

Transportation
Safety

Training
ADVISOR



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Cargo securement

Keep your cargo safe and secure



Winter driving is 'snow' problem
when your drivers are ready

Essential credentials for out-of-state
vehicle purchases

Information and resources to help your drivers operate safely

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MESSAGE FROM THE EDITOR

Are your supervisors prepared to tackle impairment?

Those who supervise truck and bus drivers have a lot of responsibility on their shoulders, including taking the keys away from drivers who may be impaired. Are your supervisors prepared to do what's needed?

Step 1: Train — An individual who supervises drivers who possess a commercial driver's license (CDL) must complete reasonable suspicion training. Under 382.603, supervisors must receive at least 60 minutes of alcohol abuse training and 60 minutes of drug use training.

Step 2: Observe — The supervisor must personally make the observations necessary for a test based on the driver's appearance, behavior, speech, and/or odor. Are there clear indications of drug use or alcohol abuse? The observations must be specific, happening at the time, and able to be documented.

Step 3: Confront — This is the hardest part. It may be awkward, but the supervisor must confront the driver and notify them of their suspicion. The supervisor should engage the driver in a private area and describe exactly what was observed and why it means testing is required. Avoid diagnosing or accusing; focus only on observed behaviors or physical signs. If the driver refuses to go for a test, it's treated as a refusal and has the same consequences as a failed test.

Step 4: Test — After confirming their suspicion, the final step is for the supervisor to immediately order and send the driver for reasonable suspicion drug and alcohol testing. The supervisor who orders the test cannot conduct an alcohol test themselves. It may take several days to receive the results, so your company policy should dictate what you do with the driver in the interim. Suspensions are common but must be done in compliance with labor laws.

Step 5: Document — The supervisor must document the observations that led to the test(s). This document must be created and signed within 24 hours of the observations or before the test results are released, whichever comes first. It should include the date and time, the specific observations, the actions taken, and the supervisor's signature.

Using this 5-step approach to reasonable suspicion testing helps ensure that no one who's impaired by drugs and/or alcohol is permitted to operate a commercial motor vehicle. This not only helps keep you compliant, it also helps keep our highways safe. ♦



Lucero Truszkowski

Lucero Truszkowski joined J. J. Keller & Associates, Inc. as an Associate Editor in 2022. Lucero edits, writes, and researches content on a variety of topics, including transportation, human resources, and driver training. She holds a Master of Science (MS) in Professional Writing from New York University.



TRAINING BLUEPRINT — CARGO SECUREMENT

Keep all cargo safe and secure

It's a professional driver's job to safely and efficiently transport cargo to the customer damage-free and on time. Proper cargo securement is a make-or-break hazard situation. Failing to properly secure a load can result in citations, fines, accidents, damages, and even loss of life.

Proper cargo securement is required by the Federal Motor Carrier Safety Regulations (FMCSRs) and addressed in the Compliance, Safety, Accountability (CSA) program.

TIP: Distribute copies of the FMCSRs to your drivers. Review and discuss the applicable sections of Part 393, Subpart I.

The general requirements

According to 391.13 and 392.9 of the FMCSRs, a driver must know how to properly locate, distribute, and secure cargo. The regulations require drivers to be familiar with the proper cargo securement methods and procedures in or on the vehicle. A vehicle may not be driven unless the cargo is correctly secured with its weight appropriately distributed across the cargo area.

Cargo rules

Remind drivers that the vehicle's cargo must not:

- Block the driver's view ahead or to the left/right sides,
- Interfere with the driver's arm or leg movement,
- Prevent the driver from reaching emergency equipment, or
- Prevent the driver or anyone else from exiting the vehicle.

The driver must also perform a load check:

- Before starting out;
- Within 50 miles of the trip; and
- When one of the following occurs, whichever happens first:
 - A change of duty status,
 - After the vehicle has been driven for 3 hours, or
 - After the vehicle has been driven for 150 miles.

Exemptions

A driver may be exempt if:

- The vehicle is sealed,
- The driver has been ordered not to open or inspect the cargo, or
- The cargo has been loaded in a way that makes it impractical to inspect.

TIP: Include a question-and-answer session in your training to help fill any gaps.

Do the tiedown math

Tiedowns, such as straps and chains, are typically used to secure cargo.

A key concept in determining how many tiedowns are required is the aggregate working load limit (WLL) of the tiedowns, i.e., the restraining capacity of all the tiedowns combined.

Usually, the WLL of a tiedown is marked on the device by the manufacturer. If it's not listed on the device, the table in 393.108 must be used.

In addition to meeting the standard for the aggregate WLL, the minimum number of tiedowns required to secure an article or group of articles depends on the length of the article(s) being secured, and the weight of the article(s).

Section 393.110 of the FMCSRs specifies the minimum number of tiedowns that must be used to secure cargo.

