.**

# Updating Your Registration or Authority

## Overview

Any time a carrier or other regulated entity changes its name or address, or other details in their record, they should update their US DOT and operating authority record with **FMCSA** in a timely manner. In addition, **FMCSA** requires all entities under its jurisdiction to update their information every two years:

### US DOT Numbers:

- [Routine Updates](#)
- [Biennial Updates](#)
- [Inactivate/Deactivate](#)
- [Reactivate](#)

### Operating Authority (MC/FF Numbers):

- [Name Changes](#)
- [Address Changes](#)
- [Reinstate](#)
- [Revoke](#)

### Routine USDOT Number Updates

To view a company's current information, go to the [SAFER System's Company Snapshot](#). Updates can be done online [via the FMCSA online registration system](#) with your [US DOT PIN](#), or by filing an [MCS-150 form](#). See below for more information on updating your US DOT number information.

### Biennial Updates

**Federal Motor Carrier Safety Administration (FMCSA)** requires all entities under its jurisdiction to update their information every two years. You are required to provide this update every two years even if your company has not changed its information, has ceased interstate operations since the last update, or is no longer in business and you did not notify **FMCSA**.

**Failure to complete a Biennial Update will result in deactivation of your USDOT number and may result in civil penalties of up to \$1,000 per day, not to exceed \$10,000.**

Updating your information is free. We have included instructions below to help you complete your biennial update.

- [Deadlines for Filing Update](#)
- [Update Online](#)
- [Update via US Mail](#)

### Unable to Complete Online? No Problem.

If the carrier doesn't have a USDOT PIN number, and their mailing address in MCMIS is outdated, they can't submit a request for a PIN number to be mailed to them. They have 2 options:

- Submit a [completed and signed MCS-150](#) via Fax 202-366-3477
- Submit a completed MCS-150 via US Mail
- [Scan and upload a completed, printed and signed MCS-150 to our web form](#) (this is the best option and will provide you with a tracking number for your submission)

## FMCSA DRUG AND ALCOHOL CLEARINGHOUSE

### COMING SOON

#### Commercial Driver's License Drug and Alcohol Clearinghouse

The Clearinghouse will improve highway safety by helping employers, **FMCSA**, State Driver Licensing Agencies, and State law enforcement to quickly and efficiently identify drivers who are not legally permitted to operate commercial motor vehicles (CMVs) due to drug and alcohol program violations. This secure online database will provide access to real-time information, ensuring that drivers committing these violations complete the necessary steps before getting back behind the wheel, or performing any other safety-sensitive function.

### WEBSITE UPDATES

#### [Updated FAQs, Timeline, New Resources](#)

The Clearinghouse website has been updated with additional information, including an interactive timeline and revised frequently asked questions.

- ▶ **December 5, 2016**  
Clearinghouse Final Rule Published
- ▶ **Fall 2019**  
Registration Begins
- ▶ **January 6, 2020**  
Clearinghouse Implementation
- ▶ **January 6, 2023**  
Clearinghouse Three-Year Mark

[HOW WILL I USE THE CLEARINGHOUSE?](#)

[GET NEWS AND UPDATES](#)

[FACT SHEET](#)

### Update Online

- In order to complete the registration online, you'll need your USDOT number, assigned PIN, EIN/SSN, and Company Official information. You can [request a PIN mailed or e-mailed to you](#).
- Carriers needing to complete the Motor Carrier Identification Report (MCS-150) OR the Combined Identification and Hazardous Materials Safety Permit Application (MCS-150B) may do so [online through the FMCSA Registration Website](#).
- Print an updated MCS-150 form for your records upon completion of the online registration if you prefer a hard copy.

## What is the Deadline to Update?

**Filing schedule:** Each motor carrier or intermodal equipment provider must file the appropriate form at the following times:

- Before it begins operations; and
- Every 24 months according to the following schedule:

USDOT number ending in:	Must file by last day of:
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

If the next-to-last digit of its USDOT Number is odd, the motor carrier or intermodal equipment provider shall file its update in every odd-numbered calendar year. If the next-to-last digit of the USDOT Number is even, the motor carrier or intermodal equipment provider shall file its update in every even-numbered calendar year.



## Fax

Send to: 202-366-3477

## U.S. Mail

**Important note for hard copy registrations:** Forms must be received by **FMCSA** on or before the date your Biennial Update is due to avoid deactivation of your USDOT number and the assessment of civil penalties. Please allow ample time for mailing.

## For Carriers

Registration forms can also be downloaded here or you can request to have a pre-printed form mailed to you by calling **FMCSA** Support Services at 1-800-832-5660 (Select option 1 (US DOT number questions), then press zero to speak to an agent).

