

## TERMINAL MANAGER'S COMPLIANCE CHECKLIST

CHP 800D (Rev. 04-2017) OPI 062

### TERMINAL MANAGER'S COMPLIANCE CHECKLIST

The following checklist is provided to assist motor carriers whose California (CA) terminals are subject to inspection by the Department of the California Highway Patrol (CHP) pursuant to Section 34501 or 34501.12 of the California Vehicle Code (CVC). Any motor carrier, as defined in Section 408 CVC, can improve its ability to pass such inspections by closely examining its own operations using the following checklist.

#### NEW DRIVERS AND RECORDS

1. Do you obtain a CA Department of Motor Vehicles (DMV) report showing a prospective driver's current driving record (issued within 30 days of the hire date) prior to allowing them to drive a vehicle listed in Section 34500 CVC? *Section 1808.1 CVC*
2. Before you use a driver, is their CA DMV driving record reviewed? *Section 1808.1 CVC*
3. Is a copy of a driver's current CA DMV driving record signed, dated, and retained until receipt of their DMV Employee Pull Notice (EPN) record? *Section 1808.1 CVC*
4. Do you maintain an employment application, certified as true and accurate, for each driver? *Section 15230 CVC*

#### EMPLOYER PULL NOTICE PROGRAM AND RECORDS

5. Are all your drivers who operate vehicles requiring a commercial driver's license, class C license with a special driving certificate, or a modified limousine immediately enrolled in the EPN system? Drivers include managers, supervisors, and family members who operate vehicles previously mentioned. *Section 1808.1 CVC*
6. Do you have an EPN record, current within 12 months, on file for each of your drivers? *Section 1808.1 CVC*
7. Have EPN records been reviewed to verify that each employee's driver's license has not been suspended or revoked; traffic violation point count; and whether any employee has been convicted of driving under the influence of alcohol or drugs? *Section 1808.1 CVC*
8. Are EPN records signed and dated? *Section 1808.1 CVC*
9. Have you employed or continue to employ, any driver, for whom a disqualifying action has been taken against their driving privilege or required certificate? *Section 1808.1 CVC*

#### DRIVERS' HOURS OF SERVICE AND RECORDS

10. Do you retain the original drivers' record of duty status (log) for at least six months? *Title 13 California Code of Regulations (CCR) Sections 1213, and 1234*
11. Do you maintain supporting documents, which may be used to verify the information recorded on drivers' timekeeping records for at least six months? *Title 13 CCR Sections 1201 and 1234*
12. Do you retain drivers' timekeeping records (for example - time sheets or time cards) from a driver who operates a vehicle locally for at least six months which includes, the time reported to duty, the time released from duty, and the total number of hours on duty each day? *Title 13 CCR Sections 1212 and 1213*
13. Do you retain a signed statement from a driver used for the first time or intermittently which includes, the total time on duty during the immediately preceding seven days and the time at which the driver was last relieved from duty prior to beginning work? *Title 13 CCR Sections 1213*
14. Do you ensure drivers' operate vehicle within the hours of service limitations and requirements? *Sections 34501.2, 34501.3, 34501.4 CVC, and Title 13 CCR Sections 1212.5*

#### DRIVER PROFICIENCY AND RECORDS

15. Do you require drivers to demonstrate their ability to safely operate each different type of vehicle or vehicle combination before allowing them to operate these vehicles on the highway unsupervised? *Title 13 CCR Section 1229*
16. Do you maintain a record of the different types of vehicles and combinations each driver is capable of operating proficiently? *Title 13 CCR Section 1234*

#### INSPECTION, MAINTENANCE, LUBRICATION, AND REPAIR RECORDS

17. Are your vehicles maintained in a safe and proper operating condition? *Title 13 CCR Section 1230*
18. Do you require all drivers to submit documented daily vehicle inspections reports (DVIR)? *Title 13 CCR Section 1234*
19. Are safety defects noted on DVIRs corrected before the vehicle is operated on the highway? *Sections 34505, 34505.5 CVC and Title 13 CCR Section 1215 and 1234*



