

Operational Policy 5 Inspection/CVSA Decal



Operational Policy

North American Standard Inspection Program

Operational Policy 5 Inspection/CVSA Decal

Revised: Sept. 21, 2023

Purpose

To provide guidance and procedures for driver-vehicle inspection using the recommended North American Standard Inspection Procedure, and to establish a North American Standard Out-of-Service Criteria for drivers and vehicles.

Objectives

1. Remove potentially unsafe drivers and dangerous vehicles from the highways.
2. Direct attention to the provisions of the Federal Motor Carrier Safety Regulations (FMCSR), transportation of hazardous materials/dangerous goods (HM/DG) regulations, the Canadian National Safety Code, Mexican federal safety regulations, and compatible state and provincial rules by requiring repairs of vehicle defects and appropriate remedial action for vehicle and/or driver violations.
3. Document violations that might be used in subsequent enforcement actions.
4. Obtain information regarding carriers, drivers, vehicles and cargo relative to safety and compliance, and overall program direction and evaluation.

NORTH AMERICAN STANDARD INSPECTION LEVELS

Level I

North American Standard Inspection – An inspection that includes examination of driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver’s record of duty status, as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driver’s seat (missing); driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; buses, motorcoaches, passenger vans or other passenger-carrying vehicles – emergency exits, electrical cables and systems in engine and battery compartments, seating (temporary and aisle seats), HM/DG and specification cargo tank requirements, as applicable. HM/DG required inspection items will only be inspected by certified HM/DG and cargo tank inspectors, as applicable.

NOTE: If more than 20% of pushrod travel on exposed pushrods cannot be measured, then the inspection would not be considered a Level I Inspection and shall be identified as a Level II Inspection.

NOTE: A five-axle vehicle combination with one axle not measured will still require two defective brakes to be



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placed out of service under the 20% brake criteria.

Level II

Walk-Around Driver/Vehicle Inspection – An examination that includes each of the items specified under the North American Standard Level II Walk-Around Driver/Vehicle Inspection Procedure. As a minimum, Level II Inspections must include examination of: driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate (if applicable); alcohol and drugs; driver’s record of duty status as required; hours of service; seat belt; vehicle inspection report(s) (if applicable); brake systems; cargo securement; coupling devices; driver’s seat, driveline/driveshaft; exhaust systems; frames; fuel systems; lighting devices (headlamps, tail lamps, stop lamps, turn signals and lamps/flags on projecting loads); steering mechanisms; suspensions; tires; van and open-top trailer bodies; wheels, rims and hubs; windshield wipers; buses, motorcoaches, passenger vans or other passenger-carrying vehicles – emergency exits, electrical cables and systems in engine and battery compartments, seating (temporary and aisle seats), and HM/DG requirements, as applicable. HM/DG required inspection items will only be inspected by certified HM/DG and cargo tank inspectors, as applicable. It is contemplated that the walk-around driver/vehicle inspection will include only those items that can be inspected without physically getting under the vehicle.

Level III

Driver/Credential/Administrative Inspection – An examination that includes those items specified under the North American Standard Level III Driver/Credential/Administrative Inspection Procedure. As a minimum, Level III Inspections must include, where required and/or applicable: examination of the driver’s license; Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate; driver’s record of duty status; hours of service; seat belt; vehicle inspection report(s); and carrier identification and status.

NOTE: Mechanical equipment violations specific to a Level I or Level II Inspection should not be included in a Level III Inspection. If applicable, traffic violations/infractions should be included on a Level III Inspection.

Level IV

Special Inspections – Inspections under this heading typically include a one-time examination of a particular item. These examinations are normally made in support of a study or to verify or refute a suspected trend.

Level V

Vehicle-Only Inspection – An inspection that includes each of the vehicle inspection items specified under the North American Standard Inspection (Level I), without a driver present, conducted at any location.

Level VI

North American Standard Inspection for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material – An inspection for select radiological shipments, which include inspection procedures, enhancements to the North American Standard Level I Inspection, radiological requirements and the North American Standard Out-of-Service Criteria for Transuranic Waste and Highway Route Controlled Quantities of Radioactive material.

