

your professional and personal goals, you need a solid awareness of what that "IMAGE" is for you.

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BIT Inspections, Safety Audit, or Compliance Review – What to Expect

By Jay Johnson & Associates - CCTA Affiliate



Trucking is one of the most regulated industries in the Nation. Just mentioning the acronyms DOT, FMCSA, FMCSR's, OSHA, CHP, DMV, CARB, MCS, MCP, BIT, T-49 CFR, T-13 CCR, and CVC can lead to confusion. It is like a bowl of alphabet soup, second only to the military, with all the agency and regulatory reference book initials involved.

So, how does one sort through this as a trucking company owner or owner-operator without a roadmap? It can be difficult without industry organizations, such as the California Construction Trucking Association (CCTA), and private consultants to represent your best interests. A single article in CTN cannot possibly begin to give you the full roadmap needed, but the following basics are a good starting point.

If you own a trucking company in California, you fall primarily under the jurisdiction of the California Highway Patrol (CHP) and the California Department of Motor Vehicles (DMV) for your day to day regulatory compliance.

The DMV issues your Motor Carrier of Property Permit (MCP) and the CHP gets you a CA Number (also called a Carrier ID Number) and enrolls you in the Biennial Inspection of Terminal program. These are the minimum items needed to start your company. Once those are obtained, you face the challenge of compliance with those agencies specific regulations. Those include creating a driver qualification file, enrollment in a drug and alcohol testing program, monitoring hours of service, and establishing a maintenance program. Each agency permitting process contains subcategories of additional requirements, such as enrollment in the DMV Pull Notice Program, a pre-employment negative drug test, and 90-day inspections to name a few. Ready to give up yet? There is more to come.

Once you start your business, you can expect your operations to be inspected by a CHP Motor Carrier Specialist (MCS). They are civilian employees that focus on safety compliance of trucking companies. They will visit you somewhere between 3 months and 1.5 years after you start operations. Below is an outline of what to expect when the inspector walks in your door and what they will require from you.

BIT Requirements

- List of regulated drivers, with hire dates. That includes all part time, full time, temp workers, family members

and supervisors who still have a valid commercial driver's license and certifications.

- List of regulated vehicles.
- Inspect representative sample of regulated vehicles.
- Inspect maintenance records for same vehicles used as representative sample, to include routine maintenance (oil changes, repairs etc...) Driver's Vehicle Inspection Reports and periodic inspections.
- Choose representative sample of drivers.
- Inspect driver's records, to include DMV Pull Notices, Proficiencies and results of Pre-Employment Drug test.
- Inspect drivers Hours of Services records and compare to payroll, fuel receipts, shipping papers and any other pertinent records.
- Inspect separate random Controlled Substance and Alcohol testing program, to include but not limited to a list of drivers enrolled, annual summaries, test results (all types) that are negative and positive. If positive test are present or violations found, audit will turn extremely thorough.

Interstate Requirements

If you also obtain a US DOT number and plan to operate interstate, you have to add some additional requirements and another inspection. You will have that additional inspection on behalf of the Federal Motor Carrier Safety Administration (FMCSA). In California, the New Entrant Safety Assurance Process (NESAP) program inspections are performed by Motor Carrier Specialists employed by the CHP. That inspection will generally occur between 3 months and 6 months, and no later than 18 months. Remember, you must complete at least one interstate trip within 6 months, or they can "turn off" your DOT number. Here are the points covered by the Federal inspection.

NESAP Outline

- Same as the BIT, but with the following additions:
- Copy of MCS 90.
- Copies of accident reports and an accident register, if applicable.
- Drivers' complete Driver Qualification files.

This is all based on a simple trucking company and a simple audit. If your operation involves buses, haz-mat or even a household moving company. There are many changes to the Federal and State audit.

There is always a fine line in offering too much information and confusing a reader versus not providing enough information and presenting an incomplete picture. That is why I want to underscore the importance of industry organizations like the CCTA and using the services of compliance professionals. They provide you the resources you need to be successful. As the saying goes, "The Devil is in the details." It is the details of how you organize your operation and how you monitor those operations daily that will determine your success in passing your many inspections to come.

About the Author: Jay Johnson recently retired after 28 years in law enforcement, serving as a Motor Officer and Commercial Enforcement Officer. He started Jay Johnson & Associates, which focuses on commercial vehicle safety consulting and education for private industry and law enforcement. Jay is a Certified Safety Supervisor in the transportation industry. Jay's email is jay@jjassociates.us and his website is www.jjassociates.us.

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