

CHAPTER 11
DIVISION MOTOR CARRIER SAFETY UNITS
REVISED MARCH 1998
TABLE OF CONTENTS

<u>ORGANIZATION</u>	11-1
Departmental.....	11-1
Division Command and Control.....	11-1
Duties of the Unit Supervisor.....	11-2
Duties of Field Supervisors.....	11-2
Field Observation.....	11-3
Duties of MCS I.....	11-3
All Personnel.....	11-3
<u>ADMINISTRATION</u>	11-3
Tools and Equipment.....	11-3
Acquisition of Tools and Equipment.....	11-4
Drivers' Log Inspection Software.....	11-6
Lost, Stolen, Damaged, Worn, or Destroyed State-Owned Property.....	11-7
Replacing Lost, Damaged, or Worn Items.....	11-7
Requisition Processing.....	11-8
Replacement Scheduling of Motor Carrier Vans.....	11-8
Water Container.....	11-8
Gauge Replacement.....	11-8
Public Review of Records and Related Memoranda.....	11-9
Publications.....	11-9
<u>INSPECTION ACTIVITY CONTROL</u>	11-10
Control – General.....	11-10
Working Files.....	11-10
Suspense.....	11-11
Automation.....	11-12
<u>RECORD RETENTION</u>	11-12
General.....	11-12
CHP 294 and 294A, School Bus Initial Inspection and SPAB–Youth Bus–GPPV	
Initial Inspection Reports.....	11-12
Working File.....	11-12
CHP 100D, Weekly Field Activities Report.....	11-12
Obsolete Data.....	11-12
Confidential File.....	11-12

THIS PAGE INTENTIONALLY LEFT BLANK

CHAPTER 11

REVISED MARCH 1998

DIVISION MOTOR CARRIER SAFETY UNITS

1. ORGANIZATION.

a. Departmental. The organization chart below shows the line of command and staff support applicable to field Division MCSUs.

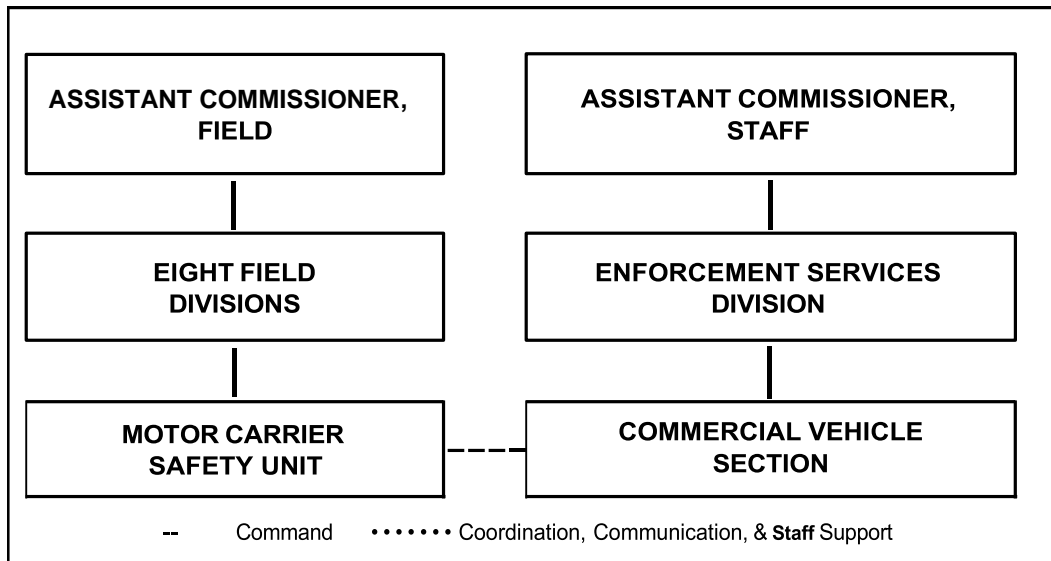


Fig. 11-1 Command and Staff Support

b. Division Command and Control.