As of Jan. 1, 2005, all vehicles and carriers transporting HRCQ of radioactive material are regulated by the U.S. Department of Transportation (DOT) and required to pass the North American Standard Level VI Inspection. Previously, U.S. Department of Energy (DOE) voluntarily complied with the North American Standard Level VI Inspection Program requirements.

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Select radiological shipments include HRCQ of radioactive material as defined by Title 49 CFR 173.403. And, because only a small fraction of transuranics are HRCQ, the U.S. DOE decided to include its transuranic waste shipments in the North American Standard Level VI Inspection Program.

Level VII

Jurisdictional Mandated Commercial Vehicle Inspection – An inspection that is a jurisdictional mandated inspection program that does not meet the requirements of any other level of inspection. An example will include inspection programs such as, but not limited to, school buses, limousines, taxis, shared-ride transportation, hotel courtesy shuttles and other intrastate/intra-provincial operations. These inspections may be conducted by CVSA-certified inspectors, other designated government employees or jurisdiction- approved contractors. Inspector training requirements shall be determined by each jurisdiction. No CVSA decal shall be issued for a Level VII Inspection but a jurisdiction-specific decal may be applied.

Level VIII

North American Standard Electronic Inspection – An examination that includes those items specified under the North American Standard Electronic Inspection Procedure. An electronic inspection must include, where required and/or applicable, a descriptive location, including GPS coordinates; electronic validation of who is operating the vehicle; appropriate driver’s license class and endorsement(s) for vehicle being operated; license status; valid Medical Examiner’s Certificate and Skill Performance Evaluation (SPE) Certificate; current driver’s record of duty status; hours-of-service compliance; USDOT or (Canada) NSC number; power unit registration; operating authority; Unified Carrier Registration (UCR) compliance; and federal out-of-service orders.

The North American Standard Level VIII Electronic Inspection is an inspection conducted electronically or wirelessly while the vehicle is in motion without direct interaction with an enforcement officer. To be considered a complete Level VIII Electronic Inspection, a data exchange must include each of the required and/or applicable data points listed in the CVSA North American Standard Level VIII Electronic Inspection definition.

The purpose of the Level VIII Inspection is to improve safety by increasing the number of interactions a jurisdiction has with industry and by providing additional options and strategies that allow jurisdictions to leverage technology while also increasing efficiency for industry.

POST-CRASH INSPECTION

Commercial Motor Vehicle – Post-crash inspections are conducted in association with commercial motor vehicle (CMV) crash investigations. A CVSA CMV post-crash inspection is an inspection performed by a CVSA-certified inspector in association with a CMV crash. A driver/vehicle examination report should be completed to document all violations and defects discovered at the time of the post-crash inspection.

The purpose of this policy is to ensure consistency and uniformity in post-crash CMV inspections. The intent is to identify and document all possible pre-crash defects/violations, with specific intent to find potential crash causal factors.

A CMV post-crash inspection shall first meet the U.S. Federal Motor Carrier Safety Administration’s (FMCSA) definition of an accident¹ in title 49 Code of Federal Regulations (CFR) 390.5. Once met, the inspector should begin the post-crash inspection by selecting the appropriate level of CVSA inspection (e.g., Level I, II, III or V) and selecting the post-crash check box when initiating the report.

As the inspector identifies each violation discovered during the post-crash inspection, the inspector should select “yes” when the violation discovered is a result of the crash or “no”² when the violation was not the result

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of the crash (the violation was pre-existing). When the CMV post-crash investigator cannot make the determination, the inspector should select “unknown.”³

Not all post-crash inspections will meet the threshold for a complete level I inspection. This policy is not meant to restrict the level of inspection. Agency policies, the reconstructionist, inspector, collision investigator, or type and severity of a crash may necessitate a different level of CVSA inspection.

The CMV post-crash inspection shall include the following elements:

- CVSA Operational Policy 14 should be used as guidance for documenting violations for post-crash inspections until a post-crash operational policy is created.
- All violations determined to be “pre-crash” (violations present before the crash occurred) should be listed first on the violations page.
- All violations should be listed on the post-crash inspection report, including post-crash damage/violations.
- If the violations are out-of-service, they may be designated as CFR 396.7 violations.
- Specify the violations with each out-of-service condition.