- [Form MCS-150 and Instructions - Motor Carrier Identification Report](#)

## For Hazardous Materials Safety Permit Carriers only:

- [Form MCS-150B and Instructions - Combined Motor Carrier Identification Report and HM Permit Application](#)

**Complete, sign, and date the form, and mail it to the address below.**

U.S. Department of Transportation  
Federal Motor Carrier Safety Administration  
Attention: Office of Registration and Safety Information  
1200 New Jersey Avenue, S.E.  
Room W65-206  
Washington, DC 20590

## Intermodal Equipment Providers (IEPs)

IEPs are unable to perform an online update at this time. Download the Intermodal Equipment Provider Identification Report form (MCS-150C) and complete, sign, and date the form, and mail it to the address above. [Form MCS-150C and Instructions - Intermodal Equipment Provider Identification Report](#)

# What “**PROPOSED CHANGES**” to **Hours of Service Rules** are being considered?

## FMCSA Unveils “**Proposed**” Changes to **Hours-of-Service Rules**

The **Federal Motor Carrier Safety Administration** on **Aug. 14** issued a **long-awaited “proposals”** to make **changes** to its **hours-of-service** rules that would **increase** truck drivers’ flexibility with their **30-minute rest break** and with **allocating** time in a **sleeper berth**.

The **proposal** also would **extend** by **two hours** duty time for drivers **encountering** adverse **weather** and **expand** the current **100 air-mile “shorthaul” exemption** from **12 hours on-duty** to **14 hours on-duty**, consistent with **workday rules** for longhaul truck drivers.

In the **proposal**, **FMCSA** offers **five key revisions** to existing **HOS rules**:

- *Increase safety and flexibility for the 30-minute break rule by tying the break requirement to eight hours of driving time without an interruption of at least 30 minutes, and allowing the break to be satisfied by a driver using on-duty, not driving status, rather than off-duty status.*
- *Modify the sleeper berth exception to allow drivers to split their required 10 hours off-duty into two periods: One period of at least seven consecutive hours in the sleeper berth and the other period of not less than two consecutive hours, either off-duty or in the sleeper berth. Neither period would count against the driver’s 14-hour driving window.*
- *Allow one off-duty break of at least 30 minutes, but not more than three hours, that would pause a truck driver’s 14-hour driving window, provided the driver takes 10 consecutive hours off-duty at the end of the work shift.*
- *Modify the adverse driving conditions exception by extending by two hours the maximum window during which driving is permitted.*
- *Change the shorthaul exception available to certain commercial drivers by lengthening the drivers’ maximum on-duty period from 12 to 14 hours and extending the distance limit within which the driver may operate from 100 air miles to 150 air miles.*

“This **proposed rule** seeks to **enhance safety** by giving America’s **commercial drivers** more **flexibility** while maintaining the **safety limits** on **driving time**,” U.S. **Transportation Secretary** Elaine Chao said in a **statement**.

During an **Aug. 14** telephone news conference, **FMCSA** Administrator Raymond Martinez said the **proposed** changes represent a, “**commonsense** approach to **crafting** hours-of-service **regulations** that are **more flexible** for truck **drivers** and **promote safety** for all who **share the road**.”

He added that the “**proposed**” changes are intended to **help** drivers better manage **challenges** in their **daily schedules**. “That is **congestion**, parking issues — unexpected **adverse conditions** that may arise,” he said. “They need some **level of flexibility** that **allows** them to work around.

Many of them felt they were racing the clock with those **AOBRDs** or **ELDs**. We hope that **providing** this type of **flexibility** puts a **little more power** back in the **hands** of drivers and **carriers** to make **smart decisions** with regard to **safety** and the **realities** of what they’re **facing** on the **roadways**.”



Martinez said he **could not predict** how long the **process** of **analyzing**

**stakeholder** comments and **fashioning** a final rule would take, but is **optimistic** about timing. “We **believe** we are **ahead of schedule**,” he said.

**FMCSA** said none of the **proposals** in the **NPRM** would increase the **maximum allowable** driving time, but may **change** the number of **hours driven** or hours **worked** during a given **work shift**. “The **flexibilities** in this proposal are **intended** to allow **drivers** to shift their drive and **work time** to mitigate the **impacts** of certain **variables** (e.g., *weather, traffic, detention times*), and the **proposed changes** would not **result** in an **increase** in freight **movement** or **aggregate vehicle miles** traveled. **Aggregate VMT** is determined by many **factors**, including market **demand** for **transportation**,” the proposal said.

The agency said it **did not anticipate** that the “**proposed**” **HOS changes** would **stimulate demand** in the freight market, **nor does** it expect that any of the **time shifts** would **negatively impact** drivers’ **health**.

The **proposal** was issued at the **same time** as the annual **National Truck Driving Championships**, and **drivers** at the event shared **largely positive reactions** to the **proposed changes**.

“With **traffic becoming** worse and **worse all** the time and **not having** flexibility, it causes a **lot more aggressive** driving with **truckers**,” said a driver for XPO Logistics. “**ELDs** in general are a **good thing**. I really **appreciate** a lot of things **FMCSA** has done, but they **do need** to be more **flexible**.”

A **driver** for Walmart Transportation, **welcomed** the **proposed changes** to **adverse driving** conditions. Based in Kentucky, he said he **sometimes encounters** inclement **weather** in Michigan and Ohio.

