



### Did You Receive an Insurance Cancellation Notice?

Chances are it is because you haven't yet renewed your membership, a requirement to be insured through ICSA's Risk Purchase Group. Even though the deadline is now past, you can stop the cancellation process by [logging onto the ICSA website](#) and following the prompts to renew. For questions, send an email to [contact@safecarriers.org](mailto:contact@safecarriers.org) or contact your account manager.

### Coming to ICSA Members: New Monthly Regulatory Bulletin

This edition of *The Landing Gear* is loaded with important information and updates, and we urge you to click the READ MORE buttons and read thoroughly. One of ICSA's primary roles is to provide our members timely information on regulations, enforcement activity and other critical actions and trends in the context of what these issues mean for ICSA members.

Starting next month, ICSA will launch a monthly *Regulatory Roundup*, written by our newest contributor – Warren Hoemann – as well as our Director of Operations, Shawn Nelson. This will allow us to provide more in-depth reporting and analysis of pending regulations and regulatory updates.

Warren Hoemann served as Deputy Administrator of the Federal Motor Carrier Safety Administration (FMCSA) at USDOT from 2003-2006 and as a senior vice president with the American Trucking Associations (ATA) from 2006-2017. Mr. Hoemann has had a long career in trucking, including executive positions at the California Trucking Association, at a major trucking company, at a transportation research institute, and in private legal practice representing trucking companies. Watch for *Regulatory Roundup* in early October.

### Model Safety Plan Now Online for Members

Over the past several months, ICSA, largely through the efforts of its Lead Safety Consultant Mike Hitchcock, has been developing a Model Safety Plan (MSP) that any member may use and adapt at no cost. Members directly benefit from Mike's more than three decades of safety management experience with "how-to's" ranging from Establishing a Safety Culture to Driver Onboarding and Orientation to a baker's dozen of other key knowledge areas.

*Cont. Page 2*

The plan is FREE to current ICSA members. To access the Model Safety Plan, log in to [www.safecarriers.org](http://www.safecarriers.org) and click on the MSP logo on the member dashboard. And while you're there, check out the FirstGear™ online driver training curriculum, also available at NO COST to members.



### MODEL SAFETY PLAN

Developed exclusively for ICSA Members

### Fatalities in Truck-involved Crashes Jumped 13% in 2021

#### ICSA Seeing Increases in Unsafe Truck Driver Behaviors

The end of the pandemic sent many motorists back to their commutes and sent traffic crashes and fatalities to the highest levels since 2005, says the National Highway Traffic Safety Administration (NHTSA). NHTSA's preliminary review of 2021 traffic data estimates 42,915 people died in traffic crashes last year, a 10.5% increase from the 38,824 fatalities in 2020. The projection is the largest annual percentage increase in the history of the Fatality Analysis Reporting System.

ICSA Safety Consultants, who review hundreds of members' SmartDrive incident videos every week, say they are alarmed about increases in unsafe driving behavior by truck drivers, including following too closely, excess and unsafe speed for conditions, and a sharp increase in distracted driving. (See this month's Coaching Corner below.)

NHTSA estimated the 13% increase in truck-involved fatalities resulted in 5,601 deaths. NHTSA defines a large truck as any truck with a Gross Vehicle Weight Rating of more than 10,000 pounds, either in commercial or non-commercial use at the time of the crash – a weight range that includes everything from heavy duty pickups to semis.

The Federal Highway Administration (FHWA) reported that 2021 vehicle miles traveled (VMT) increased by about 325 billion miles, or about 11.2% compared to 2020. Yet the fatality rate for 2021 was 1.33 fatalities per 100 million VMT, down only marginally down from 1.34 fatalities per 100 million miles VMT in 2020.