NOTE: Multiple violations of the same nature should be listed as one violation (e.g., CFR 396.3(a)(1) violations for broken parts and/or accessories should be listed as one violation with additional information in the inspector’s notes or an additional narrative). There should be no stacking.

Non-commercial Motor Vehicle⁴ – CVSA recognizes member jurisdictions complete thorough post-crash inspections on large trucks and buses not in commerce. When a post-crash inspection is completed on an exempt, non-regulated CMV or a CMV not in commerce and the member jurisdiction chooses to utilize the standardized inspection to document violations discovered, the inspection should be marked as a Level VII inspection⁵.

ADVANCED POST-CRASH INSPECTION

More significant CMV crashes may require additional expertise (e.g., crash reconstructionist, specialized post-crash inspector) to determine causal factors in the collision. CVSA recommends, as a best practice, additional expertise utilized in the following crash types:

- A fatality
- Serious bodily injury⁶
- High-profile collision⁷
- Potential defect in the roadway
- Any other reason a jurisdiction deems necessary

In the event of a more significant CMV crash, CVSA recommends utilizing specially trained investigators such as:

- Crash reconstructionist
- Advanced CVSA post-crash trained officer
- Drug recognition expert⁸

¹49 CFR §390.5 definition of crash: see accident.

²Only violation(s) marked “no” will result in points in FMCSA’s Compliance, Safety, Accountability (CSA) Safety Measurement System (SMS).

³If a violation that was initially determined to be the result of the crash is found not to be the result of the crash through advanced

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investigation techniques, or vice versa, the inspection report should be amended to reflect the change (e.g., “no” changed to “yes” if the violation was the result of a crash).

⁴Vehicles not in commerce are vehicles that do not meet the following definition: Vehicles that have a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight of 4,536 kg (10,001 pounds) or more, whichever is greater; or are designed or used to transport more than eight passengers (including the driver) for compensation; or are designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or are used in transporting material found by the

U.S. secretary of transportation to be hazardous under 49 U.S. Code 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under 49 CFR, subtitle B, chapter I, subchapter C.

⁵Level VII Inspections are captured by the state and may be mined for data and tracked in SafetyNet; however, they are not transmitted to FMCSA and are not counted against a carrier’s SMS or a driver Pre-Employment Screening Program (PSP).

⁶Serious injuries are defined by the Minimum Uniform Crash Criteria 4th edition, required to be adopted or translated by states by April 15, 2019: <https://safety.fhwa.dot.gov/hsip/spm/docs/factsheet-mmucc-4edition.pdf> ⁷For example, a crash where the state or jurisdiction may have liability; a crash where the member jurisdiction is involved in the crash; a high-profile individual is involved; or a crash involving vehicle or manufacturer liability.

⁸Because of the significant increase in drug-related crashes and ongoing alcohol-related crashes, CVSA recommends a driver involved in a crash be screened for impairment.

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COUNTING INSPECTIONS

Each inspection, regardless of the number of vehicles constituting the combination, shall be counted as one inspection for the purposes of inspection tallies and SAFETYNET.

RAISED LIFT AXLE(S)

Raised lift axles are to be inspected to ensure all components are secure and for conditions that adversely affect the vehicle's operation (e.g., air leaks and air hoses, etc.). These defects shall be recorded as violations on the inspection report and declared out of service, if applicable.

For any other critical vehicle inspection item defect discovered on the raised axle, the vehicle is not eligible to receive a CVSA decal and the defect should be documented in the notes section of the inspection report. The raised lift axle shall not be included in determining the total number of brakes on a vehicle combination for the 20% service brake calculation. If the raised lift axle is required to be lowered to comply with regulatory requirements in order to continue operation, the operator has the option to adjust or offload cargo. Otherwise the axle is subject to inspection.

BRAKE MEASUREMENTS

It shall be the policy of CVSA to record on an inspection form, all brake measurements, if obtained during a North American Standard Inspection. If a brake measurement was not obtained due to a hidden component, then "NM" shall be documented for that wheel-end brake as well as being noted on the inspection report that it was not measured due to a hidden component. Brakes not measured will be considered compliant and still included in the 20% calculation.

NOTE: The marking and measuring of pushrod travel is not required if a performance-based brake tester (PBBT) test has been completed.