**Another** driver, for Alaska-based Carlile Transportation Systems, **commended** the **proposed revision** to the **split-sleeper rule**, but said he **supports** even more **flexibility** for dividing the **time**. “Seven and **three hours** will be **nice**,” he said. “I think that’ll be a **plus**. I think **making a change** that you can **vary** it up works **well**. If they **change** it, I think it’ll be a **positive thing**.”

Martinez **encouraged participation** in the **public comment period**. Don’t **assume** this is a **done deal**,” he said. “If you **like** it, please **tell us you like** it. If you **like parts** of it, tell us **you like parts** of it and **what parts** you **don’t like**. Be **constructive** in your **criticism** to help us **create a final rule** as quickly as **possible**.”

The agency will **accept comments** on the **proposal** for **45 days** after its **published date** in the **Federal Register** of **Aug. 20**. The **Federal Register Notice**, including how to **submit comments**, is available [here](#).

# So, let's Review and Wrap up the “**PROPOSED CHANGES**” to the current **Hours of Service Rules**

## — **BACK THEN...**

First adopted in 1937, **Hours of Service Rules** specify the permitted operating hours of commercial drivers and have been through several time-consuming revisions. The mandate requiring electronic logging of those hours that went into effect in December 2017 highlighted some of the shortcomings in how those rules work in the real world.

So, in 2018, **FMCSA**, through an advanced Notice of Proposed Rulemaking (NPRM), asked for public comment on portions of the **Hours of Service Rules**. The agency received more than 5,200 public comments.

These are the first significant “**proposed**” changes to **Hours of Service** since 2011. Those 2011-proposed regs took effect in 2013, though the bulk of those changes were later struck by Congress.

## — **AND NOW...**

The U.S. DOT has “**PROPOSED CHANGES**” to federal **Hours of Service** regulations for truck operators that would, among other changes, allow drivers to pause their 14-hour clock for up to three consecutive hours and go off-duty in that time period, extending their on-duty window by the same amount.

Drivers would be required to take a 10-hour off-duty break at the conclusion of their 14 on-duty hours after using the proposed pause option. The break must be at least 30 minutes long, under the **proposal**.

Also, the 11-hour drive-time limit for an on-duty shift will remain. Allowing drivers to pause the 14-hour clock would help them avoid peak traffic hours, weather events and help “mitigate the effect of long detention times,” according to notes within the **proposal**.

**\*\*A final rule will likely take months, if not a year or longer, to be finalized and published in the *Federal Register*. Once published, the final rule likely won't take effect for another year or more. Martinez said he couldn't provide a timeline as to when a final rule would be crafted and, more importantly, when it might take effect.**

He encouraged drivers to comment on the **proposal** to help guide the agency in crafting its final rule. He also touted the “**proposal**” as one that provides flexibility while maintaining safety. “We put forward a **proposal** that retools current **Hours of Service** regulations so that drivers can have the flexibility they need to complete their work efficiently while promoting highest level of safety on America's roadways,” he said.

He said the **proposal** is meant to address the common refrain from drivers that they “race the [14-hour] clock.” The **proposal** “puts the power back in the hands of drivers,” Martinez said, in regards to managing their daily schedule.

Though the **proposal** didn't mark a return to wider options for splitting of on-duty and off-duty time that were available prior to institution of the 14-hour rule, the agency did address some of the rigidity in the rule via the proposed option to go off-duty for as little as 30 minutes or as long as three hours. That option closely resembles a recommended change put forward in a petition by the **Owner-Operator Independent Drivers Association** filed last year.

The agency has proposed a slight revision of the allowed split-sleeper berth options, which would allow drivers to split their off-duty sleeper berth time into two periods of seven hours and three hours, similar to the eight-hour, two-hour split allowed under current regulations.

A significant difference, too, is summarized in the “**proposed rule's**” opening text: “Neither period would count against the driver's 14-hour driving window,” unlike the shorter of the split periods under existing rules.

This change would be in addition to the **proposal** to allow drivers to pause their 14-hour clock up to three hours at any time with a 10-hour break after.

**FMCSA** has also “**proposed changes**” to the required 30-minute break. Though the agency intends to keep the 30-minute break required in current **Hours of Service** regulations, the agency has proposed slight changes to when drivers must take it. Instead of requiring the break in the first eight hours of on-duty time, the agency has proposed requiring the break within the first eight hours of drive time, offering drivers more flexibility in its use. Significantly, rather than a required off-duty break, the agency proposes that it can be on-duty not-driving time.

Lastly the agency has floated two other proposed changes:

- (1) Allowing drivers to extend their 14-hour on-duty period by up to two hours in the event of adverse conditions, such as weather or congestion, and
- (2) extending the allowed on-duty period for short-haul drivers from 12 hours to 14 hours, and extending the short-haul radius from 100 air miles to 150 air miles. Drivers under the short-haul exemption aren't required to keep records of duty status.

The agency emphasized in a press release that the “**proposed rule**” would not increase driving time and would continue to prevent CMV operators from driving for more than eight consecutive hours without at least a 30-minute change in duty status.

**FMCSA** says the “**proposed changes**” are estimated to provide \$274 million in savings for the U.S. economy and American consumers.

