Questions Regarding Roadside Inspections

With Roadcheck 2016 scheduled for June 7th though June 9th, 2016, questions arise from motor carriers regarding their next steps. Here are a few common questions:

What is required once a CMV is inspected?

After a motor carrier's vehicle has gone through a roadside inspection, regulations stated in §396.9 specify that the motor carrier do the following:

1. The driver shall deliver the report to the motor carrier upon arrival at the next terminal or facility. If the driver is not scheduled to arrive at a terminal or facility within 24 hours, he/she shall immediately mail the report to the carrier.
2. Motor carriers shall correct all defects noted.
3. A motor carrier official is to certify on the form that violations have been corrected and mail the completed form to the address shown. This must be done within 15 days following the date of the inspection.

The motor carrier must retain a copy of the completed form at its principal place of business for 12 months.

What happens if the vehicle or the driver is placed out of service?

If a driver or a vehicle is placed out of service, the driver or the vehicle cannot continue until the problem is corrected. It's very important to keep a paper trail documenting that the violation was in fact corrected as there are severe penalties for violating out-of-service orders. For drivers, it can include over $2,000 in fines, CDL disqualification, and a hit to the driver’s CSA scores; for the carrier, it can be upwards of $16,000 in fines for each violation.

Is there any way a vehicle can be moved so that repairs can be made off-site?

The only way a vehicle will move is if it is placed entirely onto another vehicle, or towed using a vehicle with a crane or a hoist. Other than that, the vehicle would have to be repaired on the spot or at least enough so that the out-of-service order is satisfied. The regulations also allow the inspecting officer to make a judgment call as to whether a vehicle can be towed or not, so it can become very important for the driver to get that information.

So how do officers decide if a vehicle is unsafe?

They turn to the CVSA North American Standard Out-of-Service Criteria, which specify the conditions that warrant an out-of-service order. It is important to note that two-thirds of vehicles inspected result in violations, but only about one-fifth of those vehicles are placed out of service. That's because the Out-of-Service Criteria are aimed at keeping unsafe vehicles off the road and not all violations result in an unsafe vehicle needing immediate repair. For example, over 20 percent of a vehicle’s brakes need to be ineffective before the vehicle gets an out-of-service order. Tires are another example. A steer tire is in violation when it is down to a tread depth of 3/32 of an inch. It becomes out of service when it gets down to 2/32 of an inch.