QUALIFYING FOR CVSA DECALS

The North American Standard Level I and/or Level V are the only inspections that may result in issuance of a CVSA decal. To qualify for a CVSA decal, a vehicle must not have any critical vehicle inspection item violations contained in CVSA Operational Policy.

Inspections must be performed and CVSA decals affixed by North American Standard Level I and/or Level V certified inspectors. The term "certified" means the government employee performing inspections and/or affixing CVSA decals must have first successfully completed a training program approved by the Alliance. CVSA decals, when affixed, shall remain valid for a period not to exceed three consecutive months. Vehicles displaying a valid CVSA decal generally will not be subject to re-inspection.

However, nothing shall prevent re-inspection of a vehicle or combination of vehicles bearing valid CVSA decals, under the conditions specified in the section titled, "Vehicle Re-inspections."

CRITICAL VEHICLE INSPECTION ITEMS

- Brake Systems
- Cargo Securement
- Coupling Devices

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- Driveline/Driveshaft
- Driver's Seat (Missing)
- Exhaust Systems
- Frames
- Fuel Systems
- Lighting Devices (Headlamps, Tail Lamps, Stop Lamps, Turn Signals and Lamps/Flags on Projecting Loads)
- Steering Mechanisms
- Suspensions
- Tires
- Van and Open-Top Trailer Bodies
- Wheels, Rims and Hubs
- Windshield Wipers
- Buses, Motorcoaches, Passenger Vans or Other Passenger Carrying Vehicles – Emergency Exits, Electrical Cables and Systems in Engine and Battery Compartments, Seating (Temporary and Aisle Seats)

Rear Impact Guards – When a required rear impact guard is inspected during a North American Standard Level I or V Inspection, a CVSA decal shall not be issued if violations are present.

CVSA DECALS ON CARGO TANKS

When a U.S. DOT/Transport Canada specification cargo tank inspection is completed in conjunction with North American Standard Level I and/or Level V Inspection, CVSA decals shall not be issued to U.S. DOT/Transport Canada specification cargo tank vehicles found to have violations of the following:

- Retest requirements
- Cargo Tank Authorization
 - Does not include specification shortages
- Manhole Covers
- Internal Valves
- Discharge Valves
- Cargo Tank Integrity
- Supports and Anchoring
- Double Bulkhead Drains
- Ring Stiffeners
- Rear End Protection
- Emergency Flow Control
- Piping and Protection
- Overturn Protection
- Venting

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VEHICLE INSPECTIONS

Each vehicle (motorcoach, school bus, other bus, truck, truck-tractor, semi-trailer, trailer, converter dollies, etc.) used singularly or in combination may qualify for a CVSA decal if it passes inspection, and a CVSA decal shall be applied. “Pass Inspection” means that during a North American Standard Level I or Level V Inspection no defects were found in the critical vehicle inspection items. In addition, when a required rear impact guard is inspected during a North American Standard Level I or V Inspection, a CVSA decal shall not be issued if violations are present.

For the purpose of a CVSA decal issuance, if no violation is detected during a North American Standard Level I or Level V Inspection due to a hidden part, other than pushrod stroke measurements, of the listed critical vehicle inspection items, then a CVSA decal shall be applied. However, if more than 20% of pushrod travel on exposed pushrods cannot be measured, then a CVSA decal shall not be applied. An inspector can still apply a CVSA decal even though his/her jurisdiction does not allow for the inspection of gaseous fuel systems.

The CVSA decal criteria apply only to the condition of the vehicle, not the driver. It is possible for a driver to be out of service and still have his or her vehicle qualify for a CVSA decal.

Example #1:

A vehicle may have a clearance lamp out, which is a violation, and still qualify for a CVSA decal. This is because clearance lamps are not specifically listed in the critical vehicle inspection items.

Example #2:

If a vehicle has one headlamp out, it does not qualify for a CVSA decal. This is because headlamps are specifically listed in the critical vehicle inspection items.

Example #3:

If a vehicle is missing one wheel fastener, it does not qualify for a CVSA decal. This is because wheel fasteners are listed in the critical vehicle Inspection Items.

Example #4:

A vehicle has two brakes with required self-adjusting brake adjusters that are out of adjustment. The brakes are adjusted at the time of inspection. Because only the brake adjustment problem was corrected, there is still a violation with the brake not adjusting automatically. As a result, the vehicle does not receive a CVSA decal.