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20. Do you retain DVIRs for at least three months? *Title 13 CCR Sections 1202.1, 1202.2 and 1234*
  21. Are all vehicles regularly and systematically inspected, maintained, and lubricated? *Sections 34505, 34505.5 CVC, and Title 13 CCR Section 1232*
  22. Do you have a means of indicating the types of inspection, maintenance, and lubrication operations to be performed on each vehicle, and the date or mileage when these operations are due? *Title 13 CCR Section 1232*
  23. Do you ensure individuals performing inspections, maintenance, repairs or service to the brakes on regulated vehicles are qualified in accordance with Title 49 Code of Federal Regulations (CFR) 396.25? *Title 13 CCR Section 1232*
  24. Do you document each systematic inspection, maintenance, lubrication, and repair performed for each vehicle? *Title 13 CCR Section 1234*
  25. Do your maintenance records include at least the following: *Sections 34505, 34505.5 CVC, and Title 13 CCR Section 1234*
    - Identification of the vehicle, including make, model, license number, company vehicle number or other means of positive identification?
    - Date or mileage, nature of each inspection, maintenance, lubrication, repair performed, and to be performed?
    - The name of the lessor or contractor furnishing any vehicle?
    - The signature of the motor carrier's authorized representative or person performing the inspection and/or the completion of all required repairs?
  26. Are your maintenance records retained for one or more years as required? *Sections 34505, 34505.5 CVC and Title 13 CCR Section 1234*
- Note: You may retain the above outlined inspection and maintenance records in a computer system in lieu of the signed records, if the printouts include the information listed above in number 25. *Section 34505.5 CVC*

### CARRIER-PERFORMED INSPECTIONS

27. Do you perform a periodic safety inspection on each regulated vehicle listed below? *Sections 34500, 34505, 34505.5 CVC and Title 13 CCR 1232*
  - Motortrucks of three or more axles with a gross vehicle weight rating (GVWR) of more than 10,000 pounds.
  - Truck tractors.
  - Buses, school buses, school pupil activity buses, youth buses, farm labor vehicles, modified limousines, and general public paratransit vehicles.
  - Trailers and semitrailers designed or used for the transportation of more than 10 persons and the towing motor vehicle.
  - Trailers and semitrailers, pole or pipe dollies, auxiliary dollies, and logging dollies used in combination with vehicles listed above. This does not include camp trailers, trailer coaches, and utility trailers.
  - A combination of a motortruck with a GVWR of more than 10,000 pounds, while towing any trailer listed above, which exceeds 40 feet in length when coupled together. Combinations which include a pickup truck as defined in Section 471 CVC or which are never operated in commercial use are excluded.
  - A commercial motor vehicle (CMV) with a GVWR of more than 26,000 pounds or a CMV of any GVWR towing trailers listed above with a GVWR of more than 10,000 pounds.
  - A vehicle or combination of vehicles, transporting hazardous materials (HM) for which the display of placards, a CA HM transportation license, or a CA hazardous waste transporter registration is required.
  - Any other motortruck not specified above that is regulated by the DMV Motor Carrier of Property Permit (MCP), Public Utilities Commission (PUC), or Federal Motor Carrier Safety Administration (FMCSA).

### VEHICLE IDENTIFICATION

28. Does each vehicle or combination of vehicles display the company's name under whose authority the vehicle is being operated on both sides clearly legible from 50 feet? *Section 27900 CVC, and Title 13 CCR Section 1256*
29. Does each vehicle or combination of vehicles display a valid carrier identification number on both sides clearly legible from 50 feet? *Section 34507.5 CVC, and Title 13 CCR 1256*
30. Are identification numbers and company names removed before sale, transfer, or other disposal of a vehicle? *Sections 34507.5 and 27900 CVC*



