



~ MJS SAFETY HAS MOVED ~
NEW OFFICES / TRAINING CENTER
1760 BROAD ST, UNIT H, MILLIKEN, CO 80543...located halfway between I-25 and Hwy8 on Hwy60

▶ **MJS SAFETY TRAINING ANNOUNCEMENT**

MJS SAFETY LLC is proud to announce that we are now available to perform Operator Qualification [OQ] Performance Evaluations under the MEA EnergyU system as well as Veriforce. [call to schedule](#) [read more...](#)

▶ Schedule of classes May 2017: • *TRAINING CENTER – SEE LOCATION ABOVE* • [read more...](#)

OSHA / CONSTRUCTION NEWS SUMMARY

▶ **Nationwide Safe+SoundWeekEvent being held to Promote Safety and Health Programs**

OSHA's 'Safe and Sound' campaign assists employers in keeping workplaces safe and healthy [read more...](#)

▶ **OSHA to Delay Enforcing Crystalline Silica Standard in the Construction Industry**

Early in April, **OSHA** announced a **delay** in enforcement of the [crystalline silica standard](#) that applies to the construction industry to conduct **additional outreach** and **provide** educational materials and **guidance** for employers. [read more...](#)



▶ **Safety Advocates Angry, Industry Happy Over Silica Rule Delay**

Reactions to OSHA's decision to delay enforcing the federal standard reducing permissible exposure to silica dust have been mixed – and strong. [read more...](#)



▶ **Beryllium Rule Delayed, Challenged in Court**

OSHA has **delayed** the effective date of its rule to lower beryllium exposure limits for a **second time**, to May 20, 2017. [read more...](#)

▶ **Ladder safety will be an important component of OSHA's annual**

National Safety **Stand-Down To Prevent Falls in Construction** **MAY 8-12, 2017** [read more...](#)

TRANSPORTATION NEWS SUMMARY

▶ **CVSA's 2017 International Roadcheck Enforcement Event to take place June 6-8 with special emphasis on Cargo Securement**

The **Commercial Vehicle Safety Alliance's** (CVSA) 30th annual **International Roadcheck** will take place **June 6-8, 2017**. [read more...](#)



▶ **Brake Safety Week Intensifies this Year to a Single-Day Blitz**

The **Commercial Vehicle Safety Alliance** of industry and law enforcement representatives will conduct a **single intensive brake-safety enforcement day** **Sept. 7** this year, following years of a full-week **Brake Safety Week** program. The **Brake Safety Day** event is in combination with an **unannounced one-day brake-check blitz** that has in years past taken place in **early May**. [read more...](#)

▶ **Dial *CSP (*277) To Report an Aggressive Driver**

The Colorado State Patrol's Star CSP (*277) aggressive driver program was implemented on July 1, 1998. [read more...](#)

▶ **FMCSA Adds Violation to the SMS, Updates SMS Website
New Brakes Out-of-Service Violation**

The **Federal Motor Carrier Safety Administration (FMCSA)** is committed to continually updating the **Safety Measurement System (SMS)** to align with its regulations and IT systems to effectively identify large truck and bus companies with the highest safety risk and prioritize them for an intervention. [read more...](#)

▶ **Carriers Say Delays in Driver Medical Certifications are Top Issue with Registry Rule**

Carriers that participated in **ATRI's (American Transportation Research Institute)** study on the impact of the **National Registry of Certified Medical Examiners** said **delays in medical certifications** for drivers topped their list of concerns with the medical exam process since the registry was implemented in 2014. [read more...](#)

▶ **additionally — THOUSANDS OF TRUCKERS NEED NEW MED CARDS AFTER ALLEGED EXAMINER FRAUD, DOT SAYS**

Of the 300-plus carriers that participated in the survey, just over three-quarters said they pay for driver medical certification, and nearly half (49%) said they mandate which clinic drivers must go to for their medical exams. [read more...](#)

▶ **FMCSA Ups Fines for Violations**

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

▶ **Flipping the e-log Switch**

Since the **Federal Motor Carrier Safety Administration's** late 2015 release of its final rule for using electronic logging devices, there's been a rising swell of ELD development. Customers can choose from hardware and software options offered by dozens of vendors, many of them new to the trucking industry. [read more...](#)

MSHA NEWS SUMMARY

▶ **Preventing Accidents Involving Machinery & Equipment**

Equipment and Machinery Accidents are Commonly Reported

[Use of Best Practices Can Eliminate These Kinds of Injuries](#) [read more...](#)



▶ **Mine Safety Rule Could Be Delayed**

The U.S. Labor Department (*DOL*) has proposed a delay in the effective date of the final rule on [Examinations of Working Places in Metal and Nonmetal Mines](#) from May 23, 2017, to July 24, 2017. [read more...](#)



MONTHLY SAFETY TIP NEWS SUMMARY

▶ **Employees May be Unaware of Workplace Wellness Programs Available to Them**

A new study in the March 2017 *Journal of Occupational and Environmental Medicine (JOEM)* suggests that many employees may not be aware of the workplace wellness programs available to them. [read more...](#)



▶ **Does Your Company have an E-Cigarette Policy?**

The use of electronic cigarettes (e-cigarettes) has increased in popularity, and similar to bans placed on smoking traditional cigarettes in public, some states have developed laws prohibiting the use of e-cigarettes in certain areas such as schools, state parks, and health care facilities. [read more...](#)

MJS SAFETY LLC is proud to announce the addition of ENERGY worldnet, Inc. [EWN] 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](#).