Example #5:

A truck-tractor and semi-trailer are inspected. The tractor passes the inspection, but the semi-trailer has one flat tire. The tractor receives a CVSA decal, but the semi-trailer does not.

Example #6:

When you inspect a vehicle, you find that about 10% of the brakes are defective. This is a violation. The vehicle does not receive a CVSA decal because this is a violation of the critical vehicle inspection items.

Example #7:

When you inspect a truck-tractor and semi-trailer combination, you find that 10% of the brakes are defective. All defects are on the semi-trailer. The semi-trailer would not qualify for a CVSA decal; however, the truck-tractor would qualify for a CVSA decal.

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LOCATION OF CVSA DECALS

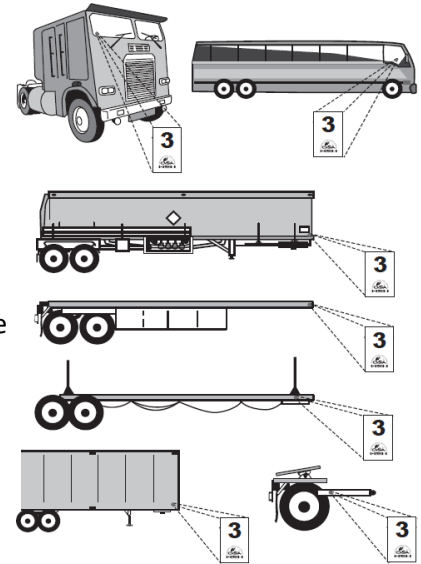
The location for affixing a CVSA decal on a power unit shall be on the lower right corner of the exterior surface of the passenger's windshield.

The location for affixing a CVSA decal on trailing units (trailers, full trailers, semi-trailers, converter dollies, etc.) shall be on the lower corner of the passenger side as near to the front as possible.

The location for a CVSA decal on a cargo tank semi-trailer shall be at eye-level near the front passenger side of the cargo tank and on the lower corner of the exterior surface of the passenger's windshield of a straight truck.

The location for a CVSA decal on passenger-carrying vehicles shall be on the glass portion (window) of the passenger door as close to inspector's eye-level as possible.

Any expired CVSA decal shall be removed before a new CVSA decal is affixed.



CVSA DECAL APPLICATION

The quarter in which an inspection is performed is indicated by the color of the CVSA decal issued.

| Inspection Period | Color Code |
|-----------------------------|------------|
| January, February, March | Green |
| April, May, June | Yellow |
| July, August, September | Orange |
| October, November, December | White |

The year of issuance shall be indicated by using the last number of the calendar year (e.g., 2023 shall be indicated by the number "3") and shall be printed at the top portion of the sticker, with the CVSA trademark logo printed directly below.

CVSA decals affixed on the first month of a new calendar quarter must have both upper corners removed. Those issued during the second month of the same quarter must have the upper right corner removed. No corners are removed from those CVSA decals issued during the last month of a calendar quarter.

CVSA decals, affixed, will remain valid for the month of issuance plus two months. For example, a CVSA decal issued on July 28 will expire September 30.

In general, vehicles displaying a valid CVSA decal are not subject to re-inspection. However, if a critical vehicle inspection item violation is detected on a vehicle with a current CVSA decal, nothing prohibits inspection of the vehicle.

Should inspection of a vehicle displaying a valid CVSA decal disclose vehicle maintenance inconsistent with the minimum inspection criteria, the CVSA decal must be removed. However, if the critical vehicle inspection item violation(s) found are repaired at the scene, the CVSA decal would not have to be removed. In those instances, where a complete re-inspection is performed and no critical vehicle inspection items are detected or if the items are corrected at the scene, a new CVSA decal should be applied.

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CVSA LEVEL VI DECAL

All CVSA-certified Level VI inspectors will honor the display of a valid CVSA Level VI decal. En route Level VI Inspections should be conducted only if an obvious defect is observed or suspected by a CVSA-certified Level VI inspector. This does not prohibit jurisdictions that have laws, mandates or orders requiring enroute inspections prior to transportation through the jurisdiction from conducting such inspections.

