

“Ask The Law”™ offers Q & A’s

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Submit your questions to www.AskTheLaw.org.

CSA 2010, English, and CMV Height questions answered by
law enforcement officials as of May 2010

**Warning: Laws are subject to change without notice.
These interpretations were made on April 12, 2010.**

California in May and Nevada in June

Please join our Ol' Blue, USA “Safety Center”® in Pleasanton, CA at the Antique Truck Historical Society Convention on May 27, 28 & 29 and at the [Great West Truck Show](#) in Las Vegas, NV on June 17, 18 & 19. We are pleased to announce that Trooper Elmer Johnson and his team, from the Nevada Highway Patrol will be joining us in Las Vegas again this year. Visit our Website at www.SafetyTour.org for more details.

Oversize Loads and CSA 2010 Score

Q: How will CSA 2010 affect the “oversize load” trucking industry since it doesn't follow the same criteria as the rest of the industry? I am a former trucker and escort driver and am just curious. Dave in Pennsylvania

A: Provided by Senior Trooper Monty Dial (Ret.), Texas Highway Patrol, Commercial Vehicle Enforcement Division, Garland, Texas:

I have not read anything in CSA 2010 that indicates size and weight violations will have an effect on the drivers CSA 2010 score. Most of the size and weight violations are violations of State Laws and not violations of the DOT Regulations.



CSA 2010 Rating

Q: The carrier I drive for has a "deficient" rating for CSA 2010. What does this mean and what are the tiers of rating categories? Thank you, Heather in Ohio

A: Provided by Senior Trooper Monty Dial (Ret.), Texas Highway Patrol, Commercial Vehicle Enforcement Division, Garland, Texas:

When FMCSA starts using ratings for motor carriers under CSA 2010, those rating will be; (1) Continue to operate, (2) Marginal, and (3) Unfit.



When you mention "deficient", I take it that the motor carrier has areas in their operation that is not up to par. It means that the motor carrier better start making some changes to the specific violations noted.

Understanding English when Operating a CMV

Q: My friend was put OOS for not understanding English and the office only asked him one question. What year were you born in? He answered Vietnam; the officer put him Out-of-Service. Can a CMV driver be put Out-of-Service for this misunderstanding? This happened in Georgia and we are from California. We are not familiar with the accent. Chien in California

A: Provided by Sgt. James Portilla, California Highway Patrol, Commercial Vehicle Section, Sacramento, California:



Title 49, Code of Federal Regulations, Part 391.11(b)(2), requires a driver be able to communicate in English. The regulation does not clearly provide a method for determining sufficient communication skills. The Georgia State Patrol would need to be contacted directly to inquire on the specifics as to why the driver was placed out of service and what policies are in place in their state regarding placing a commercial driver out of service for a communication issue.

CMV Height Standards

Q: I need to find where the written code is for overhead power lines and also how the DOT came up with the tractor-trailer height to be standard at 13'6" in overall height from pavement to roof? Thank you for your help in advance. Ray in New Jersey

A: Provided by Sgt. Pete Camm (Ret.), California Highway Patrol, Sacramento, California:



According to the Federal Highway Administration (FHWA) there is not a federal height standard for trucks. Most states adopted 13' 6" as a standard, but some western states allow 14'.

The organization "American Association of State Highway and Transportation Officials" (AASHTO) is a semi-quasi agency that publishes standards for highway construction. Its members include the Transportation Departments of the states. This organization has been around since about 1914 and has worked under its current name since about 1975. They have a bunch of guidelines available for sale on the Internet.

The National Electric Code (NEC) establishes electrical standards for the US. The NEC standard for utility lines crossing a highway is 18'. NEC standards are not laws or regulations; however, many states adopt NEC's standards.

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The Ask The Law™ programs, which are provided as a public service by Ol' Blue, USA™, are an ongoing educational effort between Ol' Blue, USA and commercial law Enforcement agencies. The specific purpose is to have truckers contact Ol' Blue, USA and pose questions to law enforcement officials relating to safety and legal issues concerning commercial vehicles. Truckers may submit questions at www.askthelaw.org.

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