Make MJS Safety your "GO TO" Resource in 2017

Check here each month for a current class schedule!

Schedule training at our Training Center in Johnstown...or On-Site at your facility

Just Some of the Courses Offered Include:

- ~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 May 2017: • TRAINING CENTER - NEW LOCATION - 1760 BROAD ST, UNIT H, MILLIKEN, CO 80543

- PEC Safeland Basic Orientation: May 3, 11, 18, 30
- First Aid/CPR/AED / BLOODBORNE PATHOGENS: May 1, 15, 31 8 a.m.
(We offer both MEDIC FIRST AID & AMERICAN HEART ASSOCIATION)
- TEEX H2S Operator Training – Awareness (ANSI Z390 Course): May 1, 15, 31 1 p.m.

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

Go To mjsafety.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

— ALSO OFFERING —

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

Unable to attend a class?

MJS SAFETY offers multiple "ONLINE TRAINING COURSES" including OSHA Construction, General Industry, Environmental, Hazardous Waste Public Safety, DOT, Human Resource, Storm Water & ISO Training Courses.

Order First Aid & other Safety Supplies
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Jeremy 720-203-6325
Carrie 720-203-4948
or Mike 303-881-2409

Online courses provide a convenient way for EMPLOYERS & EMPLOYEES to complete MANDATED, REQUIRED or HIGHLY RECOMMENDED training in today's industry
~ MANY COURSES ARE ALSO AVAILABLE IN SPANISH ~

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■ PEC/Premier
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SOURCES FOR THIS ISSUE INCLUDE
OSHA
FMCSA
MSHA
Overdrive
CCJ
Kellonline
ISHN
CVSA
Truckinginfo.com
colorado.gov
snacknation.com
news-medical.net



Nationwide Safe+Sound Week Event being held to Promote Safety and Health Programs

OSHA's 'Safe and Sound' campaign assists employers in keeping workplaces safe and healthy

OSHA, the National Safety Council, the American Industrial Hygiene Association, the American Society of Safety Engineers, and the National Institute for Occupational Safety and Health have announced June 12-18 as **Safe + Sound Week**.

The event is a nationwide effort to raise awareness of the value of workplace safety and health programs. These programs can help employers and workers identify and manage workplace hazards before they cause injury or illness, improving the bottom line. Throughout this week, organizations are encouraged to host events and activities that showcase the core elements of an effective safety and health program--management leadership, worker participation, and finding and fixing workplace hazards. Visit the [Safe + Sound Week webpage](#) to sign-up for email updates on the event.

OSHA recently, called on employers to review their safety and health programs to protect workers, and reduce workplace injuries and deaths.

OSHA initiated 12 fatality inspections in Kansas, Missouri and Nebraska since Oct. 1, 2016 - up from seven for the same period of Oct. 1, 2015 through Feb. 1, 2016 - and found a significant increase in fatalities associated with [confined space entry](#) and [trenching and excavating](#). Fatalities involving workers being [struck by motor vehicles](#) also doubled from two to four persons for the same time period.

"Working together with businesses, unions, and employees, we can reduce these sobering statistics and implement and sustain workplace safety and health programs that can help employees avoid preventable injuries and deaths," said Kim Stille, **OSHA's** Regional Administrator in Kansas City.



Employers have proven that safety and health programs reduce the numbers of injuries and illnesses, and improve their bottom line. While there are different approaches to ensuring worker safety and health, all effective programs share three core elements:

- **Management leadership** - Top management commits to establishing, maintaining and improving the program continually, and provides any necessary resources.
- **Worker participation** - Employers invite workers to identify solutions. Improved worker engagement can lead to better productivity, higher job satisfaction and worker retention - lowering turnover and recruitment costs.

- **A systematic "find and fix" approach** - Employers and workers examine their workplaces, proactively and routinely, to identify and address hazards before they can cause injury or illness.

Employers seeking to create a safety and health program should know that the process doesn't have to be complicated; there are some simple, do-it-yourself steps to get started. **OSHA's** ["Recommended Practices for Safety and Health Programs"](#) page offers practical advice on how any organization can integrate safety and health programs.

OSHA also offers compliance assistance, tips, consultation for small- and medium-sized businesses, educational materials, training and other information to employers and workers on common workplace safety hazards and how to prevent illness and injury - all at no charge.

"We don't want businesses, especially small ones, to believe they cannot afford to protect their workers. **OSHA** provides good safety information and will work with employers to help them comply with safety and health standards," Stille said.

Each state has its own **On-site Consultation Program**. This free and confidential safety and health consultation program is targeted toward smaller businesses primarily; employers can find out about potential hazards at their workplace, improve programs already in place and even qualify for a one-year exemption from routine **OSHA** inspections. Information is available at **OSHA's** web site.

To ask questions, obtain compliance assistance, file a complaint, or report amputations, eye loss, workplace hospitalizations, fatalities or situations posing imminent danger to workers, the public should call **OSHA's** toll-free hotline at 800-321-OSHA (6742).

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 ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.