Follow the guidance in the table below when an article IS NOT blocked or positioned to prevent forward movement by a headerboard, a bulkhead, other secured cargo, or other appropriate blocking devices.

IF the article is:	THEN use at least:
5 feet or shorter, AND 1,100 pounds or lighter	1 tiedown
5 feet or shorter, AND over 1,100 pounds	2 tiedowns
Longer than 5 feet but not more than 10 feet, no matter the weight	2 tiedowns
Longer than 10 feet	2 tiedowns, plus 1 additional tiedown for every additional 10 feet, or fraction thereof beyond the first 10 feet

When an article is blocked, braced, or immobilized to prevent forward movement, it must be secured by at least one tiedown for every 10 feet of article length, or fraction thereof. ♦

TIP: Provide drivers with a quick-reference card that they can use to determine tiedown needs on the road.



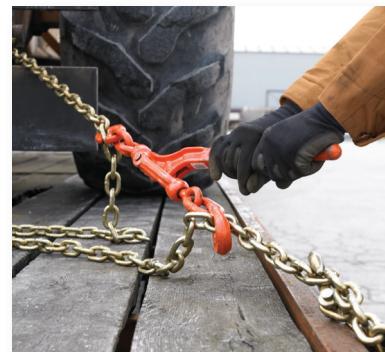
TRAINING HANDOUT — CARGO SECUREMENT

Cargo loading gone wrong, but you can make it right!

There are negative side effects that come with overloading, top-heavy loading, and poor weight distribution. Make sure you know the consequences of each.

The negative side effects of overloading include:

- Issues with braking, steering, and speed control;
- Slow vehicle speed on upgrades;
- Too much vehicle speed on downgrades;
- Increased stopping distance; and
- Brake failure if the brakes are worked too hard.



The negative side effects of top-heavy loads include that it's:

- Easier for a vehicle to tip over, and
- Dangerous in a curve or when you need to swerve.

Keep cargo as low as possible with the heaviest cargo on the bottom and the lightest on top.

The negative side effects of poor weight distribution:

Too much weight:

- Makes vehicle handling potentially unsafe,
- Causes hard steering, and
- Damages the steering axles and tires.



Too little weight on the front axles (cargo weight is too far to the rear):

- Results in the weight of the steering axle being too light to steer safely.

Too little weight on the drive axle:

- Causes poor traction. ♦

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TEST YOUR KNOWLEDGE — CARGO SECUREMENT

1. How many tiedowns do you need when the article is longer than 5 feet but not more than 10 feet?
 - A. 1
 - B. 2
 - C. 3
 - D. 4

2. Cargo securement is considered a best practice, not an actual regulation.
 - A. True
 - B. False

3. The negative side effects of top-heavy loads include:
 - A. It's easier for a vehicle to tip over
 - B. It increases the stopping distance of the vehicle
 - C. It's dangerous in a curve or when you need to swerve
 - D. Both A and C

4. You aren't required to check sealed cargo if the vehicle is loaded in a way that makes inspection impractical.
 - A. True
 - B. False

5. When is the first time you should perform a load check on your cargo?
 - A. After driving for 150 miles
 - B. Within 50 miles of your trip
 - C. Before you start your trip
 - D. After 3 hours of driving

NAME: _____ DATE: _____

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It's 'snow' problem when your drivers are ready for winter driving

Winter driving can be stressful for anyone. The season can be overwhelming whether you're dealing with a brand-new commercial driver experiencing their very first winter or a veteran driver with years under their belt.

Whether experienced or not, it never hurts to revisit winter driving regulations and best practices.

Trip planning and preparation

When trip planning during the winter months, it's extra important to check the weather conditions for the day and ensure that your drivers won't be driving into a winter storm. If there's any adverse weather on the radar, drivers should create a plan that includes:

- Identifying safe and legal parking locations along their route,
- Selecting a new route, or
- Working with dispatch to modify their schedule to avoid said weather conditions.

Additionally, drivers should have extra supplies during the wintertime in case they do end up stranded. Examples of items to keep on hand include warm clothing, blankets, nonperishable foods, water bottles, a shovel, candles, and flashlights.

Tire chains

Tire chain requirements can start as early as September and last through May in some states. Check on the chain



laws in each state in which you operate, and ensure your drivers are compliant with the local regulations. To do this, verify that drivers who need tire chains have them and know how to use them.

Avoid skids and jackknifing

Slippery conditions lead to increased chances of skids. There are a few things you can do to minimize the risk of skids and jackknife incidents.

If you haven't already, consider investing in anti-lock brakes, which auto-adjust brakes in response to tire skids.

Remind drivers of the best practices to avoid skidding and jackknifing.

Teach drivers what to do if they start to feel like they are entering a skid.