- (1) Each field Division MCSU is under the command of the Division Special Services Commander. The unit is staffed with MCSs.
- (2) An MCS III is assigned as supervisor of the unit and is accountable for its administration.
- (3) One or more MCS II(s) is/are assigned as field supervisor(s), reporting to the unit supervisor.
- (4) An alternate supervisor may be designated to perform required functions and supervision in the absence of a regularly assigned supervisor.

c. Duties of the Unit Supervisor. The supervisor shall set an example in appearance and work habits that will be exemplary to other employees. The supervisor:

- (1) Is responsible for the efficient operation of the unit and effective deployment of assigned personnel.
- (2) Shall maintain liaison with Area commanders and personnel assigned to other commercial enforcement activities within the Division.
- (3) Is responsible for indoctrinating new personnel, for conducting continuing on-the-job training, and for instructing personnel regarding changes in departmental policies and procedures, laws and regulations, and departmental publications. Enforcement Services Division will ascertain other training needs and develop means to meet them in coordination with Personnel and Training Division.
- (4) Shall appraise the performance of assigned MCS IIs in accordance with the Performance Appraisal Manual, HPM 10.10.
- (5) Shall ensure that the unit annually develops and establishes individual and unit goals. Goals should be work-oriented and commensurate with program needs.
- (6) Shall ensure that at least one supervisor (MCS II or MCS III) is on call when an MCS I is working other than normal duty hours. MCS Is working other than normal duty hours shall be provided contact telephone number(s) or pager number(s) for the on-call supervisor.

d. Duties of Field Supervisors. Field supervisors shall set a proper example in appearance and work habits and shall:

- (1) Prepare and keep current work assignments.
- (2) Maintain contact with subordinates, providing briefing and necessary exchange of information.
- (3) Provide necessary local training.
- (4) Require safe working habits and procedures.
- (5) Maintain uniformity of inspections in conformance with departmental policy.
- (6) Maintain records and prepare required reports.

(7) Appraise the performance of assigned MCS Is in accordance with the Performance Appraisal Manual, HPM 10.10.

e. Field Observation. The Motor Carrier Specialist Field Observation Report, CHP 119 (Fig 11-2), is available for use by supervisors when observing their subordinates' performance in the field. Although use of this form is not mandatory, it is encouraged, as it provides a uniform method for providing interim evaluation and guidance between probationary or annual performance appraisals.

(1) Enter the name of the employee being observed, and, when appropriate, the type of terminal being inspected. For each of the listed categories observed, enter a numerical performance rating in the "Rating" column. Comments may be entered for any of the categories, but are required for all ratings of 1, 2, or 5.

(2) Complete the form in two copies, including the date and signatures and ID numbers of the supervisor and the observed employee. One copy is to be given to the employee and one copy retained by the supervisor until completion of the next required performance appraisal, at which time it may be destroyed if no longer needed.

f. Duties of MCS I. Specialists assigned to field Division MCSUs shall:

(1) Perform terminal, vehicle, and other inspections in accordance with procedures in this manual.

(2) Prepare necessary reports.

(3) Perform other duties as directed.

g. All Personnel. Section 2952 of the Health and Safety Code requires any public employee whose responsibilities include matters relating to the transportation of any pesticide and who has knowledge that a pesticide has been spilled to notify the local Health Officer. Contact telephone numbers are posted in each Area office.

2. ADMINISTRATION.

a. Tools and Equipment. Each field Division MCSU shall establish procedures to control the procurement, assignment and maintenance of tools and test equipment. Table 11-1 at the end of this chapter shows the normal complement of tools issued

to each Specialist and indicates where the item can be obtained (i.e., an agency, vendor, or state contract). Replacements shall be requested in a timely manner to assure each Specialist has a full complement of tools. In addition to the individual Specialist equipment listed in Table 11-1, each MCSU shall maintain, as a minimum, one full set (four) of bus inspection ramps. These may be obtained from Business Services Section (BSS) by requisition.

b. Acquisition of Tools and Equipment. All requisitions or purchases must include justification. Tools and equipment are acquired in the following manner:

(1) BSS lists stocked items in its catalog. To obtain items from BSS, a Supply Requisition, CHP 41, including the justification, shall be submitted to BSS in duplicate.

