



SAFER

By Paul Dillon, CAPP

The Federal Motor Carrier Safety Administration (FMCSA), the governing arm concerning commercial transportation regulations, last year collected fines for shuttle infractions in excess of \$33 million from different transit agencies around the U.S. We must ensure our shuttle operations remain in compliance or be forced to pay costly monetary penalties, face possible loss of service capacities, or most importantly, allow the probability of injury to increase. Most, if not all, commercial driving regulations aim to encourage safe operations so it is important to be familiar and up to date with these regulations.

While the federal and state commercial driving regulations are not a complete guide to minimizing risk, a good place to start for any new transit service is to first review state and local websites along with that of FMCSA. Most regulations and final rulings can be found there, and the site also offers an option to receive important email notifications, which may include new or amending driver and/or operator regulations.

Changes

New regulations and final rules, including modifications of old regulations, come often. Most recently, FMCSA established a new regulation concerning driver time behind the wheel and mandated adequate rest periods between shifts. Also, new health standards were established for those seeking medical cards. This process included the federal Department of Transportation requiring all medical card providers to complete a comprehensive recertification process, which included establishing new health standard requirements for all commercial drivers.

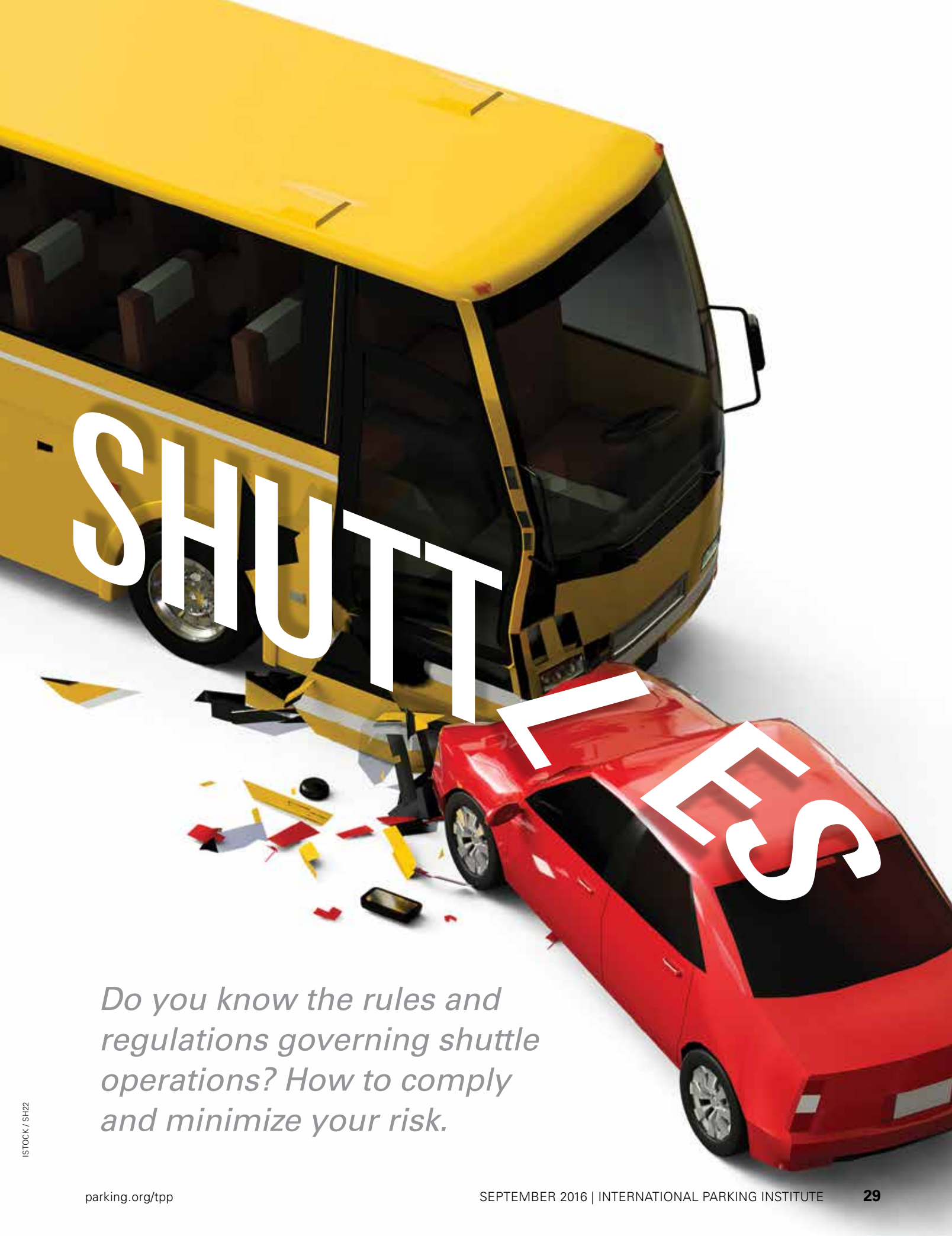
Examiners are now required to evaluate a driver's unhealthy body mass index (BMI) as significant risk factor in maintaining safe operations, based on a recently documented relationship between sleep apnea and elevated BMI. Drivers with this condition typically lose out on continuous sleep during their rest, which could attribute to lower alertness levels during the preceding day. One recent study completed at the University of