**Please Note: The HOS articles on pages 15 & 16 have simply laid out “Proposed” Future Changes.**

**The current HOS regulations Remain In Effect pending any future implementation of a new “Final Rule”.**

# Fines for Trucking Regs Violations Increased

The U.S. DOT announced recently it has increased fines across the board for violations of federal trucking regulations.

The **Federal Motor Carrier Safety Administration** is required by Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 to adjust fine amounts each year based on inflation.

A final rule published in the **Federal Register** on July 31, makes the new fine amounts **Effective Immediately**.

The 2015 Act required **FMCSA** and other DOT agencies to issue an initial “catch-up” adjustment, followed by annual adjustments for inflation.

The DOT, in order to find the 2019 adjustment amount, had to multiply the penalty amount by the percentage change between the October 2018 Consumer Price Index for All Urban Consumers (CPI-U) and the October 2017 CPI-U, which this year was 1.02522. Given this multiplier, all of the fine amounts increased, as seen in the following tables:

Violation	New penalty value	Former penalty value
Failure to respond to Agency subpoena to appear and testify or produce records (minimum)	\$1,093	\$1,066
Failure to respond to Agency subpoena to appear and testify or produce records (maximum)	\$10,932	\$10,663
Out-of-service order: Operation of CMV by driver	\$1,895	\$1,848
Out-of-service order: Requiring or permitting operation of CMV by driver	\$18,943	\$18,477
Out-of-service order: Operation by driver of CMV or intermodal equipment that was placed out-of-service	\$1,895	\$1,848
Out-of-service order: Requiring or permitting operation of CMV or intermodal equipment that was placed out-of-service	\$18,943	\$18,477
Out-of-service order: Failure to return written certification of correction	\$947	\$924
Out-of-service order: Failure to cease operations as ordered	\$27,331	\$26,659
Out-of-service order: Operating in violation of order	\$24,017	\$23,426
Out-of-service order: Conducting operations during suspension or revocation for failure to pay penalties	\$15,419	\$15,040
Out-of-service order: Conducting operations during suspension or revocation	\$24,017	\$23,426
Recordkeeping: Maximum penalty per day	\$1,270	\$1,239
Recordkeeping: Maximum total penalty	\$12,695	\$12,383

Knowing falsification of records	\$12,695	\$12,383
Non-recordkeeping violations	\$15,419	\$15,040
Non-recordkeeping violations by drivers	\$3,855	\$3,760
Alcohol prohibition violations (first offense)	\$3,174	\$3,096
Alcohol prohibition violations (second or subsequent conviction)	\$6,348	\$6,192
Commercial driver's license violations	\$5,732	\$5,591
Special penalties pertaining to violation of OOS orders (first conviction)	\$3,174	\$3,096
Special penalties pertaining to violation of OOS orders (second or subsequent conviction)	\$6,348	\$6,192
Knowingly allowing, authorizing employee violations of OOS order (minimum)	\$5,732	\$5,591
Knowingly allowing, authorizing employee violations of OOS order (maximum)	\$31,737	\$30,956
Special penalties pertaining to railroad-highway grade crossing violations	\$16,453	\$16,048
Financial responsibility violations	\$16,915	\$16,499
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (transportation or shipment of hazmat)	\$81,993	\$79,976
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (minimum penalty)	\$493	\$481
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (maximum penalty)	\$81,993	\$79,976

Violations of Hazardous Materials Regulations and Safety Permitting Regulations (packaging or container)	\$81,993	\$79,976
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (compliance with FMCSRs)	\$81,993	\$79,976
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (death, serious illness, severe injury to persons; destruction of property)	\$191,316	\$186,610
Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating (generally)	\$27,331	\$26,659
Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating (hazmat maximum penalty)	\$81,993	\$79,976
Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating – hazardous materials (maximum penalty if death, serious illness, severe injury to persons; destruction of property)	\$191,316	\$186,610
Violations of the commercial regulations, property carriers	\$10,932	\$10,663
Violations of the CRs, brokers	\$10,932	\$10,663
Violations of the CRs, passenger carriers	\$27,331	\$26,659
Violation of the CRs, foreign carriers, foreign motor private carriers	\$10,932	\$10,663

Violations of the CRs, foreign motor carriers, foreign motor private carriers before implementation of North American Free Trade Agreement land transportation provisions (maximum penalty for intentional violation)	\$15,034	\$14,664
Violations of the CRs, foreign motor carriers, foreign motor private carriers before implementation of North American Free Trade Agreement land transportation provisions (maximum penalty for a pattern of intentional violations)	\$37,587	\$36,662
Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (minimum)	\$21,865	\$21,327
Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (maximum)	\$43,730	\$42,654
Violation of the CRs, household goods carrier or freight forwarder, or their receiver or trustee	\$1,644	\$1,604
Violation of the CRs, weight of HHG shipment, charging for services (minimum for first violation)	\$3,291	\$3,210
Violation of the CRs, weight of HHG shipment, charging for services (subsequent violations)	\$8,227	\$8,025
Tariff violations	\$164,531	\$160,484
Additional tariff violations, rebates or concessions (first violation)	\$328	\$320
Additional tariff violations, rebates or concessions (subsequent violations)	\$411	\$401
Tariff violations, freight forwarders (max penalty for first violation)	\$823	\$803

