



Professional Safety Consulting

PO Box 369

Kimberling City, MO 65686

800-659-3025

www.professionalsafetyconsulting.com

Friday Safety Brief

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HM Compliance

What is the HM Compliance BASIC?

The Hazardous Materials (HM) Compliance Behavior Analysis and Safety Improvement Category (BASIC) is one of seven categories that the (FMCSA) uses to determine how a motor carrier ranks relative to other carriers with a similar number of safety events (i.e., inspections, violations, or crashes). The HM Compliance BASIC specifically addresses the requirements within the Federal Motor Carrier Safety Regulations (FMCSRs), specifically 49 CFR Part 397 and Hazardous Materials Regulations (HMRs) 49 CFR Parts 171, 172, 173, 177, 178, 179, and 180, to safely transport HM on commercial motor vehicles (CMVs). Some example roadside safety violations that may cause a motor carrier to rank poorly in this BASIC include failing to mark, label, or placard in accordance with the regulations and not properly securing a package containing HM. This BASIC also includes violations pertaining to cargo tank specification testing, loading/unloading, attendance, and leakage.



How do motor carriers know where they stand?

FMCSA's Safety Measurement System (SMS) determines an overall BASIC status for each motor carrier based upon roadside inspection results that are reflected as a percentile rank and/or prior investigation violations. This information can be seen by logging into the SMS Website (<https://ai.fmcsa.dot.gov/sms/>). Once logged into the SMS Website, motor carriers with safety compliance problems in the HM Compliance BASIC will see a warning symbol in that BASIC. You can also view the records of your company's roadside inspections and request a review of those records they think are inaccurate through DataQs. Violations of the regulations related to the HM Compliance BASIC raise the percentile rank, which indicates lower safety compliance and may lead to warning letters or investigations.

What documents associated with this BASIC should motor carriers keep?

If an investigation is conducted, Safety Investigators (SIs) may request from motor carriers these types of documents: HM incident reports, HM shipping papers, Hazardous Waste manifests, Cargo Tank Manufacturer's Certificates, and evidence of HM training. Motor carriers should keep these documents as required by the FMCSRs and HMRs, and know that SIs may use them to assess the nature and severity of safety problems.

How can motor carriers and their drivers improve safety performance in the HM Compliance BASIC?

Drivers should know how to comply with the regulations related to the HM Compliance BASIC, and how to safely transport HM to ensure their safety and the safety of others. The HM Compliance BASIC is based on the regulations that require motor carriers and drivers to properly transport their HM as outlined in 49 CFR 397 Transportation of Hazardous Materials and the HMRs.

Motor carriers should educate their drivers about how to safely and lawfully transport HM, and make sure drivers understand that any HM problems must be addressed proactively to prevent unsafe situations. This education should include how to properly package, mark, label, placard, and load HM as required in the FMCSRs and HMRs. Motor carriers should answer drivers' questions and direct them to the information they need, including FMCSA's websites.

Motor carriers should know that violations related to the HM Compliance BASIC and while hauling placardable quantities of HM adversely affect SMS results for 24 months; time and/or inspections with no HM violations can improve motor carriers' BASIC percentile ranks. Also, they should check out the "What can a motor carrier do to improve?" section of the SMS Information Center for answers to commonly asked questions about safety performance.

Next week...Driver Fitness Overview