A CVSA Level VI decal will only be issued to a vehicle and/or vehicle combination that is defect-free of the North American Standard Level VI Inspection for Transuranic Waste and Highway Route Controlled Quantities (HRCQ) of Radioactive Material at the point of origin.

If at the point of origin, a vehicle and/or vehicle combination passes a North American Standard Level VI Inspection defect-free, the CVSA Level VI decal should be placed on the passenger side edge of the windshield near the top so that the bottom edge of the decal is not more than 6 inches from the top of the windshield. It must be out of the sweep of the wiper and not be affixed where it would interfere with the driver's view. Refer to the Federal Motor Carrier Safety Regulations (FMCSRs) Title 49 CFR 393.60(e)(1) and (2) for windshield decal placement restrictions. In addition, a regular or standard CVSA decal will also be applied in accordance with this Operational Policy if one is missing or not valid. Unlike the regular or standard CVSA decal, the CVSA Level VI decal will be for the entire vehicle and/or vehicle combination.

The CVSA Level VI decal must display the correct year, month and day that the North American Standard Level VI Inspection was completed and will be valid for a single trip.

Any vehicle and/or vehicle combination declared out of service under the North American Standard Out-of-Service Criteria for Transuranic Waste and Highway Route Controlled Quantities of Radioactive Materials will have the CVSA Level VI decal removed. If the Level VI decal is removed, a new North American Standard Level VI defect-free inspection is required. Once in compliance, a new CVSA Level VI decal will be applied. The CVSA Level VI decal is not valid after the shipment for which it was issued is completed. If there is an equipment change while enroute, the vehicle and/or vehicle combination will be re-inspected, and a new CVSA Level VI decal must be applied. It is the driver's responsibility to remove the Level VI decal at the conclusion of the trip. Any expired CVSA decal and/or CVSA Level VI decal will be removed before a new CVSA Level VI decal is affixed.

During the course of transportation, if the CVSA Level VI decal becomes missing from the windshield of a vehicle transporting transuranic waste or HRCQ of radioactive material that had successfully passed a point-of-origin North American Standard Level VI Inspection, the point-of-origin inspection report shall serve as verification of compliance for the missing decal. The driver of the vehicle will be required to provide the point-of-origin inspection report to any inspecting official who requests it while enroute to point of final destination. If the driver cannot provide the point-of-origin inspection report when requested, another North American Standard Level VI Inspection must be completed and a new CVSA Level VI decal affixed upon the completion of a defect-free inspection.

If a vehicle transporting transuranic waste or HRCQ of radioactive material successfully passes a point-of- origin North American Standard Level VI Inspection but the CVSA Level VI decal cannot be applied due to inclement weather conditions, the decal will be placed onto the back of the inspection report. The driver of the vehicle will be required to provide the inspection report and CVSA Level VI decal to any inspection official who requests it while enroute to point of final destination. If the driver cannot provide both the inspection report and CVSA Level VI decal when requested, another North American Standard Level VI Inspection must be completed and a new CVSA Level VI decal affixed upon the completion of a defect- free inspection.

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VEHICLE RE-INSPECTIONS

A critical vehicle inspection item violation(s) (out of service or otherwise) noted during a CVSA Level I Inspection that is successfully repaired on-site and re-inspected by the same inspector at the same inspection location will qualify for a CVSA decal as long as all previously noted critical vehicle inspection item violations have been properly repaired. In such instances, only a re-inspection of the repaired violations shall be done with a decal being applied to the vehicle and properly noted upon the original inspection.

Any vehicle that is repaired off-site or inspected by a different inspector shall be required to have a complete inspection conducted in order to obtain a CVSA decal.

Nothing within this policy shall require an inspector to re-inspect a vehicle, with that decision being left to the individual inspector and his/her agency.

For the purposes of uniformity in the application of this section and maximum maintenance of the reciprocity standard, re-inspection of a vehicle bearing a current and valid CVSA decal is contemplated under the following circumstances:

1. A North American Standard critical vehicle inspection item or out-of-service violation is detected.
2. A North American Standard Level IV (Special Inspection) exercise is involved.
3. A statistically based random inspection technique is being employed to validate an individual jurisdiction or regional out-of-service percentage.
4. Re-inspections are conducted to maintain CVSA North American Standard Inspection quality assurance.