OSHA to Delay Enforcing Crystalline Silica Standard in the Construction Industry

Early in April, **OSHA** announced a **delay in enforcement** of the [crystalline silica standard](#) that **applies to the construction industry** to conduct **additional outreach** and **provide** educational materials and **guidance** for **employers**.

The **agency** has **determined** that **additional guidance** is **necessary** due to the [unique nature](#) of the **requirements** in the **construction standard**. Originally **scheduled** to begin **June 23, 2017**, enforcement will **now begin** Sept. 23, 2017.

OSHA expects **employers** in the **construction industry** to **continue** to take **steps** either to **come into** compliance with the **new permissible exposure limit**, or to implement **specific dust controls** for **certain operations** as provided in **Table 1** of the **standard**.

Construction **employers** should also **continue** to prepare to **implement** the standard's other **requirements**, including **exposure assessment**, **medical surveillance** and **employee training**.

more on the silica rule issue...

Safety Advocates Angry, Industry Happy Over Silica Rule Delay

Reactions to OSHA's decision to delay enforcing the federal standard reducing permissible exposure to silica dust have been mixed – and strong. The rule was announced in March 2016 and was scheduled to take effect June 23, 2017.



"With construction season underway, three months of delay means that millions of workers will be exposed to hazardous silica dust that will make them sick and take their lives," said Marcy Goldstein-Gelb, co-executive director of the **National Council for Occupational Safety and Health**.

Industry wants a longer delay

As reported earlier, the **Construction Industry Safety Coalition (CISC)** – whose members include the **Associated General Contractors of America**, the **Associated Builders and Contractors** and the **National Association of Home Builders** – said the delay is too short.

The group released a statement saying it "remains concerned about the overall feasibility of the standard in construction and has requested that the Agency delay enforcement for a year."

National **COSH** co-executive director Jessica Martinez pointed out that the standard was decades in the making.

"It is backed by solid scientific evidence and the experience of workers who have suffered cancer, silicosis and other life-threatening diseases," said Martinez. There is no reason for delaying this rule, which will save more than 600 lives each year."

Compliance: difficult or not?

In a letter sent last year to the **Department of Labor**, the **CISC** said construction employers across all trades were finding compliance "extremely difficult if not impossible for many job tasks."

At issue: Table 1 in the rule, which the coalition said is not a workable compliance option for many in the industry, which means employers have to follow the traditional method of measuring crystalline silica exposure and implementing the hierarchy of controls. "This is almost impossible, however, considering the myriad of exposure environments involved in construction and that laboratories may not be in compliance with the analytical requirements of the standard until 2018," **CISC** argued.

Goldstein-Gelb disputed the difficulty of compliance. "Tools to wet down silica dust and vacuum it up are practical, affordable and readily available," she said. "The new standard was announced more than a year ago and employers are aware of their responsibilities to limit worker exposure."

Why silica matters

Some 2.3 million workers are exposed to silica dust in their workplaces, including two million construction workers and 300,000 in general industry operations such as manufacturing, foundries and hydraulic fracturing. Including reduced illnesses, fatalities, a reduction in lost time at work, increased productivity and other factors, **OSHA** estimates the new silica standard will yield a net annual benefit of \$7.7 billion to the U.S. economy.

Trump taking aim at OSH regulations

— The silica rule delay is consistent with the Trump administration's avowed agenda to nullify or repeal regulations it says pose a burden on business, many of them worker safety standards, starting with the establishment of a task force to identify regulations that should be repealed.

— The **U.S. Senate** has struck down the "Volks" rule of **OSHA's** recordkeeping rule that gave the agency the ability to issue citations to employers for failing to record work-related injuries and illnesses during the 5-year retention period, contrary to the six-month statute of limitations.

— **OSHA** also delayed the effective date of its rule to lower beryllium exposure limits for a second time...see article below.

— The **DOL** has proposed a delay in the effective date of the final rule on [EXAMINATIONS OF WORKING PLACES IN METAL AND NONMETAL MINES](#) -- from May 23, 2017, to July 24, 2017. [See article pg 12.](#)

— Trump has also taken steps to dismantle the **Clean Air Plan**, which limits the amount of greenhouse gas emissions that electric power plants in the **U.S.** can emit.

Beryllium Rule Delayed, Challenged in Court

OSHA has delayed the effective date of its rule to lower beryllium exposure limits for a second time, to May 20, 2017. The agency said in a statement that the change will allow for "additional review into questions of law and policy."

The new standard limits exposure to **0.2 micrograms** of beryllium per cubic meter of air over an **eight-hour period** and **2.0 micrograms** of beryllium per cubic meter of air over a **15-minute period**.

Beryllium is a **lightweight** but extremely **strong metal** used in the aerospace, electronics, energy, telecommunications, medical, and defense industries. According to **OSHA**, inhaling airborne beryllium can cause a lung disease called **chronic beryllium disease (CBD)** and has also been linked to lung cancer. [Read more...](#)

Ladder safety will be an important component of OSHA's annual

National Safety Stand-Down

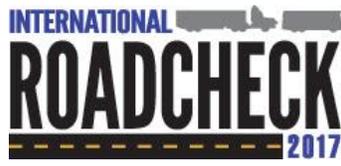
To Prevent Falls in Construction

MAY 8 - 12, 2017

See [more information](#) on the Stand-Down

CVSA's 2017 International Roadcheck Enforcement Event to take place June 6-8 with special emphasis on Cargo Securement

The **Commercial Vehicle Safety Alliance's** (CVSA) 30th annual **International Roadcheck** will take place **June 6-8, 2017**. Over a **72-hour period**, **CVSA-**certified **commercial motor vehicle inspectors** in **jurisdictions** throughout **North America** will **conduct** inspections of **commercial motor vehicles** and their **drivers**.