(2) Department of General Services (DGS) stocks items which are listed in its catalog and obtained by requisition. DGS also contracts with vendors to supply specific items. These items are available through State Contract Catalogs which are also supplied by DGS. (Catalogs of interest to MCSUs are "Hand Tools" and "Hydraulic Jacks").

(a) To obtain items from DGS Material Services, a completed Supply Order, STD 116, including the justification, shall be submitted to DGS, Materials Services Section.

(b) To obtain items on DGS state contract, a completed Purchase Requisition, CHP 43, shall be submitted to BSS's Purchasing Services Unit (PSU) for preparation of the appropriate purchase document. The requisition shall include a description of the item and a justification. (Further information is available in HPM 11.2, Materials Management Manual, Chapter 6.)

(3) Vendors. Items not stocked by BSS, DGS, or available through state contract, shall be procured by obtaining price quotes from vendors and completing a Price Quotation Worksheet, CHP 315, with three price quotes on each item. Information regarding the manner in which the item is to be shipped and minority and women vendor listing information must be included. A completed CHP 43, including the justification, and CHP 315 are then submitted to BSS for processing. (Requisition amounts from a single vendor of less than \$1,000 or exceeding \$15,000 require only one price quote per item.)

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL
 MOTOR CARRIER SPECIALIST FIELD OBSERVATION REPORT
 CHP 119 (9-90) CPI 062

NAME <i>H. C. Specialist</i>		VEHICLE TYPE <i>Tour Bus</i>
Performance Ratings: (Comments are required for Ratings 1, 2 or 5) 1—Unacceptable 2—Improvement needed 3—Meets performance standards 4—Exceeds performance standards 5—Outstanding		
CATEGORY	RATING	
1. TERMINAL INSPECTION PROCEDURES		
Approach to carrier representative	3	
Use of forms (CHP 1000, CHP 343, CHP 343A, CHP 345, etc.)	2	
Knowledge of laws and regulations	3	
Thoroughness of inspection	3	
2. COMMUNICATION		
Written	2	
Verbal	3	
3. GENERAL		
Vehicle: condition, cleanliness	4	
Assigned equipment: complete, serviceable	4	
Manuals: condition, currency	3	
Defensive driving, use of seat belts	4	
Proper use of safety equipment	3	
Personal appearance, dress and demeanor	5	
Interpersonal relations	4	
Effective use of time	3	

COMMENTS

1. Use of forms: Although you use the proper forms and complete them properly, your handwriting is almost illegible. I recommend that you print, rather than write, your reports, and that you work to improve both your handwriting and your printing.
2. Written Communication: See comment above. In addition, your spelling and punctuation need improvement. I suggest that you enroll in a basic English language class to assist you in this area.
3. Personal Appearance, Dress and Demeanor: Your appearance is outstanding, and you conduct yourself in an exemplary manner — keep up the good work!

See additional comments on reverse

CSJ SIGNATURE <i>M. C. Specialist</i>	ISS NUMBER <i>A1224</i>	DATE <i>Dec 5, 1990</i>
JPE/PSDIA SIGNATURE <i>Joe Ewison</i>	ISS NUMBER <i>A1525</i>	DATE <i>Dec 5, 1990</i>

Fig. 11-2 CHP 119 Motor Carrier Specialist Field Observation Report

(a) DGS has available the Small Business Commodity Vendors Directory which lists vendors that have been certified as small businesses and their product categories. When obtaining items through outside vendors, MCSUs shall utilize this directory.