REQUIRED REPAIRS FOR OUT-OF-SERVICE NOTICES

The following shall be the policy regarding required repairs for out-of-service notices:

No motor carrier shall require nor shall any person operate nor any inspector release any commercial motor vehicle declared out of service until all repairs required by the out-of-service notice have been satisfactorily completed to where the violation(s) no longer exists.

When a vehicle is declared out of service for a condition resulting from an accumulation of violations, all violations that contributed to the specific out-of-service condition must be repaired (e.g., a vehicle or vehicles in combination declared out of service for 20% defective brake violations must have all the 20% defective brake violations repaired prior to being released; or, a vehicle declared out of service for two tires at less than 1/32 inch (0.8 millimeter) tread depth must have both tire violations repaired prior to the vehicle being released, etc.). Once all of the contributing out-of-service violations have been repaired on any vehicle in a combination, that specific vehicle in the combination is no longer considered to be out of service.

An out-of-service condition cannot be corrected by creating a new violation (e.g., if a vehicle is declared out of service for three missing wheel fasteners on one wheel, wheel fasteners from other wheels cannot be removed to correct this out-of-service condition, etc.).

When a vehicle is declared out of service, it may not be moved under its own power to a place of repair. The following are three exceptions:

1. Vehicles transporting hazardous materials/dangerous goods that require placarding may be escorted to a repair facility or safe parking place.
2. When the imminently hazardous condition is automatically removed by the disconnection of the towing

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vehicle from a towed unit, the towing vehicle(s) may be moved. When such an out-of-service towing vehicle(s) are operated, the examination report must carry the notation, "Vehicle(s) with the OOS condition shall not to be operated in combination with another vehicle until repaired." In these instances, a CVSA decal will not be issued.

3. There are three mechanical defect conditions, which meet this criterion:
 - a. Defective coupling mechanism on the towing vehicle
 - b. Defective trailer supply valve, as long as the tractor protection valve is functional
 - c. Defective emergency or service brake hoses, or tubing between towing vehicle and trailer(s).
4. Vehicles transporting passengers that have been declared out of service for emergency exits that are missing, inoperative or obstructed may be moved by driver to a location where the out-of-service condition can be repaired. At no time will the vehicle be moved in this condition with passengers aboard.

OUT-OF-SERVICE NOTIFICATION

When a driver or vehicle is declared out of service, the carrier must be notified by telephone in the following cases:

1. The vehicle is transporting hazardous materials/dangerous goods that require placarding or prohibit leaving the vehicle unattended.
2. The vehicle is transporting perishable commodities.
3. A cargo tank is transporting commodities that require temperature control.
4. The vehicle is transporting livestock or other living creatures.
5. The vehicle is transporting mail for the U.S. Postal Service (USPS). When vehicles or drivers of highway mail carriers (HMC) are declared out of service, telephone notice of the out-of-service action shall be given to both the USPS and the HMC. USPS manuals require a driver who is delayed en route to contact postal personnel at the location of his/her scheduled stop. The driver can supply this information to the inspector.
6. The vehicle is transporting people.

In telephone contacts, the carrier should be advised that responsibility for protection of the vehicle, its cargo, accessories and contents rests solely with the carrier. In driver out-of-service actions, the carrier should be informed that the action does not prohibit the driver from remaining on duty with the vehicle; rather, the action prohibits the driver from driving a vehicle until he/she has met the requirements of the specified section. The identity of the carrier representative contacted should be recorded by the inspector.

No consent may be given for any type of vehicle to be towed to a place of repair except by means of a towing vehicle equipped with and using a crane or hoist. A vehicle combination consisting of an emergency towing vehicle and an out-of-service vehicle shall not be operated unless such combination meets the performance requirements of the subchapter referred to in Title 49 C.F.R. 396.9(c)(2).

SAFETY CONSIDERATIONS

1. Avoid conducting a North American Standard Inspection by the side of a road. Crawling under the vehicle is dangerous enough without the threat of passing traffic.

