

# February 2005 Safety Meeting

## Propane Truck Drivers—Serious Responsibilities—Serious Penalties

Many propane truck drivers don't look at themselves as professional truck drivers. They say, "I just haul gas". In the eyes of federal and state DOT officials, drivers are much more than that. Propane industry drivers have a solemn responsibility to conduct themselves professionally at all times. Couple that responsibility with driving a cargo tank full of propane and you've got some serious risks. Like a doctor, CPA, lawyer and school teacher, CDL-qualified drivers could lose their work (driving) privileges if they fail to conduct themselves properly and worse still, somebody could get hurt or killed!

Typically, safety meetings are not intended to dwell on negative issues, but this is probably a good time to review some of the penalties for driver misbehavior. Please be reminded that some violations are so terrible that a driver could lose his driving privileges for life! Always keep in mind that possessing a commercial driver's license is a privilege, not a right. Drivers don't have the right to always possess a CDL. The state can "giveth and taketh away" a driver's license at the drop of the proverbial hat.

### Felony Traffic Violations

Listed below are very serious **felony** traffic convictions. Drivers lose their driving privileges for 3 years if convicted of these violations while driving a hazmat truck:

1. Being under the influence of alcohol or refusing to be tested;
2. Being under the influence of a controlled substance;
3. Leaving the scene of an accident involving a commercial motor vehicle (CMV);
4. Using a vehicle to commit a felony.

**Note: Upon the second offense, the disqualification period is at least 10 years, possibly life! Drivers who commit a felony involving the manufacturing, distributing or dispensing of a drug with a vehicle are disqualified for life!**

### Serious Traffic Violations

Disqualification of driving privileges also applies to the following serious traffic violations:

1. Excessive speeding (over 15 mph over the posted speed limit);
2. Reckless driving;
3. Improper or erratic lane changes;
4. Following too closely;
5. A traffic violation arising in connection with a fatal traffic accident;
6. Driving a CMV without having obtained a valid CDL;
7. Driving a CMV without having a CDL in the driver's possession;
8. Driving a CMV without the proper class of CDL and/or endorsement.

**Note: Two of the above violations within 3 years disqualifies a driver for 60 days. Three serious traffic violations within 3 years disqualifies the driver for 120 days.**

### Violating Out-of-Service Orders

Trucks that are placed out-of-service by an enforcement officer must not be driven until the vehicle has been repaired. HazMat drivers that violate vehicle out-of-service orders will be disqualified for 180 days, subsequent violations will result in 3 to 5-year disqualifications. Drivers and employers can also be fined up to \$10,000.

### **Railroad-Highway Grade Crossings**

Failing to stop at a railroad-highway grade crossing while operating a CMV is a disqualifying offense to the driver. Offenses include:

1. Failing to have sufficient space to drive completely through the crossing, without stopping;
2. Failing to obey a traffic control device or the directions of an enforcement official at the crossing;
3. Failing to clear a crossing because of insufficient undercarriage clearance.

Disqualification periods are:

1. First violation—not less than 60 days;
2. Second violation within 3 years—not less than 120 days;
3. Third or subsequent violation, in separate incident, within 3 years—not less than 1 year.

**Note: Employers who knowingly allow violation of railroad crossing regulations can be fined \$10,000. Also, some states have more restrictive laws and penalties.**

### **Suggested Discussion Topics by Safety Meeting Facilitator**

1. Discuss your company's drug and alcohol policy.
2. Remind driver to report all traffic citations to your designated company official.
3. Discuss railroad crossings in your area and remind drivers to stop, look and listen for train traffic. Remember most law enforcement officers require a 3-second count for a complete stop.
4. Discuss your company's post-accident procedures and remind drivers to never leave the scene of an accident except in extreme life-threatening situations.
5. Warn drivers against speeding, erratic lane changes, expired CDLs, reckless driving and following too closely. Remind drivers to always have their CDL and medical card with them and make sure they are current.
6. Maintain legal and safe speeds while on the highway and always signal their intentions prior to changing lanes, turning or stopping.
7. Review other related company policies as appropriate.

### **Commentary**

Certainly employers have a great deal of responsibility. They must ensure that drivers have a safe vehicle, have the necessary insurance, and are properly trained, to name just a few. However, drivers should also be aware they too have solemn responsibilities and drivers should note that all of the above violations are the responsibility of the driver—not anyone else! These are violations that the driver will “pay” for, including the possibility of losing his/her ability to earn a living, a very serious matter to say the least. So always remember you are a professional and a lot of people depend on you to make sound decisions every minute you are behind the wheel. The consequences of poor decisions could cost your pocketbook, your livelihood and even your life!

# February 2005 Test

## Propane Truck Drivers—Serious Responsibility—Serious Penalties

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Instructions: Read and answer each of the following questions. When complete, grade the test and review incorrect answers so each employee is “armed” with the correct answers before they leave the training.**

1. Drivers who violate the DOT’s drug and alcohol regulation could lose their CDL for:
  - a. Life
  - b. 10 days
  - c. 30 days
  - d. 90 days
  
2. Possessing a CDL is:
  - a. a right
  - b. a privilege
  
3. Drivers should never operate a commercial motor vehicle that has been placed out-of-service by the DOT until proper repairs have been made:
  - a. True
  - b. False
  
4. As a minimum, violations of railroad crossing regulations (1<sup>st</sup> offense) will disqualify a driver for:
  - a. 30 days
  - b. 60 days
  - c. 90 days
  - d. 120 days
  
5. Employers can also be cited by the DOT if they knowingly allow driver misconduct or require drivers to operate defective vehicles.
  - a. True
  - b. False
  
6. Most serious traffic violations are the responsibility of the employer, not the driver:
  - a. True
  - b. False

# February 2005 Test Answers Sheet

## Propane Truck Drivers—Serious Responsibility—Serious Penalties

1. Drivers who violate the DOT's drug and alcohol regulation could lose their CDL for:  
**Life**
2. Possessing a CDL is:  
**a privilege**
3. Drivers should never operate a commercial motor vehicle that has been placed out-of-service by the DOT until proper repairs have been made:  
**True**
4. As a minimum, violations of railroad crossing regulations (1<sup>st</sup> offense) will disqualify a driver for:  
**60 days**
5. Employers can also be cited by the DOT if they knowingly allow driver misconduct or require drivers to operate defective vehicles.  
**True**
6. Most serious traffic violations are the responsibility of the employer, not the driver:  
**False**