(4) Small Purchase Credit Card Program. Over-the-counter purchases/services of an immediate or emergency nature up to \$1,000 (including all applicable taxes may be made by credit card where the vendor is reluctant to accept an order.

(a) It is the policy of the Department to utilize credit cards as a means of purchasing goods from a local **vendor.** The Government Code mandates that a fair share of purchases be placed with smart businesses. (Additional information is available in HPM 11.2, Materials Management Manual.)

c. Drivers' Log Inspection Software. Each field Division MCSU has been issued one "Logstar" software/hardware package for use in inspecting drivers' logs (records of duty status). MCSUs are encouraged to budget for as many additional

- Log star units as can be effectively utilized. Additionally, units may budget for mileage-tracking software to assist in verifying accuracy of drivers' logs.

(1) Logstar. Logstar is available from: To The Point Software, 2352 Franklin Avenue, Santa Rosa. California 95404-2225.

(2) Mileage-Tracking Software. Three mileage-tracking software products have been tested by several MCSUs, and recommended for use. These are:

(a) PC Miler. PC Miler is available from: ALK Associates, Inc., 1000 Herrontown Road, Princeton, New Jersey 08540, tel.

(800) 377-MILE (6453), Ext. 141. The price is \$400 for one copy, \$350 for 5 or more (As of November 1996).

(b) Prophesy Pro-Driver for Windows. Prophesy Pro-Driver 0/ 5.1 or later) is available from: Information Software Inc., 204C West Newberry Road, Bloomfield, Connecticut 06002, (860) 243-9533, Ext. 306. The price is \$795 (Federal government price, as of November, 1996).

a. Lost, Stolen, Damaged, Worn, or Destroyed State-Owned Property.

(1) All practical and reasonable steps shall be taken to recover civil damages for the negligent, willful, or unlawful damaging or taking of state-owned property, including the institution of appropriate legal action.

(2) Employees shall immediately report to their supervisor in writing any lost, stolen, damaged, destroyed or worn state-owned item(s).

(3) Supervisors shall ensure that completed reports which include whether or not negligence is involved and a recommendation as to the action necessary are routed to the next higher level of command.

(a) Conditions Constituting Negligence.

- 1 Intentional or deliberate loss or damage.
- 2 Disregard of established directives and rules regarding the use and storage of state-owned property.
- 3 Loss or damage caused while the employee is acting improperly outside the course and scope of employment.
- 4 Failure to exercise the care that the circumstances justly demand.

(4) If it is determined that the loss of or damage to state-owned property, subject to reimbursement, was caused by employee negligence, the value of the loss or damage shall be collected from the negligent party. (Additional information, including what constitutes an item subject to reimbursement, is available in HPM 11.2, Chapter 20)

d. Replacing Lost, Damaged, or Worn Items. All major and minor equipment requisitions must have prior budget approval. When an item which has not been budgeted is required, it may be requisitioned as follows: Division approval must be included with the requisition, as well as justification that documents both the need for the item and the urgency. The funding must be identified by the requester. Equipment so requisitioned will only be supplied if available from surplus in other offices, or if it can be obtained from other funding.

(1) MCSUs shall anticipate, insofar as is possible, the need for replacement equipment and shall submit budget requests. Since budget requests must be submitted approximately eighteen months prior to the actual fiscal year, it is extremely important that replacement needs are accurately projected.

(a) When replacement equipment is received, the existing unit is disposed of through BSS. No article of equipment shall be sold, destroyed, loaned, donated, traded in, or otherwise disposed of without express authority from BSS. (Further information is available in HPM 11.2, Materials Management Manual, Chapters 8 and 11.)

e. Requisition Processing. All completed CHP 41s are routed to BSS's Supply Services Unit (SSU); CHP 43s are routed to PSU. PSU will process the order, retain the original requisition for their records, and return the duplicate requisition with the purchase document as notification that the order has been processed. (Additional information is available in HPM 11.2, Chapter 7.)

f. Replacement Scheduling of Motor Carrier Vans. Motor Transport Section (MTS) will budget for replacement of special purpose vehicles (MCSU vans). Prior to delivery to the field, budgeted and approved MCSU vans are sent to a local vendor for installation of the air compressor and system, which takes approximately two weeks. Following their return, an additional two weeks is required for MTS to install necessary field equipment. (Additional information is available in HPM 31.1, Motor Transport Manual, Chapter 1.)

g. Water Container. Each MCSU van shall be equipped with at least one gallon of potable water for emergencies. MCSU supervisors may select either of the following:

(1) Bottled drinking water in sealed bottles.