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### HAZARDOUS MATERIALS HANDLING PROCEDURES

31. Do you transport HM in compliance with the regulations contained in Title 49 CFR Parts 100 to 180 and Title 13 CCR Parts 1160 to 1167? This includes but is not limited to, the following:
- Shipping paper requirements, including proper entries, shipper's certification, retention, accessibility in transport vehicles. *Title 13 CCR Section 1161, and Title 49 CFR Section 172.200*
  - Marking requirements for packages, containers, and vehicles. *Title 13 CCR Section 1161.3, and Title 49 CFR Section 172.300*
  - Labeling requirements for packaging and containers. *Title 13 CCR Section 1161.2, and Title 49 CFR Section 172.400*
  - Placarding requirements for vehicles or containers. *Title 13 CCR Section 1162, and Title 49 CFR Section 172.500*
  - Emergency response information requirements including accessibility in transport vehicles. *Title 13 CCR, and Title 49 CFR Section 172.600*
  - Training requirements for HM employees. *Title 13 CCR 1161.7, and Title 49 CFR Section 172.700*
  - Safety and security plan requirements. *Title 13 CCR 1161.8, and Title 49 CFR 172.800*
  - Proper use and maintenance of packaging. *Title 13 CCR Section 1163, and Title 49 CFR Section 173.24*
  - Segregation, separation, and securement of cargo. *Title 13 CCR Section 1164, and Title 49 CFR Part 177*
  - Incident report submission and retention requirements. *Title 13 CCR Section 1166, and Title 49 CFR Part 171.16*

### SATISFACTORY RATED TERMINALS

A terminal rated satisfactory is one that is in compliance with applicable laws and regulations. Minor deficiencies or defects may exist as long as highway safety is not jeopardized. *Title 13 CCR Section 1233*

### UNSATISFACTORY RATED TERMINALS

A terminal rated unsatisfactory is one showing a lack of compliance which could jeopardize the safety of passengers and/or the motoring public; one in which articulable proof is obtained showing widespread noncompliance with or willful disregard of, statutory or regulatory requirements. An Unsatisfactory rating is assigned for any of the following conditions: *Title 13 CCR Section 1233*

- Vehicle or equipment violations of a deliberate or long-standing nature.
- More than 20 percent of vehicles in the inspection sample are placed out of service.
- Drivers' hours-of-service violations exceeding five percent of the total days audited.
- Falsified drivers' hours-of-service records violations exceeding five percent of the total days audited (drivers' hours-of-service and falsified drivers' hours-of-service violations may be combined in determining an excess of five percent of total days audited).
- Failure to maintain and/or retain drivers' timekeeping records when that failure precludes a reasonable determination that the carrier is in compliance with drivers' hours-of-service requirements.
- Failure to participate in the DMV EPN Program, failure to enroll all drivers, failure to obtain and retain a driver's current CA driving record, failure to obtain a periodic EPN record for all drivers, or utilizing disqualified or unqualified drivers.
- Failure to provide the Department a reasonable opportunity to conduct an inspection.
- Lack of compliance with any HM requirement, which jeopardizes public or environmental safety, or hinders prompt action by emergency response personnel.
- Willful disregard of statutory or regulatory requirements.
- Violations generally spread over the inspected vehicles and/or maintenance records which, by their nature, should have been detected, documented, and corrected under an acceptable inspection and maintenance program.
- Violations generally spread over the inspected drivers' records which, by their nature, should have been prevented, and/or detected and corrected under an acceptable drivers and records management program.



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### CONDITIONAL RATED TERMINALS

A terminal rated conditional is one in which the terminal's compliance is no longer unsatisfactory, but that actual compliance cannot be determined. In this case, the CHP will return for a follow-up inspection in approximately six months to reinspect the terminal and assign a new safety compliance rating. The new rating will not be conditional; it will either be satisfactory or unsatisfactory. Under certain circumstances when re-inspecting a terminal which had been previously assigned an unsatisfactory rating, the CHP is unable to determine that all required corrections have been accomplished by the motor carrier. One example is a terminal which had received an unsatisfactory rating for excessive drivers' hours of service, and as a result the PUC or DMV suspended the motor carrier's operating authority or MCPP for a period of time. During the suspension, the carrier could not lawfully operate any of its vehicles, and therefore, could not demonstrate compliance with laws and regulations governing drivers' hours of service. Under such circumstances, if all other compliance failures at that terminal have been corrected by the carrier, the CHP will normally assign a conditional rating to that terminal, and reevaluate the hours of service issue within six months.