Evasion of motor carrier regulations (maximum for subsequent)	\$8,199	\$7,997
Evasion of carrier or broker regulations (minimum for first violation)	\$2,187	\$2,133
Evasion of carrier or broker regulations (minimum for subsequent)	\$5,466	\$5,332

Tariff violations, freight forwarders (max penalty for subsequent violations)	\$3,291	\$3,210
Service from freight forwarders at less than rate in effect (first violation)	\$823	\$803
Service from freight forwarders at less than rate in effect (subsequent violations )	\$3,291	\$3,210
Loading, unloading violations	\$16,453	\$16,048
Reporting and recordkeeping - min penalty	\$1,093	\$1,066
Reporting and recordkeeping - max penalty	\$8,227	\$8,025
Unauthorized disclosure of information	\$3,291	\$3,210
Violation of registration conditions	\$823	\$803
Knowingly and willingly fails to deliver or unload HHG	\$16,453	\$16,048
HHG broker estimate before entering into agreement with motor carrier	\$12,695	\$12,383
HHG transportation or broker services - registration requirement	\$31,737	\$30,956
Copying of records and access to equipment, lands and buildings (max penalty per day)	\$1,270	\$1,239
Copying of records and access to equipment, lands and buildings (max total penalty)	\$12,695	\$12,383
Evasion of motor carrier regulations (minimum for first violation)	\$2,187	\$2,133
Evasion of motor carrier regulations (maximum for first violation)	\$5,466	\$5,332
Evasion of motor carrier regulations (minimum for subsequent violations)	\$2,732	\$2,665

## The AOBRD-To-ELD Shift: Data/Edits and Visibility at Roadside

For owner-operator “John”, who switched from the Continental VDO RoadLog’s **AOBRD** version to its **ELD** around the time of the mandate’s first enforcement deadline, edit limitations amount to the only significant difference between the two specifications. When it comes to drive time, with an **AOBRD**, you can edit it will from your administrator account, he says. With an **ELD**, “you can’t ever edit drive time, even if you make a mistake and move it across the parking lot,” triggering the 5-mph switch to driving mode and interrupting your 10-hour break.

What he means is that all vehicle movement above 5 mph with an **ELD** has to be accounted for, whether as legitimate driving time, a yard or personal conveyance move, or assigned to another user. A related difference is the visibility of all that time, and any edits, at roadside.

With **AOBRDs**, edits made in the back office as a general rule don’t present to the roadside officer. Reports abound on social media and elsewhere of back-office e-log edits at fleets using them under the **AOBRD** standard. A report in the weeks prior to the mandate’s start showed one **ELD** provider advertising this feature as an attractive means of hiding drive time. That was never completely true, however, given that log edit history within **AOBRDs** is required to be preserved, easily discoverable by a state or federal auditor who knows what they’re doing.

Under the **ELD** specification, however, data transmittal at roadside by one of the four new data-transfer methods specified in the rule includes those edits. It also includes detailed records of the truck’s GPS positions, engine on-off records, engine hours and the like.

Concern over the wealth of data capable of being cherry-picked by an officer having a bad day was the second most prominent reason survey respondents chose for sticking with **AOBRDs** through the two-year

grandfather period. That was followed closely by back-office edits being visible at roadside.

A further burden for fleets large enough to have maintenance staff is the need to build profiles for maintenance personnel who make in-house yard moves. Otherwise, “unassigned miles” can pile up, causing issues at roadside or during an audit, says the operations manager for Old Time Express, based in Hartsville, Tennessee.

Having long used an Omnitrac’s **AOBRD** e-log system before the fleet began its transition to the **ELD** specification, unassigned driving time accumulated around the yard wasn’t much of a consideration. But now when a driver brings his truck to the yard on a Friday, parks it, goes off duty and heads home for the weekend, shop personnel moving that truck to Old Time’s service bays will show at roadside next week as unassigned driving time associated with that truck’s driver if shop personnel don’t log in first and classify the move appropriately.

“We can live with this little inconvenience,” White says. If shop personnel forget to log in, reassigning that drive time around the yard to them has to be approved by the driver as a change to his log. That’s yet another step that didn’t exist before the **ELD** rule — and another reason for more training.

A Houston-based former driver, now safety director for a 200-truck fleet, says **ELD** operation requires “retraining our entire workforce, both drivers and office staff, on the new requirements. Frankly, that can be a bit overwhelming.”

Training on how to operate e-logs when it comes to roadside inspection procedures also is likely for company drivers and owner-operators leased to carriers still using **AOBRDs**. With **ELDs**, in addition to the ability (*depending on officer discretion*) to hand over your device to see the display, full data transfer can occur in four new ways. These depend largely on the device and what the jurisdiction’s capable of receiving: email, website, local Bluetooth or USB stick.