(2) 1- or 2-Gallon insulated cooler (available through local purchase).

(3) In addition to either (1) or (2) above, each MCSU van may be equipped with a 32 oz. portable eye-wash bottle, "Eye & Skin Flush Station" or equivalent. The Eye & Skin Flush Station (and refill bottles) can be obtained from: The Supply Station, Inc., 2675 Land Avenue, Sacramento, California 95813, (916) 920-2919.

h. Gauge Replacement. Replacement lazyhand air gauges are repaired, calibrated, and stocked by BSS.

(1) Replacement gauges are requisitioned (CHP 41) to replace defective gauges.

(2) Defective gauges shall be returned to BSS securely wrapped and accompanied by Credit Memorandum, CHP 266. Packages shall be marked "fragile."

i. Public Review of Records and Related Memoranda. The release of data relating to vehicle and terminal inspections, including CHP 240,294, 294A, 342, 343, 343-1, 343A, 350, and 355 and related memoranda is governed by departmental policy and general procedures contained in Chapter 13 of the Administrative Procedures Manual, HPM 11.1. The CHP 355K, Notice of Violation, containing driver names, is considered confidential and is not to be released except as set forth in Chapter 14.

j. Publications. Publications issued to employees shall be controlled in the same manner as tools and equipment. Required publications are:

(1) Each Employee.

(a) Vehicle Code.

(b) Title 13. CCR.

(c) Licenses and Permits, HPM 82.1 (Optional).

(d) Commercial Enforcement, HPM 82.6. •

(e) Vehicle Equipment Inspection Guide, HPG 83.2.

(f) Motor Carrier Safety Operations, HPM 84.1.

(g) Hazardous Materials Transportation and Incident Management, HPM 84.2.

(h) Cargo and Portable Tank Inspection. HPG 84.5.

(i) Motor Carrier Specialist I Training Manual, HPM 84.8.

(j) Hazardous Materials Regulations of the Department of Transportation.

(k) CHP Excerpts from California Health & Safety Code and Title 22, CCR.

(l) Federal Motor Carrier Safety Regulations {Pocket Edition}.

(2) Each Unit Office.

(a) Occupational Safety, HPM 10.6.

(b) Licenses and Permits, HPM 82.1.

- (c) School Pupil and Farm Labor Transportation Safety, HPM 82.4.
- (d) Passenger Transportation Safety Handbook, HPH 82.7.
- (e) Hazardous Materials Emergency Response Guidebook (DOT P 5800.6).
- (f) Federal Motor Carrier Safety Regulations and Federal Motor Vehicle Safety Standards, 49 CFR Parts 200 - 399 and Parts 400 - 999.
- (g) Bendix-Westinghouse Brake Manual.

3. INSPECTION ACTIVITY CONTROL.

a. Control - General. Each Division MCSU shall employ suitable means to control field activity and to facilitate planning, scheduling, and personnel assignments. Any system for "control" shall include, as a minimum, the following:

- (1) Records of terminals for which BIT Program fees have been paid and inspections are pending. This information will be provided by CVS.
- (2) Records of current status of regulated carriers to include assigned ratings, inspections due, and ongoing upgrading effort.
- (3) Status of vehicles subject to mandatory annual certification. These records may be maintained in computer database files.
- (4) Suspense and notification procedures relating to all activities (including annual inspections of licensed maintenance stations and explosives carriers).