Virginia noted people with sleep apnea were 2.5 percent more likely to be involved in accidents than those who did not have sleep apnea. Encouraging healthy wellness standards will help reduce fatigue and the side effects that could lead to inattentiveness.

Most professionals can easily identify the overall risk or chance of loss within shuttle or transit operation. Look no further than the physical environments in which most shuttle operations operate. Drivers typically work in heavy pedestrian and traffic areas, can be distracted, and must focus on the safety of customers, and accidents can happen very quickly. Thankfully, there are many processes and procedures that can be implemented to promote the necessary management of risk within shuttle operations.

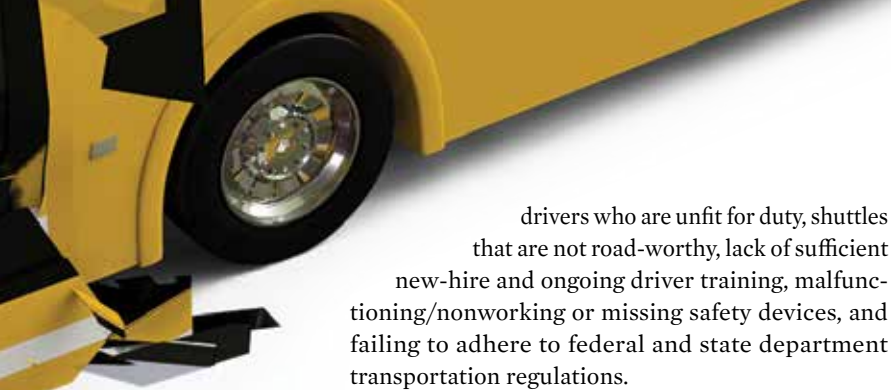
Identify Exposures

The list of potential or probable shuttle-based losses is extensive, but the most significant issues include



SHUTTLES

Do you know the rules and regulations governing shuttle operations? How to comply and minimize your risk.



drivers who are unfit for duty, shuttles that are not road-worthy, lack of sufficient new-hire and ongoing driver training, malfunctioning/nonworking or missing safety devices, and failing to adhere to federal and state department transportation regulations.

Manage Risk

Most large companies will begin with a cashflow analysis after defining their potential loss exposures. This equation allows leaders to measure the potential impact of a loss against the cost of a risk-control measure to minimize or avoid it. While most shuttle contractors are required to obtain a stated minimum level of insurance to operate, operators should be cautious about simply accepting contractual requirements.

Instead, operators should diligently evaluate all potential loss variables and base insurance coverage limits around the loss payment they could afford to pay (factoring in potential frequency) before their insurance coverage applies.

A very important element to a risk management program is how to handle a loss, which should include a business continuity plan. Post-loss continuity plans will be a playbook to manage the loss event and outline how operators will continue service at the same levels as prior to loss. After establishing the business continuity plan and purchasing the necessary insurance coverage, operators should begin reviewing state and federal regulations pertaining to their local operations. Federal information can be found on the FMCSA website, and state information can be found on state department of motor vehicles sites. Most guidelines will vary between states and depend on bus weight, total seat count, and/or travel area, which will ultimately dictate exact regulations that must be followed.

These procedures could include daily and weekly drive-time limits, drug and alcohol testing requirements, health screening requirements (medical card), pre-trip inspection requirements, training requirements, accident procedures and reporting, and ongoing motor vehicle record checks.

Training

Successful transit programs all start with thoroughly documented orientation and new-hire training sessions. While most companies use in-house training materials for classroom instruction, others use proven driving-safety programs such as Smith System. Smaller operations can typically complete classroom instruction in a day or two, while larger transit agencies could spend up to five days in formal instruction.

During class, drivers are taught safe driving habits, learn about local challenges, and might use a driving simulator to test their acquired skill sets. After the driver

passes the classroom instruction phase, he or she will typically move into a period of cadetting, which begins with observing another driver behind the wheel for a day or two before behind-the-wheel training under the watch of a seasoned driver. This process could range from a few days up to a few weeks depending on the scope of the operation.

After this training is completed, a lead driver or safety manager should administer a road test. A safety manager should then complete quarterly ride-alongs with each driver as part of the ongoing recertification process. Some companies also use a mystery rider program that offers a third-party perspective on driver performance.