Each year, **International Roadcheck** places **special emphasis** on a **category** of violations. This **year's focus** is **cargo securement**. While **checking** for compliance with **safe cargo securement** regulations is always **part** of roadside inspections, **CVSA** is highlighting **cargo securement safety** this year as a **reminder** of its **importance** to **highway safety**.

Inspectors will **primarily** be conducting the **North American Standard Level I Inspection**, which is the most **thorough** roadside inspection. It is a **37-step** procedure that **includes** an **examination** of both **driver operating** requirements and vehicle **mechanical** fitness. Drivers are **required** to provide **items** such as their **driver's license**, hours-of-service **documentation**, motor carrier **registration** and shipping **documentation**, and inspectors will be **checking** drivers for **seat belt** usage and the **influence** of alcohol and/or **drugs**.

The **vehicle inspection** includes **checking** items such as the **brake systems**, cargo securement, **coupling devices**, driveline/driveshaft, exhaust systems, **frames**, fuel **systems**, lighting devices (*required lamps*), **steering** mechanisms, **suspensions**, tires, **van** and open-top **trailer bodies**, wheels, **rims** and hubs, **windshield wipers** and **emergency exits** (*on buses*).

International Roadcheck is the **largest** targeted enforcement **program** on **commercial motor vehicles** in the **world**, with **nearly 17** trucks or **buses** inspected, on **average**, every **minute** in Canada, the **United States** and Mexico during a **72-hour period**. Since its inception, **more than 1.5 million roadside inspections** have been **conducted** during **International Roadcheck** campaigns.

International Roadcheck is a **CVSA** program with **participation** by the U.S. **Federal Motor Carrier Safety Administration**, Canadian Council of Motor Transport Administrators, **Transport Canada**, and the **Secretariat of Communications and Transportation** (*Mexico*).

[Learn more about International Roadcheck.](#)

Brake Safety Week Intensifies this Year to a Single-Day Blitz

The **Commercial Vehicle Safety Alliance** of industry and law enforcement representatives will conduct a **single intensive brake-safety enforcement day Sept. 7** this year, following years of a full-week **Brake Safety Week** program. The **Brake Safety Day** event is in combination with an **unannounced one-day brake-check blitz** that has in years past taken place in **early May**.

In **2016** the **unannounced brake check day** was **May 4**, inspecting 6,128 vehicles in the U.S. and Canada. Out of those vehicles, 12.4% were placed out of service with brake violations and 13.9% were placed out of service for other violations. Brake-related violations typically make up the bulk of out-of-service violations, according to the **CVSA**.

In addition to the long-running **International Roadcheck** enforcement blitz coming up June 6-8, later in the year, the activities around **Operation Safe Driver** Oct. 15-21 will target unsafe driver behaviors, including those of automobile drivers navigating around commercial vehicles. Speeding, following too close, distracted driving and more are all under intense focus during that week.

Dial *CSP (*277) To Report an Aggressive Driver

The Colorado State Patrol's Star CSP (*277) aggressive driver program was implemented on July 1, 1998. Partnering with several cellular companies, the phone number Star CSP (*277) was assigned to be used by motorists, bicyclists and pedestrians to report "real time" aggressive driving behavior. Since the program was started, the CSP has received more than 230,000 reports of aggressive drivers.

Some examples of aggressive driving behaviors are moving violations that put other motorists at risk, such as improper lane changes, following too closely, weaving, passing on the shoulder, and speeding. When observing an aggressive driver that is putting other motorists at risk, the aggressive driver should be avoided by getting out of the way, not making eye contact or giving any indication of disapproval of their driving behavior.

Do not attempt to follow or pursue the vehicle.

Contact the CSP as soon as is safely possible and give the dispatcher: vehicle description, license plate number, location and direction of travel, driver description, and the aggressive driving behavior being demonstrated.

The information provided is entered into an aggressive driver database. After three complaints against a vehicle, the registered owner is sent a warning letter advising them of the complaints and encouraging them to take the necessary steps to correct the aggressive driving behavior. If additional complaints are received against the vehicle, a uniformed CSP member makes personal contact with the registered owner of the vehicle and takes appropriate enforcement action.

Your call is free and may save a life -- or many lives!

FMCSA Adds Violation to the SMS, Updates SMS Website

New Brakes Out-of-Service Violation

The **Federal Motor Carrier Safety Administration (FMCSA)** is committed to continually updating the **Safety Measurement System (SMS)** to align with its regulations and IT systems to effectively identify large truck and bus companies with the highest safety risk and prioritize them for an intervention.

As part of this effort, **FMCSA** added a **brakes out-of-service (OOS)** violation, also known as cite **396.3A1BOS**, to the SMS. The brakes **OOS violation** differs from other violations in the SMS. The brakes **OOS violation** relates directly to **underlying brake violations** that are already used in the SMS. It signifies an **OOS condition** based on the **underlying violations** noted under other cites.