b. Working Files. Working files shall be organized in accordance with either (1) or (2) below, keeping carrier inspection files together, separate from terminal inspection files.

a. Straight alphabetical system. Original copies of completed inspection reports and related documents shall be filed alphabetically by carrier name, and may be separated into truck and bus categories. Within the alphabetical system, specific program types may be indicated by colored tabs or labels affixed to the folders or to dividers within folders. If colored tabs or labels are used, a chart indicating program types and their representative colors shall be posted in the MCSU files area.

b. Alphabetical system by program. Original copies of completed inspection reports and related documents shall be filed alphabetically by carrier name. The files shall be divided into at least seven major divisions:

truck, bus, school bus, school pupil activity bus, youth bus, general public paratransit vehicle, and farm labor vehicle. Within the truck and bus divisions, files shall be arranged to facilitate collection of information relative to the following separate categories: hazardous materials carriers, hazardous materials shippers, hazardous **waste** transporters, flammable liquid cargo tank operators, tour bus carriers and non-PUC (B) bus carriers.

c. Suspense. Routine terminal inspection scheduling (other than BIT Program inspections) shall be controlled by either (1) or (2) below:

(1) Inspection Control File (Division). Original copies of inspection reports and related documents received from field personnel are filed in the working file. Copies are filed in an inspection control file by the month of scheduled inspection. Prior to the end of each month, responsible Specialists will be provided lists of carriers due for inspection the following month.

(2) Field File (Specialist). Original copies of inspection reports and related documents are filed in the Division working file after the suspense date has been noted and recorded. The field Specialist retains a suspense copy of the last terminal inspection report for each terminal in his/her field file. Suspense copies shall be destroyed upon completion of the next mandated terminal inspection and assignment of a new terminal rating.

(3) Terminals Subject To The BIT Program. The MISTER system will produce a semimonthly list of all terminals in each field Division which have paid BIT fees and have not been inspected. The information in this report will be used by the Division MCSU to ensure that all fee-paid inspections are conducted in a timely manner.

(4) Terminals Requiring Annual Inspection (IMS Licensee and Bus). Division MCSU shall establish suitable records and provide Specialist notification to ensure that all annual terminal inspections are conducted; inspections may be controlled the same way these are controlled for truck and bus inspections.

(5) Vehicles Requiring Certification (School Bus, SPAS, Youth Bus, GPPV, Farm Labor Vehicle). Field personnel and Division MCSU may use copies of CHP 294C, Inspection Control List, for the previous year to schedule annual inspections for the current year.

d. Automation. In addition to the required filing of inspection reports and related documents, MCSUs are encouraged to utilize personal computer database files for storage and retrieval of equipment data, certification information, inspection results, and suspense dates.

4. RECORD RETENTION.

- a. General. Purging of files shall be in accordance with requirements in HPM 11.1, Administrative Procedures, Chapter 11, which governs record retention.
- b. CHP 294 and 294A, School Bus Initial Inspection and SPAS-Youth Bus-GPPV Initial Inspection Reports. CHP 294 and CHP 294A reports shall be retained for four years after the year of origination.
- c. Working File. The Working file is an active file as long the date is required for scheduling or controlling inspection or other ongoing activity; however, it shall be screened periodically. Unless needed for pending criminal or administrative action, no data shall be *retained* beyond four years after the year in which it originated. For example, CHP 343, 343-1, CHP 343A reports filed in 1996 shall be removed and disposed of at the end of the year 2000.
- d. CHP 100D, Weekly Field Activities Report. CHP 1000 reports shall be retained for the current year plus one year.
- e. Obsolete Data. Records of any kind which become obsolete shall be disposed of as required by HPM 11.1. Examples: CHP 343 reports for a carrier out of business, files for any carrier who has sold or transferred ownership of an entire fleet of vehicles, etc. CHP **355K**, Notice of Violation, shall be disposed of as set forth in Chapter 14.
- f. Confidential File. Each field Division MCSU shall have at least one secure (lockable) file cabinet or shelf. Access to the confidential file shall be controlled by the MCSU supervisor. Confidential documents, e.g., copies of CHP 355K listing the names of drivers who have tested positive for drugs or alcohol, shall be filed in the confidential file as set forth in Chapter 14.