Inspections and Maintenance

Operations can greatly minimize the probability of a loss by ensuring the fleet remains roadworthy. Inspections should begin with each driver reviewing the previous driver's shift notes along with their documented pre-trip inspection worksheet. This process will provide the driver with an overview of any incidents during the previous shift. If a device and/or piece of equipment is noted as deficient, the operator should require a more thorough inspection by a certified mechanic before placing the unit back in service.

After the driver reviews the previous shift's documents, he or she should begin the pre-trip inspection. One crucial step that tends to be overlooked is ensuring the driver wears personal protective equipment during the inspection. This should include at minimum eye protection, gloves, non-skid footwear, and apron. Generic pre-trip inspection forms can be found on the internet, but because most buses vary in their engine component layout, the local management team should design an applicable pre-trip inspection form that complies with regulations.

Lastly, routine preventive maintenance should be completed as indicated by the manufacturer. For most operators, service schedules will follow miles covered. However, operations with long idle times should consider service intervals based on in-service hour.

Drive Time Limits

Federal guidelines state that drivers' maximum drive time per shift can be no more than 14 hours with at least a minimum 10-hour rest period afterward. Drivers are only allowed to drive 10 continuous hours when rest periods are eight hours or fewer. If a driver is behind the wheel more than 10 hours, a minimum 10-hour rest period must be provided. Drivers can only drive for a maximum of 60 hours within a seven-day period. For most, the allowable drive time hours are more than manageable, and operators should consider eight- to 10-hour shifts with a minimum of 10 hours of rest between to ensure driver fatigue does not present added risk.

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Drug and Alcohol Testing

In 2016, FMCSA stipulates that a minimum of 25 percent of regulated drivers should be drug tested by certified examiners. Further, 10 percent should also receive alcohol screening. These random tests should be completed on a quarterly or monthly basis. Programs should also ensure random testing remains random in nature by periodically changing the testing date and/or process, which could include on- or offsite testing. Organizations should also clearly define their alcohol and drug testing programs and the ramifications of a failed test or no-show. Pre-employment screening should be required as a condition of job placement. Operators may be required to review driving histories and/or screening results from the driver's previous employer. Typically, this requirement must be completed within the first 30 days of employment.

Health Screening Requirements

All commercial operators are required to have a valid medical card issued by a certified medical examiner. A list of certified examiners can be found on the FMCSA website. One good internal policy is to ensure all drivers are aware they must notify management of certain physical and health conditions that might affect their ability to drive a commercial vehicle safely. This could include a change in their overall health and/or a new prescription. One unique approach to combating unfit drivers is to offer health club memberships for drivers, which provides a nice job perk that helps operators keep their workforces safer.

Motor Vehicle Record Checks

Establishing a motor vehicle record (MVR) program in compliance with FMCSA guidelines is extremely vital to risk management. Companies should work with their insurance carriers and establish point thresholds that trigger internal progressive disciplinary actions, driver suspensions, and/or driver disqualification. FMCSA dictates that all drivers' histories be verified annually at a minimum. Potential drivers' records should be verified for moving violations before hire. All drivers should also be required to immediately notify their employers of personal (off-the-job) traffic-related convictions. However, most would agree a lot can happen in a year, so companies should complete MVRs quarterly. A good rule of thumb is to track all driver's license expiration dates, mainly to serve as a friendly reminder for staff to check records.




Camera Video Systems

On-board safety devices such as video cameras provide operators a significant tool to minimize loss. Most importantly, camera systems also help to identify liability during a potential incident. These safety devices also allow organizations to review a driver's performance, possibly preventing loss in the future. Cameras also serve to provide an overall perception of safety for riders. Most systems provide a plethora of safety features that track speed, braking, and impact. Lastly, cameras can also encourage proper behavior for riders, too.

Monitoring Results

After establishing goals within each area for loss potential, organizations should continually monitor results and identify trends. One typical approach is to benchmark goals against other operations or institutions that provide similar services. These areas could include traffic violations, accidents, accident with injuries, non-fault accidents, near misses, and rider accident/injury safety reports. If trends begin to form within these monitored areas, organizations should carefully evaluate a response to minimize and/or avoid the loss. Response plans could include revising operating procedures, revising safety training programs, or increasing the frequency of ongoing safety training.

Risk can be classified or defined in many ways, but most insurers classify shuttle operations as pure risk, meaning the potential outcomes of shuttle operations either result in a loss or no loss for the insurer. For operators, this classification implies insurers anticipate most operations will limit systematic losses. Simply put, insurers believe most operations will have successful risk management techniques and/or programs that minimize frequency and/or the severity of losses. Maintaining safe shuttle operations, with minimal losses requires a multifaceted approach—one that can be started by keeping the processes and procedures listed above in mind while developing your own risk management program. 



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