When these **underlying brake violations** indicate that **20%** or more of the **total brakes** are defective, **396.3A1BOS** is cited and recorded as an **OOS violation**. The brakes **OOS violation** provides carriers and **Safety Investigators** with a clearer picture of the **brake issues** that lead to an **OOS condition**.

The **brakes OOS violation** took effect in the SMS as of **April 1, 2017** and has **not been** implemented **retroactively**. Violations cited before **April 1** will not be used. Impacted carriers will see this change reflected in their **Vehicle Maintenance Behavior Analysis** and **Safety Improvement Category (BASIC)** with the **early May** release. More information on this change will be available in the **SMS Methodology** document and in the **SMS Appendix A** spreadsheet with the **May** release.

SMS Website Updated

In addition, the [CSA SMS Website](#) has been updated with the **March 31, 2017** snapshot. **Motor carriers** can check their own **safety** assessments now.

Additional **SMS results** are available to **enforcement** users and **motor carriers** that are **logged** into the SMS. Logged-in **enforcement** users can **view all** motor carrier **safety data**, while **logged-in** carriers can **only view** their **own data**. Currently, the **SMS allows** motor carrier **login** via **U.S. DOT Number** and **U.S. DOT Number PIN**; however, **FMCSA** encourages **motor carriers** to log in using the [FMCSA Portal](#). If you **don't have a Portal account**, register for one **today**.

To register for a Portal account:

1. Visit the [Portal's Account Request page](#), or click the registration link on the Portal login screen
2. Select **Company Employee** or an **Associate of a Company**, and click **Next**
3. Enter your **U.S. DOT Number**, and click **Lookup**
4. Select **Company Official** from the **Available Roles** box, and click **Add Role**
5. Click **Next**
6. Follow the onscreen prompts to complete your registration

Once you have **logged** into the **Portal**, access your **complete safety** profile on the **SMS Website** by clicking on the **A&I (SMS)** link in the **Available FMCSA Systems** box in the **upper left-hand corner** of the screen.

Carriers Say Delays in Driver Medical Certifications are Top Issue with Registry Rule

Carriers that participated in **ATRI's (American Transportation Research Institute)** study on the impact of the **National Registry of Certified Medical Examiners** said **delays in medical certifications** for drivers **topped their list** of concerns with the **medical exam process** since the **registry** was implemented in **2014**.

To be **listed** on the **NRCME**, medical examiners are **required** to **pass** a test so they can then **issue medical certificates** to truckers. **ATRI**, which **conducted** the survey with the **Mayo Clinic** on the **NRCME** in **September** and **October**, found that **requests for additional testing** on drivers **delays the certification** of those **drivers**.

The survey found that **5.9 percent** of drivers who **participated** were **not issued** their **medical certificate** on the **day** of their **exam**, with the **primary reason** being that **more testing** or **medical records** were **requested** by the **medical examiner**, followed by the **driver** having a **condition** that **required treatment** before **certification**.

Carriers also **identified** **driver confusion** on how **regulatory changes** affect their **ability** to hold a **medical certificate**, as well as **unqualified** and **incompetent** medical examiners **performing DOT physicals**, as other **top concerns** relating to the **medical certification process**.

additionally — THOUSANDS OF TRUCKERS NEED NEW MED CARDS AFTER ALLEGED EXAMINER FRAUD, DOT SAYS

Of the **300-plus** carriers that participated in the survey, just over three-quarters said they pay for driver medical certification, and nearly half (**49%**) said they mandate which clinic drivers must go to for their medical exams.

In the portion of the survey answered by drivers, **ATRI** found that the cost of **DOT physicals** has risen since the **2014** implementation of the registry. **ATRI** says drivers don't believe the quality of the exams has increased despite the increased costs, and many drivers (nearly **40%**) who responded to the survey said their costs for a medical exam range between **\$75** and **\$124**.

The study also found that when certified medical examiners (**CMEs**) are required to renew their certifications, the impact of these costs could be exacerbated. According to **ATRI's** research, **15.3%** of **CMEs** said they have quit performing **DOT physicals** or will quit when they have to renew, which **ATRI** says could reduce access to **DOT physicals** for drivers and drive up costs.

Of the drivers who participated in the study, less than **20%** said they used the **NRCME** to find a medical examiner, and nearly **48%** said they were told by their employer where to go.

FMCSA Ups Fines for Violations

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

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* Wednesday, April 12, made the new fine amounts effective 10 days following the rule's publication.

The 2015 Act requires **FMCSA** issue the inflation adjustments by Jan. 15 each year, meaning the agency missed its deadline. **FMCSA** says delaying the implementation further than 10 days "would be contrary to the public interest."

Last year, the agency issued a "catch-up" adjustment, which raised some fines and lowered others. This year, the White House's Office of Management and Budget provided guidance to **FMCSA** for a cost-of-living adjustment multiplier of 1.01636.