Adverse driving conditions

According to the hours-of-service adverse-conditions exception

under 395.1(b), commercial drivers are permitted to exceed the normal driving and on-duty limits when they encounter unexpected adverse weather or traffic conditions. This exemption allows drivers to exceed the 10- or 11-hour driving limit and the 14- or 15-hour duty limit by up to 2 hours. However, this exemption only applies if there are unforeseen circumstances that the driver couldn't have known prior to the beginning of their trip.

Make sure your drivers, dispatchers, and leaders understand the adverse driving conditions exemption, as well as when it can and cannot be used. ♦

Essential credentials for out-of-state vehicle purchases

If you're one of the many carriers planning to purchase a commercial vehicle from outside of your home state, you should be wondering: Do I need plates and other operating credentials to drive this vehicle home?

The short answer is, yes. The truck might be new to you, but it's still being operated "in commerce" and is being driven for business purposes.

When you purchase a commercial motor vehicle (CMV), whether used or new, the truck will need everything that any other CMV would need to be legal on the road.

Remember that:

- The vehicle must be marked with the purchasing company's name and USDOT number;
- The driver must be qualified to be on the road, must have the proper license to operate the vehicle, and must be compliant with hours-of-service regulations, etc.; and
- The driver must stop at weigh stations along the way and comply with any other rules that apply to operating the vehicle on public roadways.

Operating authority and UCR

Trip permits for interstate for-hire operating authority aren't available from states. Carriers must have federal operating authority before conducting any for-hire transportation.

Additionally, all interstate and international carriers (private, exempt, for-hire) must be registered under the Unified Carrier Registration (UCR) Agreement. UCR trip permits are not available.

Taxes

The main taxes you need to consider are registration and fuel taxes, mileage taxes, and heavy vehicle use taxes.

- Registration and fuel taxes:** You'll need temporary registration and fuel permits if the truck is a qualifying vehicle under those programs. Sometimes the state in which the vehicle was purchased will also issue a temporary registration or temporary registration permit so the vehicle has a "plate" of sorts. Then, state-by-state trip and fuel permits can be purchased for the trip home.
- Mileage taxes:** A few U.S. jurisdictions (including Connecticut, Kentucky, New York, New Mexico, and Oregon) assess mileage or highway use taxes in addition to fuel taxes. Trip permits are available in some cases for carriers not permanently registered.
- Heavy vehicle use tax:** The Heavy Vehicle Use Tax (HVUT) applies to highway motor vehicles with a taxable gross weight of 55,000 pounds or more and includes trucks, tractors, and buses. For these vehicles, you must file Form 2290 and Schedule 1 if a taxable highway motor vehicle is registered, or required to be registered, in your name under any state or District of Columbia, Canadian, or Mexican law at the time of its first use. ♦



Answers to quiz on page 5:

1.) B 2.) B 3.) D 4.) A 5.) C ♦



Next Month's Topic: Drug and alcohol testing

Part 382 of the Federal Motor Carrier Safety Regulations addresses alcohol and drug use by drivers of commercial motor vehicles. It also addresses driver testing. A driver who operates a commercial vehicle that requires the driver to possess a commercial driver's license (CDL) is subject to these requirements. ♦



Expert Help: Question of the Month

Question: Does a post-trip inspection need to be documented by using a driver vehicle inspection report (DVIR) if something wrong is found?

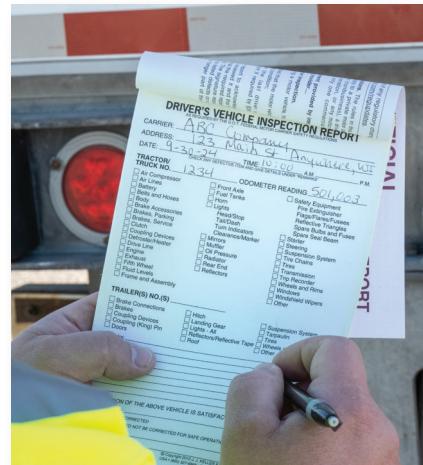
Answer: That's correct. The inspection only needs to be documented if a defect is found.

The regulation that covers this is 396.11(a)(2):

(2) Report content.

(i) The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. Drivers are not required to prepare a report if no defect or deficiency is discovered by or reported to the driver.

It's important to note that though the regulations don't require completion of a DVIR if no defects are found, a motor carrier may require completion as company policy. ♦



Expert Help

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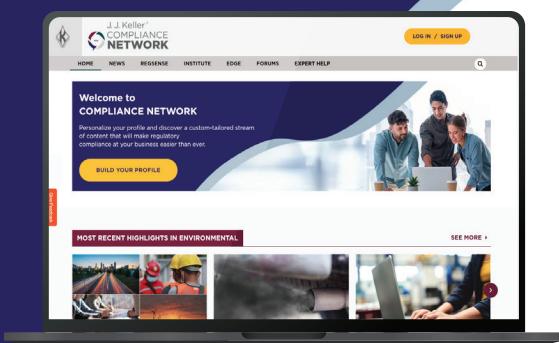
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