



## **NLBMDA Summary of Driver Dos and Don'ts**

### **A driver must not -**

... Drive when impaired or likely to be impaired by fatigue, illness or other causes (392.3: Ill or fatigued operator)

... Possess, be under the influence of or use any drugs or controlled substances while on duty (392.4: Drugs and other substances)

... Use alcohol or be under the influence of alcohol within 4 hours of going on duty (392.5: Alcohol prohibition)

... Use, be under the influence or have any measured alcohol concentration while on duty (392.5: Alcohol prohibition)

... Cross a railroad track without first stopping within 15 to 50 feet of the track, looking, and listening to confirm no train is approaching (392.10: Railroad grade crossings; stopping required)

... Shift gears while crossing a railroad or other cross in a gear that will not permit the CMV to completely cross without changing gears. (392.10: Railroad grade crossings; stopping required)

... Drive onto a highway-rail grade crossing unless able to completely cross over without stopping (392.12: Highway-rail crossings; safe clearance)

... Place or attach a lighted fuse or other flame producing emergency signal to any part of the CMV (392.24: Emergency signals; flame producing)

... Use a radar detector in the CMV or operate a CMV that is equipped with a radar detector (392.71: Radar detectors; use and/or possession)

... Text while driving, which includes while temporarily stopped in traffic, at a traffic control signal or other momentary delays (392.80: Prohibition against texting)\*

... Use a hand-held mobile telephone while driving, which includes while temporarily stopped in traffic, at a traffic control signal or other momentary delays (392.82: Using a hand-held mobile telephone)\*

**Before beginning to operate the CMV, a driver must first confirm that –**

... The following parts and accessories are in good working order: service brakes (including trailer brakes), parking brake, steering mechanism, lighting devices and reflectors, tires, horn, windshield wiper(s), rear-vision mirror(s), coupling devices, wheels and rims, emergency equipment. (392.7: Equipment, inspection and use)

... All required emergency equipment is in place and ready for use (392.8: Emergency equipment, inspection and use)\*

(See section 393.95 for the required emergency equipment.)

... Cargo and other objects do not obscure driver's view ahead or to the right or left sides. (392.9: Inspection of cargo, cargo securement devices and systems) (Cargo and other objects may also not interfere with the driver's free movement or prevent ready access to accessories for emergencies.)

... All required lamps and reflective devices (per Section 393, Subpart B) are not obscured by the tailboard or any part of the load or its covering, by dirt, or other added vehicle equipment (392.33: Obscured lamps or reflective devices/material)

**When operating the CMV, a driver must –**

... Exercise extreme caution when driving in hazardous conditions such as snow, ice, sleet, fog, mist, rain, dust or smoke that can adversely affect visibility and/or traction (392.14: Hazardous conditions; extreme caution) (Exercising extreme caution will include driving at a reduced speed.)

... Cease driving if hazardous driving conditions become sufficiently dangerous and not resume until the CMV can be safely operated (Properly use seat belts at all times (392.16: Use of seat belts)

... Activate the CMV's hazard warning signal flashers whenever the CMV is stopped on the traveled portion of a highway or shoulder for any reason other than necessary traffic stops (392.22(a): Emergency signals; stopped commercial motor vehicles; Hazard warning signal flashers) (This must be done before placing the required warning devices.)

... Place the required warning devices in the prescribed manner within 10 minutes of stopping on the traveled portion of a highway or shoulder for any reason other than

necessary traffic stops (392.22(b): Emergency signals; stopped commercial motor vehicles; Placement of warning devices)\*\*\*

\* Driving does not include operating a commercial motor vehicle with or without the motor running when the driver moved the vehicle to the side of, or off, a highway, and halted in a location where the vehicle can safely remain stationary.

**\*\* Each truck and truck tractor must be equipped as follows –**

**Fire extinguishers** – One fire extinguisher rated B, C, or more, one that does not need protection from freezing, properly labeled or marked by the manufacturer, with a visual indicator to determine if fully charged, readily accessible for use, and securely mounted to prevent sliding, rolling, or vertical movement.

**Spare Fuses** – At least one spare fuse for each type/size needed for parts and accessories.

**Warning devices for stopped vehicles** – One of the following must be used:

1. Three (3) bidirectional emergency reflective triangles
2. At least six (6) fuses or three (3) liquid burning flares, or as many as are necessary to satisfy the requirements of section 392.22.
3. Other warning devices may be used in addition to, but not in lieu of, the required warning devices, so long as any additional warning device does not diminish the effectiveness of the required warning device.

There are specific restrictions on the use of flame producing devices. Each fuse must be capable of burning for 30 minutes and each liquid-burning flare must have enough fuel to burn continuously for at least 60 minutes. Red flags may not be less than 12 inches square, with standards adequate to maintain the flags in an upright position.

(393.95: Emergency equipment on all power units)

**\*\*\* Proper placement of warning devices:**

1. One on the traffic side of a 4 paces from the CMV in the direction of approaching traffic;
2. One at 40 paces from the CMV in the center of the traffic lane or shoulder occupied by the CMV and in the direction of approaching traffic;
3. One at 40 paces from the CMV in the center of the traffic lane or shoulder occupied by the CMV and in the direction away from approaching traffic.

(392.22(b): Emergency signals; stopped commercial motor vehicles; Placement of warning devices)

**Special rules regarding placement of warning devices:**

1. Where the CMV is equipped only fuses and liquid-burning flares, maintain at least one lighted fuse or flare at the same prescribed locations above.
2. During daylight hours when lighted lamps are not required, use three bidirectional reflective triangles, or three lighted fuses or flares in the same prescribed locations above.
3. In business or residential districts, warning devices are not required except during the time lighted lamps are required and when street or highway lighting is insufficient to make the CMV clearly discernible at a distance of 500 feet to persons on the highway.
4. Where a CMV is stopped within 500 feet of a curve, crest of a hill, or other obstruction, place the warning signal in the direction of the obstruction a distance of 100 feet to 500 feet from the CMV so as to give ample warning to other users of the highway.
5. Where the CMV is stopped on the traveled portion or shoulder of a divided or one-way highway, place one warning device 200 feet and one warning device 100 feet in the direction of approaching traffic in the center of the lane or shoulder occupied, and place one warning device at the traffic side of the CMV within 10 feet of the rear of the vehicle.
6. If gasoline or any other flammable liquid, combustible liquid or gas seeps or leaks from a fuel container, no emergency warning signal producing a flame should be lighted or placed except at a distance sufficient to assure the prevention of fire or explosion.

(392.22(b)(2): Emergency signals; stopped commercial motor vehicles; Placement of warning devices; Special rules)