## COACHING CORNER

### Handling Inattention Among Drivers

By Mike Hitchcock

ICSA Senior Safety Advisor



As mentioned in the article on increased truck-involved fatal crashes, your ICSA safety consultants are seeing a huge increase in distracted/inattentive driving. We review hundreds of incident videos each week and, in way too many videos, the driver is talking on the phone, has the radio blaring or is going too fast in traffic and can't process data fast enough to identify and react to sudden changes.

Despite all the new safety features and equipment in our trucks these days, crashes and fatalities continue to rise. We must do better, and ICSA's safety consulting team is here to help members improve highway safety and reduce the chances of being in a serious crash.

How should fleet owners handle the growing problem of inattention and distraction on the road? First, respect the professional driver and acknowledge their skills. Second, develop an open communication relationship with drivers that incorporates mutual trust and respect. Every experienced driver will tell you that once they learned the skills of operating their equipment, the next challenge was avoiding complacency. How can fleet owners help them?

Example: You receive a video of a driver (or even you, the owner) running a stop sign. You think to yourself "Well, it hasn't happened before. He is a safe driver. No need to worry about it." Is that really the professional way to handle it or are WE being complacent?

The importance of following up and addressing inattention cannot be stressed enough and is the real solution to reducing crashes. We have to identify the cause before we can find a solution. We must view it as much more serious than just running a stop sign. It is actually a crash that didn't happen and a serious miscue by an otherwise professional driver. Understand what happened. Identify the "why" and help the driver understand what to do next time.

- What really happened?
- Work to identify the cause. Ask why this happened three or four times and dig down to the root cause.
- Identify the expectation, a solution. What is the smart thing to do next time this situation arises?
- Commit to using this knowledge to eliminate a re-occurrence in the future

If you can't convince yourself that the risk is eliminated, don't settle. Reach out and consult with your safety consultant. We are always available to help you.

### Road Check 2022 Results Are In

Each year the Commercial Vehicle Safety Alliance (CVSA) conducts an all-out, 72-hour truck and truck driver inspection effort, called "Roadcheck," with its Canadian and Mexican counterparts. This year, Roadcheck was held May 17-19.

Each year Roadcheck also brings a special focus on one truck system or another. In 2022, that focus was on "wheel ends" – tires, wheels and rims. Inspectors primarily conducted Level I (the 37-step check of the driver's operating credentials and the vehicle's mechanical and regulatory compliance) and Level V (vehicle only) inspections but paid closest attention to where "the rubber meets the road." Wheel ends, after all, directly affect a truck's traction, braking, stability and handling. In prior years, nearly one quarter of all vehicle out-of-service violations involved wheel ends.

The results from Roadcheck 2022 were much the same. Of this year's top 10 vehicle out-of-service violations, tires came in second and wheels ranked seventh. Combined, wheel ends accounted for 22.8% of all vehicle out-of-service violations. Brakes were the number one vehicle out-of-service violation.

Level I and Level V inspections look at the entire truck, not just wheel ends. Roadcheck 2022 saw inspectors in the U.S., Canada and Mexico examine 37,705 commercial motor vehicles, placing 8,718 vehicles out of service, for a North American vehicle out-of-service rate of 23.1%. At the same time, U.S. and Canadian inspectors also conducted Level II (Walk Around Driver/Vehicle) and Level III (driver credential) inspections and placed 3,118 drivers out of service, with "false logs" being the leading violation.

Here's some good news: CVSA gives plenty of public notice of each year's enforcement and inspection efforts dates and focus. In turn, ICSA publicizes these enforcement and inspection task force events well in advance so that there is plenty of time for members to look over their trucks in preparation for Roadcheck – or for [Brake Safety Week](#) or [Operation Safe Driver Week](#) – and get a clean bill of health from the inspectors. A clean inspection benefits your SAFER safety score with FMCSA.

View the complete 2022 RoadCheck Results [HERE](#)

Cont. Page 3

## DataQs and the Single-Truck Operator

Guest Blog by Scot Montgomery,  
ICSA Board Member and  
Wyoming Highway Patrol Captain (ret.)



