February 24, 2014

Dear CVSA Members:

The Commercial Vehicle Safety Alliance (CVSA) works to closely monitor, evaluate, and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. The voting members of the Alliance have approved nine (9) changes to the April 1, 2014 edition of the North American Standard Out-of-Service Criteria (OOSC). In accordance with the CVSA Bylaws, these changes were communicated to the voting members of the Alliance on Thursday, November 7, 2013 and were subsequently ratified on Friday, November 22, 2013.

The 2014 edition will be reproduced on ‘Green’ colored paper and the changes denoted by an asterisk (*) will be effective throughout North America on April 1, 2014. French and Spanish editions are also available.

Copies of the 2014 edition of the North American Standard Out-of-Service Criteria Handbook and Pictorial are now available for purchase through the CVSA online store at http://cvsa.stores.yahoo.net/. Please contact CVSA for bulk discount pricing on orders of 50 or more.

A PowerPoint outlining the changes is currently available for annual in-service/refresher training from the Training Committee webpage at www.cvsa.org/committees/training.aspx. In addition, a webinar outlining all of the changes to the April 1, 2014 OOSC will be held on Tuesday, March 4, 2014 from 1:00-2:00pm Eastern.

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Changed to reflect the revisions contained in the April 1, 2014 edition of the OOSC.


1. Action: Amend Part I, Item 2. OPERATOR’S/CHAUFFEUR’S LICENSE OR PERMIT (NON-CDL), a., (2), and Item 3. COMMERCIAL DRIVER’S LICENSE (CDL), d. License, (2), by modifying the language of the out-of-service condition.

Rationale: This action is being recommended in response to a series of discussions that have taken place in the Driver-Traffic Enforcement Committee and in the Executive Committee. The reason for this change is twofold: 1) to help ensure that drivers whose licensing privileges have been revoked, suspended, cancelled, or otherwise disqualified are being placed out-of-service for safety based reasons; and 2) to help foster more uniform enforcement of this issue.
throughout North America. In addition, the change would permit the OOS action being initiated based on the violation existing in ANY jurisdiction, not just the driver’s license state-of-record.

By supporting this action it would not preclude member jurisdictions from taking enforcement action on drivers whose licensing privileges have been revoked for whatever reason if their jurisdictional law requires it. However, in order to place a driver out-of-service consistent with the North American Standard Out-of-Service Criteria (OOSC), the inspector would have to verify that the revocation, suspension, cancellation, or disqualification was for a safety-related or unknown reason. This recommended action is consistent with CVSA Operational Policy #7, regarding the procedures governing potential additions, deletions, and/or revisions to the OOSC.

This recommended change would also bring the OOSC in line with FMCSA guidance issued (Training Bulletin issued in July 2012) and the FMCSR’s regarding disqualifying actions taken on a commercial driver’s licensing status being for safety-based violations. An inconsistency still exists between Part 383 and the interpretive guidance in 391.15 of the FMCSR’s, but FMCSA has formally acknowledged this inconsistency and intends to make the necessary adjustments to bring Part 391 in line (consistent) with Part 383.

A February 2013 report\(^1\) authored by the American Association of Motor Vehicle Administrators (funded by the National Highway Traffic Safety Administration) discusses more details regarding the suspended and revoked driver situation. In its Executive Summary the report states, in part (emphasis on bold and italics):

> “When licenses are suspended for social non-conformance reasons, the suspension is “watered down” in value; it becomes less serious in the minds of law enforcement, the courts and the public. It was estimated that as many as three-fourths of suspended or revoked drivers continue to drive. This fact indicates that driver license suspension is no longer the solution to force compliance. **Data shows that drivers suspended for traffic safety related reasons are three times more likely to be involved in a crash than drivers suspended for social non-conformance reasons**; therefore, our limited resources should be focused on dangerous drivers. To best serve the community, the penalties for social non-conformance violations should not include the suspension of an individual’s driving privileges.”