## Designated Route Network for Hazardous Material Transporters Traveling from/to the DJ Basin Area in Weld County, Adams County, and Commerce City

**Routing:** Transporters of crude oil or other hazardous materials are required by law to use the state's hazardous material route network. The designated route network from the DJ Basin Area in Weld & Adams County to Commerce City, as shown on the map, includes US 85, 176, and I-270. Transporters are required to use the shortest and most direct routes to access the designated route system. Drivers be aware that Highway 2 is NOT part of the state's hazardous material route network and not an approved designated route.

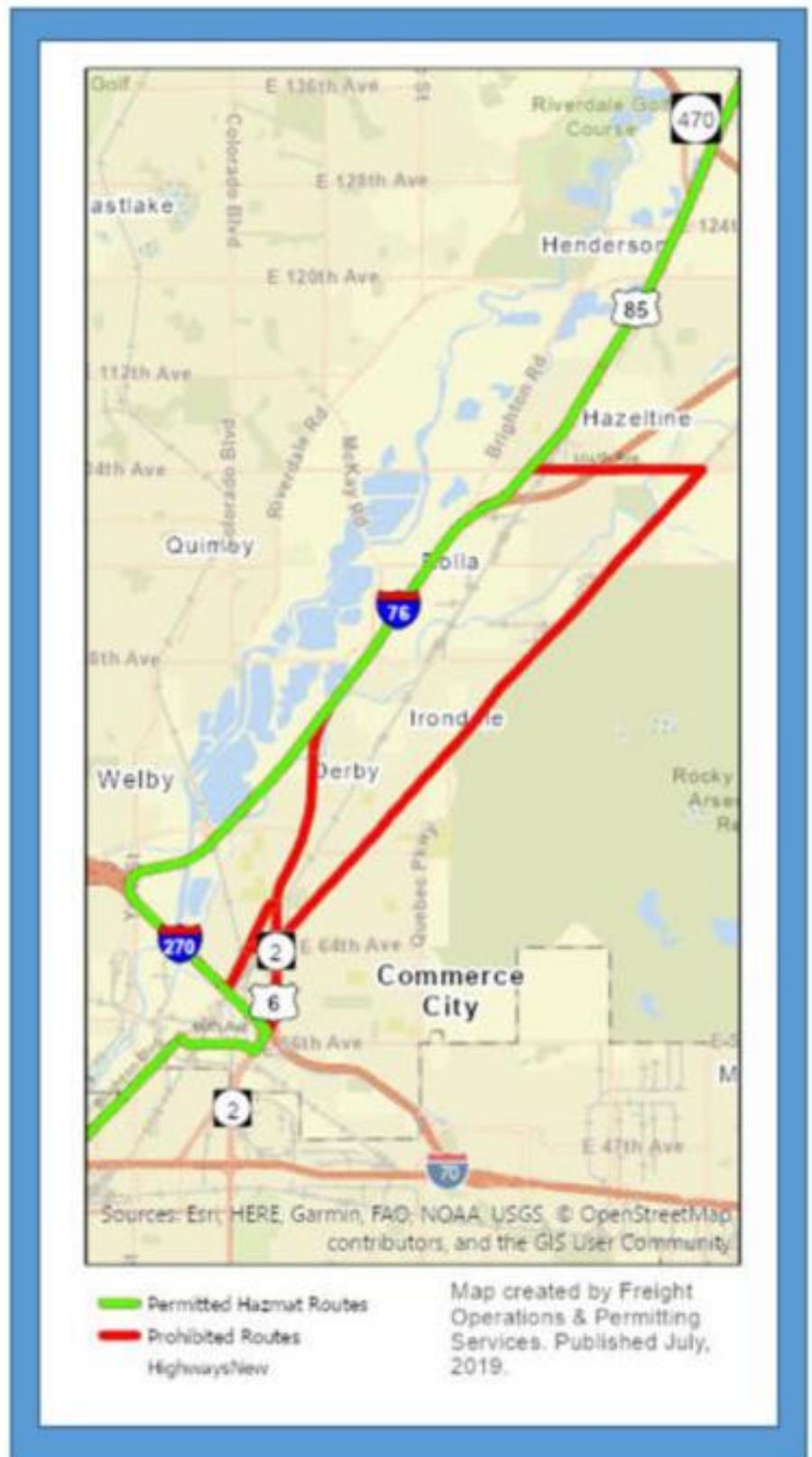
**Weight Limits:** Part of the hazmat designated route includes I76 and I-270, which are interstate highways and regulated by federal law. The maximum gross vehicle weight of hazardous material trucks is 80,000 lbs.

**Failure to Comply:** Hazardous material transporters who fail to use the designated route system may face fines and the possible loss of their permit to transport such products. Transporters who exceed the allowable weight for any roadway face significant fines and the loss of their permit.

**Questions or More Information:** Please contact the Colo. State Patrol Hazardous Material Section at 303-273-1900.

[PDF available](#)

For a National Hazardous Materials Route Registry by State.... [click here](#).