TABLE 11-1. MCS I EQUIPMENT INVENTORY

EQUIPMENT AND TOOLS	QTY	SOURCE	NOTES
Bar, pry, pointed and blade ends (16")	1	D	
Brush, wire	1	D	
Calculator, hand-held (see notes)	1	D	2
Camera, instant picture	1	D	1
Cap, scalp guard	1	A	
Chocks, wheel	4	A	
Chuck, air	1	D	
Clipboard, 8-1/2x13"	1	B	
Creeper, mechanics	1	A	3
Creeper, heavy duty, w/outriggers	1	A	3*
Flashlight-mini	1	C	
Gauge, air, lazyhand 3"	2	A	
Gauge, tire pressure, 0-150 lbs	1	D	
Gauge, tire tread depth	1	D	
Gauge, wedge brake	1	A	
Glasses, safety	1	A	4
Gloves, latex, disposable (dispenser of 100)	1	A	
Gloves, nitrile and neoprene (pair)	1	A	
Goggles, soft side, chemical anti-splash	1	A	
Helmet, safety (white) w/chin strap	1	A	
Holder, soapstone	1	A	
Hoses, air 25'	4	D	
Jack, hydraulic, 5-ton or 8-ton	1	C	
Jack, pedal	1	A	
Knife, putty, 1-1/2"	1	B	

TABLE 11-1. MCS I EQUIPMENT INVENTORY (CONTINUED)

EQUIPMENT AND TOOLS	QTY	SOURCE	NOTES
Mirror, adjustable head	1	A	
Pliers, channel lock #430	1	C	
Pliers, slip joint, common, 6"	1	C	
Protectors, hearing, semi-aural	1	A	
Respirator, with cartridges (AO R5053 and AO53 equivalent)	1	A	
Ruler, steel, machinist's 6", w/clip	1	D	
Scraper, single-edge razor blade	1	D	
Screwdriver, common, 6"	1	C	5
Screwdriver, Phillips, #2, 4"	1	C	5
Serviceability gauges, (set) 1-5/8" & 2" (see notes)	1	D	6
Stapler, B-8	1	B	
Tape, measuring (12')	1	B	
Tape, measuring, steel (3/8" x 100')	1	B	
Testing kit, air brake	1	A	
Tool, pick up, magnetic	1	D	
Wrench, adjustable (crescent type) (10")	1	C	
Wrench set, combination, 7-piece, (3/8"-3/4")	1	D	

Table Source Codes	
A	Business Services Section (BSS)
B	Department of General Services (DGS)
C	State Contract
D	Vendo

Table Notes	
1	Optional item - unit supervisor's discretion.
2	Hand-held calculator: "TLC-200 Log Manager Log Book Calculator" or equivalent. The "TLC-200" is manufactured by Pacific Cornetta, Inc., 19630 SW 90 th Ct., Tualatin, Oregon 97062. The manufacturer can provide additional vendors for bid purposes.
3	In lieu of the two listed aeeperes (medlanic's and heavy duty), supervisors <i>may</i> authorize one "Bone• aeeper. The "Bone• is manufactured by and available from Pegasus Products Company, 315 Gaugler Avenue, Kent, Ohio 44240, (800) 266-3321. Units selecting the "Bone• are advised to specify the large (California) wheels when ordering. The manufacturer can provide additional vendors for bid purposes.
4	As required for wearers of presaipion glasses.
5	In lieu of the 6" common and 4" #2. Phillips screwdrivers, supervisors may select one combination (double ended) screwdriver.
6	Serviceability gauges: Premier Mfg. Co. or equivalent. These gauges (for trailer connecting devices) are available through most trucking supply vendors.
*	Item recently added to inventory.