\(^1\) If you are interested in reading the AAMVA report in its entirety, you can download it from the AAMVA web site at: [http://www.aamva.org/Best-Practices-and-Model-Legislation](http://www.aamva.org/Best-Practices-and-Model-Legislation)


**Rationale:** The intent of this new motion is to enable inspectors to place a driver out-of-service when they present a fraudulent medical card. At this point, an inspector can cite the violation, but it is not an out-of-service condition.
3. **Action:** Amend Part II, Item 1. BRAKE SYSTEMS, a. Defective Brakes, (5) Drum (Cam-Type and Wedge) Air Brakes, (a), and (6) Air Disc Brakes (Exposed Pushrods and Direct Coupled – Air Chamber to Caliper), (a), by modifying the language of the out-of-service condition.

**Rationale:** This submission sought to include an item that is not currently addressed on the OOSC. A clevis pin missing between the pushrod and slack adjuster is identified as a defective brake condition, but a missing retainer, normally a cotter pin, securing the clevis pin is not. Loss of the clevis pin retainer can very quickly allow the clevis pin to be lost and render a brake inoperative or degrade brake performance. The Committee agreed that, as long as there is something to keep the clevis pin from coming out, there is not a violation, so the group agreed that simply listing ‘cotter pin’ is not sufficient. To ensure that anything inserted in the clevis pin is acceptable to prevent the clevis pin from falling out the “clevis pin retainer” language was selected. Including this condition in item 1.a.(5)(a) and 1.a.(6)(a) addresses the condition as a defect to be included in the 20 percent criterion.


**Rationale:** This would address a likely unintentional omission from the OOSC. The retainer, normally a metal bracket, preventing the brake pads from becoming dislodged from the caliper can be left out after a repair, or fall out if improperly installed. This can lead to loss of the brake pads, or shifting from their normal operating position. Both of these conditions can render a brake inoperative and even lead to the loss of an entire brake hydraulic circuit. This similar component is currently included in the section for air disc brakes, but not in hydraulic brakes. Discussion also took place on whether or not to include it as OOS for a steer axle, but it was agreed to be consistent with the air disc brake section to include it only as a 20 percent brake OOS condition.

5. **Action:** Amend Part II, Item 1. BRAKE SYSTEMS, k. Air Loss Rate, (4), by clarifying this inspection procedure.

**Rationale:** This recommended change is based on an inspection being conducted, in which a brake system lost a significant amount of air from the brake system during a portion of the inspection procedure, and there was no procedure to use to place the vehicle OOS. This would address that situation, by adding additional language to both the OOSC and the Level I Inspection Procedure. During the inspection the vehicle is tested with the engine idling with the compressor running (governor cut-in) and service brake fully applied. In this particular case, the leakage occurred immediately after release of the service brakes and resulted in a significant loss of pressure in the brake system. Loss of air from the brake system upon brake release was felt to be an equally serious safety hazard and the Vehicle Committee voted unanimously to support the OOSC, which would result in the following Level I Inspection Procedure revision:
STEP 34 - TEST AIR LOSS RATE

If you detected an air leak at any point in the inspection, you should now check the vehicle’s air loss rate. Have the driver run the engine at idle, ensure brakes have been released. Observe the air reservoir pressure gauge on the dash. Have the driver put the pressure at 80 psi (at about 80 psi, most compressors should be operating). With the engine idling and the air pressure between 80 – 90 psi, instruct the driver to make a full brake application. Check the air pressure gauge after initial application and after the service brake is fully released. Air pressure should be maintained or increased. A drop in pressure indicates a serious air leak in the brake system.