Given this multiplier, all of the fine amounts increased, as seen below:

Violation	New penalty value	Former penalty value
Failure to respond to Agency subpoena to appear and testify or produce records (minimum)	\$1,045	\$1,028
Failure to respond to Agency subpoena to appear and testify or produce records (maximum)	\$10,450	\$10,282
Out-of-service order: Operation of CMV by driver	\$1,811	\$1,782
Out-of-service order: Requiring or permitting operation of CMV by driver	\$18,107	\$17,816
Out-of-service order: Operation by drive of CMV or intermodal equipment that was placed out-of-service	\$1,811	\$1,782
Out-of-service order: Requiring or permitting operation of CMV or intermodal equipment that was placed out-of-service	\$18,107	\$17,816
Out-of-service order: Failure to return written certification of correction	\$906	\$891
Out-of-service order: Failure to cease operations as ordered	\$26,126	\$25,705
Out-of-service order: Operating in violation of order	\$22,957	\$22,587
Out-of-service order: Conducting operations during suspension or revocation for failure to pay penalties	\$14,739	\$14,502
Out-of-service order: Conducting operations during suspension or revocation	\$22,957	\$22,587
Recordkeeping: Maximum penalty per day	\$1,214	\$1,194
Recordkeeping: Maximum total penalty	\$12,135	\$11,940
Knowing falsification of records	\$12,135	\$11,940
Non-recordkeeping violations	\$14,739	\$14,502
Non-recordkeeping violations by drivers	\$3,685	\$3,626
Alcohol prohibition violations (first offense)	\$3,034	\$2,985
Alcohol prohibition violations (second or subsequent conviction)	\$6,068	\$5,970
Commercial driver's license violations	\$5,479	\$5,391
Special penalties pertaining to violation of OOS orders (first conviction)	\$3,034	\$2,985
Special penalties pertaining to violation of OOS orders (second or subsequent conviction)	\$6,068	\$5,970
Knowingly allowing, authorizing employee violations of OOS order (minimum)	\$5,479	\$5,391
Knowingly allowing, authorizing employee violations of OOS order (maximum)	\$30,337	\$29,849
Special penalties pertaining to railroad-highway grade crossing violations	\$15,727	\$15,474
Financial responsibility violations	\$16,169	\$15,909
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (transportation or shipment of hazmat)	\$78,376	\$77,114
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (minimum penalty)	\$471	\$463
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (maximum penalty)	\$78,376	\$77,114
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (packaging or container)	\$78,376	\$77,114

Violations of Hazardous Materials Regulations and Safety Permitting Regulations (compliance with FMCSRs)	\$78,376	\$77,114
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (death, serious illness, severe injury to persons; destruction of property)	\$182,877	\$179,933
Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating (generally)	\$26,126	\$25,705
Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating (hazmat maximum penalty)	\$78,376	\$77,114
Violations of Hazardous Materials Regulations and Safety Permitting Regulations (maximum penalty if death, serious illness, severe injury to persons; destruction of property)	\$182,877	\$179,933
Violations of the commercial regulations, property carriers	\$10,450	\$10,282
Violations of the CRs, brokers	\$10,450	\$10,282
Violations of the CRs, passenger carriers	\$26,126	\$25,705
Violation of the CRs, foreign carriers, foreign motor private carriers	\$10,450	\$10,282
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)	\$14,371	\$14,140

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)	\$35,929	\$35,351
Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (minimum)	\$20,900	\$20,564
Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (maximum)	\$41,801	\$41,128
Violation of the CRs, household goods carrier or freight forwarder, or their receiver or trustee	\$1,572	\$1,547
Violation of the CRs, weight of HHG shipment, charging for services (minimum for first violation)	\$3,146	\$3,095
Violation of the CRs (weight of HHG shipment, charging for services)	\$7,864	\$7,737
Tariff violations	\$157,272	\$154,742
Additional tariff violations, rebates or concessions (first violation)	\$314	\$309
Additional tariff violations, rebates or concessions (subsequent violations)	\$393	\$387
Tariff violations, freight forwarders (max penalty for first violation)	\$787	\$774
Tariff violations, freight forwarders (max penalty for subsequent violations)	\$3,146	\$3,095
Service from freight forwarders at less than rate in effect (first violation)	\$787	\$774
Service from freight forwarders at less than rate in effect (subsequent violations)	\$3,146	\$3,095

Loading, unloading violations	\$15,727	\$15,474
Reporting and recordkeeping - min penalty	\$1,045	\$1,028
Reporting and recordkeeping - max penalty	\$7,864	\$7,737
Unauthorized disclosure of information	\$3,146	\$3,095
Violation of registration conditions	\$787	\$774
Knowingly and willingly fails to deliver or unload HHG	\$15,727	\$15,474
HHG broker estimate before entering into agreement with motor carrier	\$12,135	\$11,940
HHG transportation or broker services - registration requirement	\$30,337	\$29,849
Copying of records and access to equipment, lands and buildings (max penalty per day)	\$1,214	\$1,194
Copying of records and access to equipment, lands and buildings (max total penalty)	\$12,135	\$11,940
Evasion of motor carrier regulations (minimum for first violation)	\$2,090	\$2,056
Evasion of motor carrier regulations (maximum for first violation)	\$5,225	\$5,141
Evasion of motor carrier regulations (minimum for subsequent violations)	\$2,612	\$2,570
Evasion of motor carrier regulations (maximum for subsequent)	\$7,837	\$7,711
Evasion of carrier or broker regulations (minimum for first violation)	\$2,090	\$2,056
Evasion of carrier or broker regulations (minimum for subsequent)	\$5,225	\$5,141

Flipping the e-log Switch

Since the **Federal Motor Carrier Safety Administration's** late 2015 release of its final rule for using **electronic logging devices**, there's been a rising swell of ELD development. Customers can choose from **hardware** and **software** options offered by **dozens** of vendors, many of them **new** to the trucking industry.