## Immediate Stop Use and Recall:

### Twin Leg Nano-Lok Edge and Twin Leg Nano-Lok Wrap Back Self Retracting Lifeline



Global versions of Twin Nano-Lok edge and Wrap Back models

The **Mine Safety and Health Administration (MSHA)** and **3M Fall Protection** have announced an **immediate stop use and product recall** of the **3M DBI-SALA Nano-Lok edge and Wrap Back Twin-Leg Self Retracting Lifelines**.

The **Nano-Lok edge**, part of a **personal fall protection system**, connects two **self-retracting lifelines/devices (SRL's/SRD's)** directly under the **dorsal d-ring** of a worker's harness. It is **intended** to be anchored at **foot-level**, and is **designed for sharp edge applications**. The **Wrap Back Twin-Leg SRL** is intended for **wrapping around an anchor** and incorporates a similar **energy absorber**.

**3M** has **determined** that in the **event of a fall** and under **certain conditions**, the **energy absorber** may not properly **deploy**, which could **expose the worker to serious injury or death**.

Although there have been **no reports of accidents or injuries associated with this issue**, **these products must be removed from service immediately**.

**3M** is **launching a global stop use** of the **Nano-Lok edge and Wrap Back Twin-Leg SRL units** and is **recalling** all of them to be **repaired or replaced** as soon as a **solution** is identified, **tested**, and **certified**. In the **interim**, and until a **repair or replacement** is available, **end-users** may elect to receive **cash** for their **returned units** as described below. This **stop use and recall** affects **all versions** of the **Nano-Lok edge and Wrap Back Twin-Leg SRL's** since first introduced in **2013**.

**Users/Owners: Immediately stop using your Nano-Lok edge and Wrap Back Twin-Leg SRL and take these units out of service.**

Here is how to move forward:

1. Look at this [list of effected part numbers](#) to determine which products are part of this recall.
2. Visit [www.nanolokedgerecall.com](http://www.nanolokedgerecall.com) and follow the instructions to send back the effected items - this website will be live at 5PM EDT on Thursday, July 25, 2019.
3. Choose one of the options below:
  - a. As soon as a product solution is available, 3M will repair or replace the units and return to the customer at 3M's Expense.
  - b. Customer can elect to receive cash buy back of \$200/Twin Leg Nano-Lok Edge or Nano-Lok Wrap back when the unit is Returned to 3M.  
\*\*If a customer participates in the \$200 Buy Back Option the customer is not eligible for free replacement when it becomes available\*\*
  - c. As an interim solution for applications requiring 100% continuous connection in leading edge applications with sufficient fall clearance, 3M recommends the DBI-SALA® EZ-Stop Leading Edge 100% Tie-Off Cable Shock Absorbing Lanyard. You can also contact **3M Customer Service** at (833) 638-2697 or email [3musfpserviceaction@mmm.com](mailto:3musfpserviceaction@mmm.com) for additional recall information.  
\*\* (Part Numbers: 1246067, 1246069, 1246068, 1246495, 1246178, 1246412)\*\*
  - d. Customers can elect to use a Single Leg Nano-Lok Edge SRL (Run through the webbing of their OSHA Approved harness below the back d-ring) with a single leg EZ-Stop Leading Edge Lanyard attached to the workers d-ring.
  - e. If the customer has two Single Leg Nano-Lok Edge SRL's, the customer can attach those two lifelines to the d-ring with our 3M™ DBI-SALA® Nano-Lok™ edge Web Loop Harness Adaptor 3500046 (See Image to the right) and click here to [download the PDF with part numbers](#).



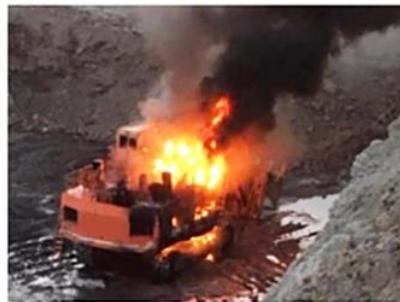
**Distributors: Contact 3M's Customer Service department at (833) 638-2697 or email [3musfpserviceaction@mmm.com](mailto:3musfpserviceaction@mmm.com) to obtain a list of all Nano-Lok edge and Wrap Back Twin-Leg SRL's sold to you. If you have any of these units in stock, please return them to 3M Fall Protection for credit at 3M's expense.**

[Click Here to download the Stop Use and Recall Notice](#)

# MSHA issues Fire Safety Alert – Surface Mine Equipment

The **Mine Safety and Health Administration (MSHA)** has issued a **Fire Safety Alert – Surface Mine Equipment** after documenting **nine equipment fires** involving Hitachi excavators and **shovels** and Caterpillar haul trucks, **front-end loaders**, and dozers since **September 2018**.

On Sept. 7, 2018, a miner **received fatal** burn injuries when a **fire occurred** on a haul truck and the **manually activated fire** suppression system did not **function** when activated. The **remaining eight equipment** fires were all reported as **non-injury**. The manually activated **fire suppression system** did not function when **activated** during two of the **eight non-injury fires**. However, the automatic **fire suppression system** did activate during **one incident**, but **did not** extinguish the fire.