**Rationale:** An Ad Hoc was developed in the spring of 2013 in Louisville, KY to address this issue. Video clips were shown of conditions found roadside where a bearing carrier was either loose or the bearings deteriorated so badly it allows for the driveshaft to be moved excessively by hand, vertically. Industry attendees supplied information related to roadside incidents where a driveshaft had become detached and crash data was presented from some enforcement representatives at an earlier meeting. Draft language was developed with industry input and was reviewed directly with members of the Technology and Maintenance Council (TMC) of the American Trucking Associations (ATA). An Inspection Bulletin is currently under development and the Level I and Level V Inspection Procedures will be updated to include information, if this amendment to the OOSC is adopted. This item does not fit under any of the current Critical Vehicle Inspection Items, therefore, Operational Policy 5 will need to be updated to amend the Critical Vehicle Inspection Item list.

The addition of the new ‘Drivetrain/Driveshaft’ item will provide an opportunity to make adjustments to several sections of the OOSC. For example, the ‘Securement of Cargo’ item will be re-titled ‘Cargo Securement’ to reflect common terminology and reordered in the OOSC. Then, the items will be rearranged in alphabetical order, and renumbered accordingly.

7. **Action:** Amend Part II, Item 7. **EXHAUST SYSTEMS**, b., by modifying the language of the out-of-service condition.

**Rationale:** During a recent inspection of a bus, the exhaust system was installed where the bottom half of the pipe was cut away as far back as 22 inches from the rear of the bus. The proposed change incorporates the wording contained in 393.83(d) of the FMCSRs to accommodate the ‘EPA’ regeneration exhaust system in order to eliminate any confusion when an inspector is applying the OOSC.


**Rationale:** This change seeks to do three things. First, the change will add a clarification regarding shock absorber conditions. Due to newer suspension systems (specifically air-ride) it was questioned if the shock absorber is now a more critical component and no longer secondary suspension and if so, should there be a point where the vehicle is placed OOS due to a shock
absorber defect. The suspension Ad-hoc Committee comprised of suspension manufacturers provided information that although the shock absorber is a maintenance issue when broken, loose, or missing; at no point should the condition of the shock absorber result in an OOS condition under suspension. The Ad-hoc Committee suggested adding a note to address the shock absorber issue.

The second piece seeks to clarify component identification for various types of tracking rods. Several training documents, OOSC pictures and industry information use terms like, radius rod, torque rod, tracking arm, etc. on different components. This causes confusion during training and it was asked of industry if it could be possible for them to provide generic language to refer to all of these types of components. The Ad-hoc Committee was comprised of suspension manufacturers and they provided generic terms of “Suspension Connecting Rod” and “Tracking Component Assembly”.

Lastly, with the development of newer suspensions, the suspension Ad-hoc Committee was asked to provide information as to whether excessively worn rubber bushings should be included in the OOS. The current OOSC only speaks to missing bushings, but in the cases of the newer styles of suspension, the bushings are now much larger. Video clips were shown where the bushing was still present, however, extremely worn to the point that the inspector could move the wheel by hand. The group provided an OOS guideline for worn bushings for these extreme cases. A new picture was also added to show the new component terminology.

9. **Action:** Amend Part II, Item 10. SUSPENSIONS, e. Adjustable Axle(s)/Sliding Trailer Suspension System, by adding (3), (4), and (5).

**Rationale:** This issue sought to address situations where the welds connecting the undercarriage body rail of the sliding sub-frame are cracked to a point where the sliding sub-frame may become detached from the trailer. Pictures were shown in previous meetings where sub-frames had come off the bottom of the trailer due to the degradation of the attachment points to the trailer. The suspension Ad-hoc Committee discussed this issue with several vendors; however, there was no industry standard. A suggestion was made by the Vehicle Committee to use a 50 percent tolerance for the welds. This was submitted to Truck Trailer Manufacturers Association (TTMA) for comment and they wrote a letter indicating that they would support placing a vehicle OOS if more than 50 percent of the welds connecting the rail to the trailer were cracked. They also supplied further conditions related to continuous lengths of cracked welds and cracks in the radius of the rail itself.

If you have further questions or comments, please do not hesitate to contact Michael Irwin by phone at 301-830-6150, or via email at michaeli@cysa.org.

Sincerely,

Stephen A. Keppler
Executive Director