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2. Be aware that many trucks carry hazardous materials/dangerous goods. Never touch liquids or breathe fumes unless you are certain of the source. If you suspect a problem, contact local experts immediately.
3. Make sure the inspection site is level and able to support the weight of the vehicle.
4. Do not go underneath a vehicle while the engine is running.
5. Use chock blocks to prevent the vehicle from moving. Place one in front of and one behind of the drive axle tires or between the axles.
6. Have the driver place the transmission in neutral and release all brakes.
7. Use extreme caution when inspecting between tandem axles, when checking tires, inside wheels and suspension components (particularly air spring suspension systems), or between front fender well and front tire when checking steering components.
8. Always inform the driver when you are going under the vehicle.
9. Always enter and exit the vehicle undercarriage in view of the driver. However, if you choose to conduct this inspection by the side of a road, it is best to exit the vehicle undercarriage on the curbside.
10. When under the vehicle, try to remain in a position parallel with the frame rail. Never position your body directly in front of or behind a tire.
11. Never position your body directly behind the spring brake chamber. When the spring brake is compressed (parking/emergency brakes released), the potential for explosion of the chamber exists. This potential is increased when there is any corrosion of the chamber. Never attempt to remove any clamps or bolts from these chambers.
12. Never position your body directly behind/beside a component that is defective to the extent that it poses a hazard to the inspector or public, including, but not limited to, non-manufactured holes in the spring brake chamber, broken lock rings, severely damaged/bulging tires, etc. If a violation poses a hazard to the inspector or the public, the inspection should be limited to an applicable inspection level.
13. If inspecting electric-drive commercial motor vehicles:
 - Do not touch or come into contact with any exposed copper wires from orange cable or conduit, or inside compartments marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
 - Do not attempt to open any compartment marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
 - Do not poke fingers, screwdrivers or other tools into any holes, cracks, crevices or openings in compartments marked “High Voltage” or labeled with a yellow triangle bearing a black thunderbolt.
 - Do not touch any liquid that may be exuding from a battery (also called rechargeable energy storage system) regardless of low or high voltage.
 - Do not inspect a vehicle that has a “High-voltage Fault” or “Stop Hybrid” or “Stop System” red light illuminated on the dashboard that could indicate loss of electrical isolation in the high-voltage system (these vehicles should not be operated).

PLANNING ROADSIDE INSPECTIONS

1. Selection of Check Sites

As a general rule, a check site should have enough volume of commercial motor vehicle traffic to support

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the work activity.

Select check sites that will provide safe working conditions for inspectors, drivers and other authorized personnel.

Each location selected should have sufficient space available or reasonably adjacent for the safe parking of vehicles declared out of service.

2. Assistance to Drivers

Ascertain the following information for future reference:

- Location and name of the check site
- Location of and distance to nearest public telephone
- Location of and distance to nearest cities or towns providing taxi service, meals and lodging
- Location of vehicle repair facilities and wrecker service for heavy commercial motor vehicles (in no case is an inspector to recommend a repair facility)
- Location and hours of relevant courthouse

3. Equipment

| | |
|---------------------|--------------------|
| Calipers | Eye Protection |
| Chalk | Head Protection |
| Coveralls | Scraper |
| Creeper | 6-12 Inch Ruler |
| Flashlight | Tread Depth Gauge |
| Tire Pressure Gauge | Wheel Chock Blocks |

4. Applicable Forms

- A Driver-Vehicle Examination Report is to be used to report the results of driver, vehicle and cargo examinations. It is to be prepared even though no defects are discovered and a copy given to the driver regardless of whether or not the driver consents to sign the form.
- A vehicle out-of-service sticker shall be affixed to a vehicle that has been declared out of service as per jurisdictional regulations.
- CVSA decals are to be affixed to a vehicle that passes inspection.

COLLECTING EVIDENCE

1. Statements from Drivers

The inspector should obtain signed statements from drivers or other carrier personnel at the examination side when such statements are of evidentiary value. Such statements can develop facts that are difficult or impractical to obtain at a later date.

2. Copies of Documents

The inspector should make copies of documents of evidentiary value. In many cases, the best, and sometimes only, opportunity to obtain documentary evidence is at the time of the vehicle examination.

3. Photographic Evidence

The inspector should take photographs whenever they can establish evidence material to the facts of

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the violation. Photographs can be used to substantiate such violations as defective and/or missing parts. Photographs can also be used to copy documents of evidentiary value.