As the old saying goes, “The only dumb question is the one that goes unasked.” This analogy is easily applied to the DataQ process as “If inaccurate data is not reviewed, only the carrier suffers.” While large carriers have teams of safety specialists and intermediate carriers often have at least one dedicated safety director to perform Requests for Data Review (RDR, or DataQ for short), for single-truck owner/operators, this function, as with so many aspects of single-truck motor carriers, becomes the responsibility of that owner.

With Carrier safety scores at the tip of anyone’s fingers and the wide array of subjects affected by those scores, it becomes critically important for all motor carriers to do everything within their power to monitor their safety scores.

Don’t have a DataQ account? [Register for one now.](#)

You can use the DataQ system to contest violations that occurred in the past two years and accidents dating back three years. An additional DataQ feature that some carriers don’t know about is the Crash Preventability Determination Program (CPDP), a process that reviews RDRs to reassess the preventability determination of crashes. Because this is a fairly recent feature of DataQs, only crashes that happened on or after August 1, 2019 may be considered in an RDR inquiry.

Before you read on, you may wish to link to Mr. Montgomery’s first blog on DataQs published in the [January Landing Gear newsletter](#).

Such crashes include accidents where the commercial motor vehicle is arguably not at fault, including but not limited to rear-end collisions caused by another motorist; a motorist causing a wrong direction or illegal turn crash; a vehicle that fails to stop; accidents occurring when a commercial vehicle is parked or legally stopped; accidents caused by an individual under the influence; a driver who was distracted or experienced a medical issue that contributed to the crash. If any of these situations apply to you, it might be worth your while to request FMCSA to decide that the accident was not preventable. This decision can improve both your insurance rates and your Injury Severity Score.

As a motor carrier, it is imperative you monitor the safety data associated with your company. If you don’t, rest assured that shippers, freight brokers, insurance companies and trucking litigation experts are just a few

of the entities that review the Safety Measurement System (SMS) for BASICs scores and the violation histories of carriers, including yours.

All small carriers - especially single-truck owner/operators - should be reviewing their safety snapshot in their FMCSA carrier portal on a regular basis to ensure the safety history that these researchers see is accurate. As an owner/operator your “fleet” is very personal, and any action taken which will affect your safety snapshot should be familiar to you. So, unlike large fleets with dedicated employee(s) spending hundreds of hours reviewing their motor carrier profile, most owner/operators can check this information out in their portal once a month or every couple of weeks while having breakfast.

Logging into the portal and checking for changes will take less than five (5) minutes, and since you know of any “events” which would have been added to your profile, you’ll know right away if everything is accurate. There are several events which can affect your profile; however, the two most common are roadside inspections and crashes. If you experienced an event which would have been recorded in your profile, you can easily confirm the accuracy of how the event was recorded.

Another unfortunate occurrence is when one of these events gets assigned to the wrong motor carrier. Sometimes these are simply typographic errors by enforcement personnel who record the USDOT number inaccurately. Occasionally, however, there is a bad apple who provides false information at roadside. Your regular reviews will help you ferret out these inaccuracies and keep your safety profile accurate.

Whether you are contesting the contents of a roadside inspection report, the “chargeable” status of a crash, or an inspection which was assigned to your company inaccurately, the Request for Data Review or DataQ is the owner/operator’s avenue for profile/safety score accuracy. Your regular review will allow you to find and contest any discrepancies quickly and easily. With time being the commodity most sought by you, a DataQ can usually be filed in under 15 minutes and, when successful, the benefits of keeping your safety score(s) low will definitely outweigh 15 minutes of down time.

Finally, it’s important to note that FMCSA does not consider every DataQ it receives. As a motor carrier whose safety record is at stake, don’t file a DataQ on every single violation or crash unless you can provide compelling evidence that you were wrongly cited, or an investigating officer determined you to be at fault in a crash. Pick your battles and, whatever you do, always tell the truth. That will go a long way toward helping you clean up your safety record.