This also means serious preparation on the enforcement side. **FMCSA** has had reported delays implementing its roadside **data-transfer system** by which officers will interface electronically with any of these systems. Nevertheless, the agency expects to have it in place prior to **Dec. 18**, the scheduled enforcement date for using **electronic logs**.

Fleet-focused onboard devices offer a lot of bells and whistles, but independent owner-operators are likely to gravitate to a **baseline-compliance** device. They can benefit from **additional functions** such as **IFTA** data collection, making **mileage tracking** automatic and easily reportable.

AS YOU'RE MAKING YOUR DECISION, CONSIDER THESE ISSUES:

Support.

The final rule specifies an **eight-day timeframe** for repairing/replacing a malfunctioning ELD. Does the provider stock the kind of **hardware inventory** to meet such a **quick turnaround**? How are **replacements/repairs** handled?

For carriers needing more than **eight days** to replace any ELD, the rule also spelled out a process for **requesting** more time. It involves contacting your **state's FMCSA** division office and making your case.

FMCSA registry and compliance.

Technically, **compliant ELDs** must be on **FMCSA's** registry of devices. The agency's **vetting process** does not entail **testing for compliance**, relying largely on **manufacturers** to self-certify that they meet the **rule specs**.

That's prompted worry among **motor carriers** about what happens if their device is later found to be **noncompliant**. **FMCSA's** website addresses that scenario: "**FMCSA** will work with **affected** motor carriers to **establish** a reasonable **timeframe** for replacing **non-compliant devices**."

At this stage, part of the **complexity** involving the registry is that automatic **onboard recording** devices meeting **fairly minimal** requirements compared to **ELD specs** are essentially **grandfathered** through **Dec. 16, 2019**. The rule notes that any carrier installing an **AOBRD** prior to this year's **ELD enforcement** date can use that device until the **2019 date**.

Practically, what that means is that **enforcing** the requirement to use a **registry-listed device** is unlikely before that time, particularly for carriers who comply with the **ELD rule** and install an **engine-connected** e-log prior to **Dec. 18**. So, the **registry's importance** for carriers choosing **ELDs** at this stage is **minimal**.

As the **comparison chart** of devices shows, many **established ELD vendors** remain off the **registry**. Those providers consulted for stories in this **buyer's guide**, if not already on the **registry**, expressed plans for **eventual ELD compliance** for their products through **firmware/software** updates as the **enforcement rollout progresses**.

Nonetheless, for any product **not listed** on the **registry**, ask the **vendor** about its **plans** for registering its device and whether it has a **plan for success** and **support** for its product beyond 2019.

A survey from a year ago showed minimal e-logging by owner-operators. Since then, many larger fleets have added ELD systems to get a jump on compliance before Dec. 18, but most independent owner-operators have yet to install an ELD.

DO YOU USE ANY FORM OF AN ELECTRONIC LOGBOOK IN YOUR OPERATION?

Yes - a **smartphone app** unte the red to the engine - 7%

Yes - an **engine-connected e-log platform** - 11%

No - 82%

Preventing Accidents Involving Machinery & Equipment

Equipment and Machinery Accidents are Commonly Reported

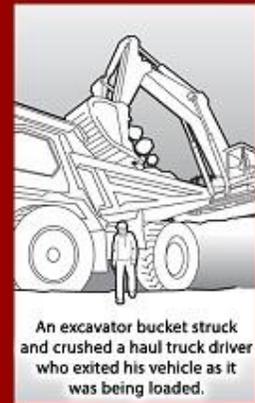
Access a [collection](#) of accidents involving machinery and equipment as well as associated best practices. You can use the photos and accident descriptions found in the Fatalgrams in this last link to prompt discussions about fatalities and how to prevent them.



Use of Best Practices Can Eliminate These Kinds of Injuries

- Ensure that machinery is powered off and secured against hazardous motion before performing repairs or maintenance.
- Consider all energy hazards, including electrical, mechanical, pneumatic and hydraulic systems.
- When locking and tagging out equipment, use individual locks and tags and ensure miners have the keys to their locks. Personnel should not remove locks that are not their own.
- Inspect machinery prior to use. Tag and remove from service machinery that requires repairs.

COULD THESE ACCIDENTS HAPPEN AT YOUR FACILITY?



More Information

Since 2011, 16 metal and nonmetal miners have died in accidents involving machinery and non-haulage mobile and quarry equipment, and many more have been seriously injured or disabled.

Of the 16 persons fatally injured, six were supervisors and three were contractors. Seven miners died when they were struck by the equipment they or a co-worker were operating, four miners drowned when their equipment ran into or overturned into water, and five more died when they were caught in crushers, on drill steel or between reciprocating machinery. The equipment involved represented a wide variety of mining equipment: drills, dozers, excavators, graders, dredges and crushers.

MSHA standards require operators to maintain control of mobile equipment while it is in motion, and to operate at speeds consistent with conditions of mine roadways, tracks, grades, clearance, visibility and traffic.