### OPERATING AUTHORITY

Prior to operating regulated vehicles on any public highway, motor carriers may be required to obtain an operating authority or permit. The operating authority may be a DMV MCPP, PUC registration or operating authority, or a FMCSA registration and authority. Additional information may be obtained for the DMV MCPP via the Internet at [www.dmv.ca.gov](http://www.dmv.ca.gov) or calling (916) 657-8153; PUC via the Internet at [www.cpuc.ca.gov](http://www.cpuc.ca.gov) or calling (800) 848-5580; or, FMCSA via the Internet at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) or calling (800) 832-5660.

### UNITED STATES DEPARTMENT OF TRANSPORTATION NUMBERS

Motor carriers must obtain a United States (US) Department of Transportation (DOT) number prior to applying for a CA number. The issuance of US DOT numbers allows data to be included in the FMCSA Safety Measurement System (SMS). The US DOT number may be displayed in lieu of the CA number. Carriers should update their US DOT number census information as required and monitor their FMCSA SMS information for accuracy via the Internet at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). *Section 34507.5 CVC*

### COMMERCIAL INDUSTRY EDUCATION PROGRAM

The CHP's Commercial Industry Education Program, offers free educational safety seminars for motor carriers and commercial drivers of regulated vehicles. Presentations vary from one to eight hours. Motor carriers have the option of receiving the presentations at their facility or another location. Presentations can be tailored to suit the needs of the carriers, including presentations provided in Spanish. Additional information may be obtained via the Internet at [www.chp.ca.gov](http://www.chp.ca.gov) or contacting the nearest CHP Motor Carrier Safety Unit (MCSU) as listed below.

### ABOUT THIS CHECKLIST

This checklist, while detailed, cannot list all possible items where compliance with law or regulation could be an issue, nor can it explore all possible applications of CHP policy in the assignment of ratings. A motor carrier who examines their operations using this checklist as a guide can identify areas where compliance may be weak, and take action to improve those areas. Some of these items may not apply to every type of carrier. Laws and regulations change over time, and staying current with these changes is one of the keys to success for anyone who operates or directs the operation of commercial vehicles. This checklist is not law; it is intended only to assist motor carriers in achieving success in the area of highway safety. It does not bind the CHP to a particular determination regarding the compliance of any motor carrier with laws and regulations in existence at any given moment. Any conflict between this checklist and a law or regulation, or future change in CHP policy, will be resolved in favor of the law, regulation, or policy. This checklist will be revised to reflect significant changes in these areas as soon as possible after they occur. Additionally, compliance with federal regulations governing testing of drivers for use of controlled substances and abuse of alcohol is also required, but is evaluated separately from all other matters. See Section 34520 CVC and Title 49 CFR Part 382, for information regarding this issue. The CHP publishes a checklist similar to this one titled CHP 800F, Controlled Substances and Alcohol Testing Compliance Checklist, the CHP 800J, What is CSAT?, and CHP 800H, Welcome to BIT, The Basic Inspection of Terminals (BIT) Program.



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Questions regarding any of the information outlined above may be directed to your nearest CHP MCSU listed below:

Northern Division  
2485 Sonoma Street  
Redding, CA 96001-3026  
(530) 242-4357  
(530) 246-1264 Fax

Valley Division  
2555 First Avenue  
Sacramento, CA 95818-2608  
(916) 731-6350  
(916) 227-0111 Fax

Golden Gate Division  
1551 Benicia Road  
Vallejo, CA 94591-7568  
(707) 648-4180  
(707) 649-4766 Fax

Central Division  
5435 East Olive Avenue  
Fresno, CA 93727-2541  
(559) 453-3130  
(559) 452-1251 Fax

Southern Division  
437 North Vermont Avenue  
Los Angeles, CA 90004-3512  
(323) 644-9557  
(323) 953-4827 Fax

Border Division  
9330 Farnham Street  
San Diego, CA 92123-1216  
(858) 650-3655  
(858) 637-7159 Fax

Coastal Division  
4115 Broad Street, Suite B-10  
San Luis Obispo, CA 93401-7963  
(805) 549-3261  
(805) 541-2871 Fax

Inland Division  
847 East Brier Drive  
San Bernardino, CA 92408-2820  
(909) 806-2414  
(909) 885-0981 Fax