**MSHA** urges all **mine operators** and **miners** to be aware of **fire hazards** on surface **mine equipment** and to use the following **Best Practices** for **fire safety**:

- *Conduct thorough pre-operational exams and perform required maintenance. Identify and correct obvious fire hazards, such as accumulations of combustible fluids, leaking fuel supply lines, cracked or blistered hydraulic hoses, cracked hydraulic hose flanges, and connections at the hydraulic pump.*
- *Install audible and visible alarms in the cab to alert equipment operators to potential fires.*
- *Ensure that Manual and Automatic Fire Suppression Systems are properly designed, installed, and maintained. Follow NFPA 17 and 17A and the manufacturer's recommendations, and include in-depth examination and maintenance.*
- *Route actuator hoses away from the engine compartment and heat generated sources of fire, electrical wires and moving parts, or ensure they are sleeved with a heat resistant fire jacket.*
- *Provide miners with multiple means of escape to allow safe and rapid exit in the event of a fire.*
- *Install fire shielding where exit routes require miners to travel past known fire hazard areas.*
- *Adequately train miners in proper inspection and maintenance of mining equipment and machinery, proper response to alarms or sensors, and proper inspection and maintenance of fire suppression systems. Provide additional training in the requirements of escape and evacuation plans and procedures for safe exit during an emergency situation.*

## Understanding the Hazards of Workplace Noise

We encounter many **different types** of **workplace noise** and need to think about **how** that noise **impacts** our **hearing**. Many **working environments** not only make it more **difficult** for workers to **hear** but also can have **detrimental effects** on their **hearing**.

An estimated **12 percent** of the U.S. **working population** has hearing **difficulty** and approximately **24 percent** of hearing **difficulty** is caused by **occupational exposure**. The **U.S. Centers for Disease Control** estimates that **22 million workers** are exposed to **hazardous noise**.



A **new video** from the [Council for Accreditation in Occupational Hearing Conservation \(CAOHC\)](#) provides **safety professionals** with a **training tool** to teach workers about the **hazards** of **workplace noise** and the **effects** of overexposure. The video, [Workplace Noise: Measurement and Controls](#), explains **different types** of **workplace noise**, reviews the **purpose** of noise measurement and **control strategies** and discusses the difference between **administrative** and **engineering controls**.

"I see this **video** being a help to **two groups** of people," says Brent Charlton, CSP, **CAOHC council member** and project **manager** for the video. "First, our **hard-working course** directors, as they'll have a **low-cost**, easy-to-use "**outside expert**" to teach noise **measurement** and physics of **sound**. Second, I think the **video** will be a **source** for safety **professionals** like myself to educate their **workforce**, managers and new **safety professionals**."

**The video contains six learning modules, each covering a different aspect of workplace noise:**

1. Characteristics of Sound
2. Enter the Decibel
3. Time-Weighted Average
4. Permissible Exposure Limit
5. Noise Control Strategies
6. Measuring Noise.

The **project** was a **collaboration** between experts **representing** various organizations including **ASSP**, Institute of Noise Control Engineering, **American Industrial Hygiene Association**, Military Audiology Association and **American Academy of Audiology**.

### **AAA study: 20 killed on Colorado Roads from drivers ***RUNNING RED LIGHTS***** ***One intersection in Denver has had 15 crashes this year.***

In 2017, 939 people were killed in crashes where the driver ran a red light, according to new data by the AAA Foundation for Traffic Safety. Of those killed, AAA said 20 were from Colorado. The state has the sixth-highest rate per capita in the country, according to the AAA Foundation.



Denver Police said the worst intersection drivers run red lights in the city is at Quebec and East 36th, where more than 5,000 tickets were issued to drivers through red-light cameras since January. That's an average of nearly 24 tickets a day. According to DPD, the same intersection had 15 crashes this year, making it one of the highest collision locations in the city.

Skyler McKinney of AAA Colorado said drivers are not getting the message.

"Not everyone fully intends to run a red. But they might see a green and be shuttling along at 35 or 45, but expect that green light to go stale," McKinney said. "You need to be cognizant of that, you also need to tap your breaks to alert other drivers behind you. So you don't get pushed into traffic when you stop."

In the same study, AAA Colorado said 85% of drivers believe running a red light is "very dangerous" – yet one in three said they blew through a red light within the past month-- when they could have stopped.

"While the fatality rate has dropped, we're seeing it start to go back up again for the first time in a generation. That's largely the result of distraction and speeding and bad behavior," McKinney said.

According to Denver Police, these are intersections, equipped with red-light cameras, that have had the most violations between January 1 and July 31 — **36TH & QUEBEC: 5,015 VIOLATIONS — 6TH & LINCOLN: 3,748 VIOLATIONS — 6TH & KALAMATH: 1,496 VIOLATIONS — 8TH & SPEER: 509 VIOLATIONS**

"In 65% of the fatalities related to red-light running it's not the driver who dies," McKinney said. "It's a passenger or a bicyclist or pedestrian, so you're putting other people's lives on the line when you do this. And you simply don't have to."

**The Take Away...** an extra second or two before entering an intersection may save a tragedy. And trying to beat the red light can be a serious mistake. **Be Responsible, Slow Down, Pay Attention, and Be Safe Out There !!**