When mobile equipment is not in motion, it must be stopped in a safe location and when not attended, parked in a manner that prevents it from moving and becoming a hazard to the operator or other miners.

In addition, mine supervisors and equipment operators need to continuously monitor and maintain roadways and berms and operate mobile equipment in a controlled, safe manner. When operating excavators, position them as far from the water's edge as feasible on firm, stable ground. Don't traverse unstable ground above a highwall and stay off and away from over-steepened stockpiles until they can be made safe.

Mine Safety Rule Could Be Delayed



The U.S. Labor Department (*DOL*) has proposed a delay in the effective date of the final rule on [Examinations of Working Places in Metal and Nonmetal Mines](#) - from May 23, 2017, to July 24, 2017.

The *DOL* said the **Mine Safety and Health Administration** (*MSHA*) wants the delay in order to make sure that mine operators and miners affected by the final rule have the training and compliance assistance they need.

"The proposed delay is also consistent with the Jan. 20, 2017, [White House memorandum](#), titled 'Regulatory Freeze Pending Review,'" according to a statement issued by the *DOL*.

MSHA published the final rule on Jan. 23, 2017. The agency is soliciting comments on the limited issue of whether to extend the effective date to July 24, 2017, and whether this extension offers an appropriate length of time for compliance.

Employees May be Unaware of Workplace Wellness Programs Available to Them

A new study in the March 2017 *Journal of Occupational and Environmental Medicine* (JOEM) suggests that many employees may not be aware of the workplace wellness programs available to them. According to the study, which analyzed two national surveys on workplace wellness programs, approximately 80 percent of employers said they provided some type of workplace health promotion program to employees.

More than 75 percent of employers that offer wellness programs report positive trends in worker health and productivity, and negative trends in health care costs.

In addition to any organized workplace wellness program, here are a few “low cost” tips that any employer can implement.

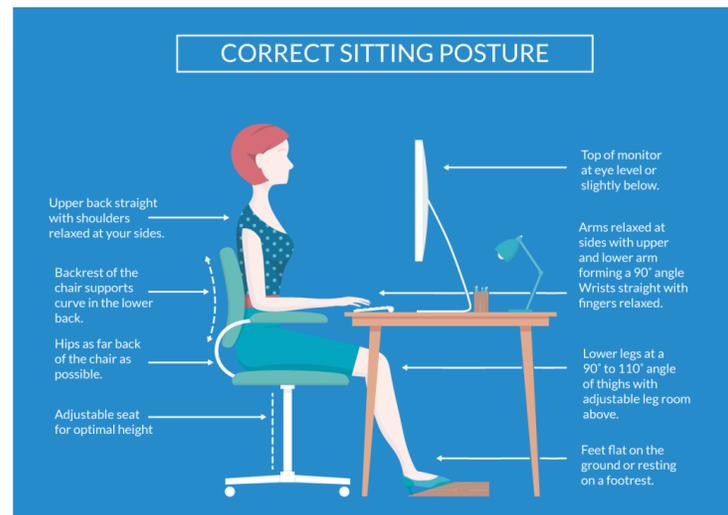
1. A monthly healthy potluck
2. Stop offering low quality snacks. Provide your employees with healthy office snacks

Here's a quick summary of the top 5 healthy office snacks:

1. Fruit
2. Nuts, Nut Butter
3. Veggies
4. Protein Bar
5. Yogurt

3. Stop offering soda and sugar-laden drinks
4. Create standing desks
5. Post tips for relieving back pain and eye strain
6. Remind people to get flu shots
7. Subsidize wearable technology (*like FitBit*) that helps employees track their activity...get up and move!
8. Post a note near the elevator reminding people to take the stairs instead
9. Incentivize smoking cessation
10. Help relieve stress by prioritizing most important tasks first...completing the most dreaded tasks in the morning
11. Working remotely one day a week
12. Decluttering and organizing work environments
13. Protect your time — say no to unnecessary interruptions
14. Listen to music — create a relaxing environment

Maybe think about getting your employees involved in adding to this list. You might be surprised how receptive and creative they may be!



Does Your Company have an E-Cigarette Policy?

The use of electronic cigarettes (e-cigarettes) has increased in popularity, and similar to bans placed on smoking traditional cigarettes in public, some states have developed laws prohibiting the use of e-cigarettes in certain areas such as schools, state parks, and health care facilities.

Some employees, however, are unclear on whether their employers have a company policy on the use of e-cigarettes — or whether that policy is different for vaping versus tobacco smoking, reports a survey study in the April *Journal of Occupational and Environmental Medicine*.

The researchers performed an internet survey to assess employees' perceptions of their company's smoking and vaping policies. The study included responses from 456 employed smokers and/or vapers. While further research on vaping in the workplace is needed, the study provides initial information on company policies regarding vaping versus smoking.

In general, the respondents reported their companies had the same policy for both smoking and vaping. Where there was a difference, employees perceived more restrictive policies regarding smoking than vaping. But 12.5 percent of respondents were unaware of any company policy related to vaping.

Most companies now have policies restricting smoking, but there is little information about vaping in the workplace.

When developing a policy on e-cigarette use, companies should check their state laws for restrictions, and might also want to consider that some individuals use the devices as an aid to quit smoking.