



THE MONTHLY MILER

June 2022



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DRT Logistics hauls freight for a multitude of companies. With locations in Pennsylvania, Minnesota, New Jersey, Massachusetts, Nevada, and Illinois, our team works around the clock to ensure that shipments are delivered safely and on time. Dispatch and Safety are available 24*7 to assist or answer any questions or concerns you may have.

THE MONTHLY MILER

June 2022



Kenneth Clute
June 5
PA Driver

Kevin Williams
June 13
IL Driver

Gary Smith
June 2
PA Driver

Ray LaRoche
June 5
MA Driver

Scott Kimmel
June 26
Fleet Manager



Alan Barda
4 Years
Chicago Driver

Alberto Correcher
4 Years
NJ Driver

Gustavo Gonzalez
4 Years
NJ Driver

Ameal Selders
4 Years
PA Driver

Patrick Fortenberry
4 Years
PA Driver

Bruce Nedza
1 Year
Regional Driver

Quantas Williams
4 Years
Chicago Driver



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dedicated and experienced truck
drivers

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Transport Topics Top News

Pennsylvania Court Temporarily Halts Bridge Tolling Plan

In a sweeping censure, a Pennsylvania Commonwealth Court judge granted a request from eight municipalities and issued an injunction preventing state transportation officials from proceeding with plans to impose bridge tolls.

Judge Ellen Ceisler granted the preliminary injunction May 18 against PennDOT, the Public-Private Transportation Partnership (P3) Board and Yassmin Gramian as PennDOT secretary and P3 board chair. The court decision blocked any further action to impose tolls on nine bridges in the state.

Under the order, PennDOT/P3 bridge initiative is prohibited from:

Further executing or performing work under a predevelopment agreement or other contracts.

Conducting studies, hearings or meetings.

Developing designs.

Acquiring rights of way.

Tolling.

Construction.

Spending any funds.

Aurora, FedEx Expand Texas Autonomous Routes

Aurora Innovation Inc. and FedEx have expanded their autonomous trucking partnership to include freight hauling between terminals in Fort Worth and El Paso, Texas.

They have been using self-driving trucks for daily cargo runs between Dallas and Houston.

Pittsburgh-based Aurora said the expansion allows it to cover another critical trucking lane. Fort Worth to El Paso makes up the middle leg of the Atlanta to Los Angeles route, which the company said is among the busiest trucking routes in the United States.

“In six months of working with FedEx, we’ve safely, reliably and efficiently transported packages for tens of thousands of FedEx customers,” Sterling Anderson, Aurora co-founder and chief product officer, said in a May 18 news release. “This lane expansion came ahead of schedule and we’re delighted to continue building the future of trucking with one of the country’s biggest and most important transportation companies.”

According to Aurora, the companies have completed 60,000 miles of trucking with no safety incidents.

Meet DRT Cold Chain Team



Pictured left to right is Troy, Scott, Curtis, and Rusten

DRT is pleased to announce the acquisition of C. Summers in Elizabethville, PA. This trucking business was established in 1960 by Calvin E. Summers. ICC and PUC Transportation Authority rights were purchased and transferred from Domer Shafer of Loyaltown, PA, founder of Shafer Trucking, for local distribution of food. In 1962, a two-story brick building that contained a grain elevator, coal yard, and stable was purchased from Earl O. and Amanda W. Deibler. The building was modified to allow refrigeration of fresh foodstuffs for delivery from the manufacturer to the grocery stores. The location of this business is 112 Spruce Street, Elizabethville, PA. The owners, Steven C. Summers and Bridget Summers, provided refrigerated, frozen food storage and transportation within a 500-mile radius of Elizabethville.

With this acquisition, DRT is adding 11 reefers, 6 tractors, and a warehouse. This will allow DRT to better serve our frozen food storage customers and provide more services to our robust lineup of Full Truckload, Less-than-Truckload, and Intermodal offerings. This division of DRT will be named "DRT COLD CHAIN".

Please join us in welcoming C. Summers employees to the DRT family!



Meet DRT Cold Chain Team continued



Troy Meredith, Shipping and Receiving Associate

Hometown: Loyalton, PA

Interests: I enjoy hunting and target shooting.

Favorite Food: Steak

Favorite Band/Artist: I listen to a wide range of music.

One place I would love to travel to: Scotland



Scott Kimmel, Fleet Manager

Hometown: Gratz, PA

Interests: Hunting, Gardening, making cigar box guitars, and photography

Favorite Food: Burgers and Fries

Favorite Band/Artist: Johnny Cash, Christopher Amerosa, George Strait

One place I would love to travel to: Grand Canyon



Curtis Zuk, Shop Mechanic

Hometown: Tower City, PA

Interests: I enjoy riding and racing fourwheelers.

Favorite Food: Burgers and Seafood

Favorite Band/Artist: Country

One place I would love to travel to: Bahamas



Rusten Renn, Shop Mechanic

Hometown: Elizabethville, PA

Interests: I enjoy riding dirtbike, 3 wheelers, mudding mud trucks and working on squarebodies

Favorite Food: Chicken and Burgers

Favorite Band/Artist: Slipknot and Oldies Music.

One place I would love to travel to: Europe



Did You Know?

The United States of America sold 0.5 million industrial trucks in 2018. The figure increases by 20% every year. About 12.2 million light trucks got sold in the same period.

Logistics carry 91% of lumber and wood— 83% of all the farming & agriculture produce— 92% of the prepared dairy, foods, & canned items— and 65% of the pharmaceutical essentials.

The US trucking industry operates over 16 million heavy-trucks.

All the trucks combined consume over 5.8 million barrels of oil every day. It was hardly 1.6 million barrels of oil per day in 2010.

Happy Father's Day

Sunday June 19th is Father's Day. We wish our employees and their children a blessed time on the special occasion of Father's Day. May you enjoy creating more memories with your children. Happy Father's Day to all the Dads at DRT!



REMINDER!

On March 1st, we implemented a new employee rewards program called "DRT Dollars." Management will be able to reward "DRT Dollars" to employees who go above and beyond. For instance, say a fellow teammate is drowning in their workload, you jump in and help them get caught up; your manager witnesses this and awards you \$25 DRT Dollars for your incredible teamwork. Maybe there's a unique project coming up, and you volunteer to take the lead; your manager may reward you with \$25 DRT Dollars for showing your leadership and dedication.



Now that you have these DRT Dollars, "What do you do with them?" you may ask. You will use your DRT Dollars to purchase "DRT Swag" from the DRT Shop. If you remember, a month or two back, you were sent login information for the Marketing Bench site, aka DRT Shop, and were asked to ensure that your login was working. This is where you'll need to log in to redeem your DRT Dollars. You'll be given a certificate from your manager or individual who awarded you the DRT Dollars. This will identify why you're receiving them and what the amount is that you've received. That amount will automatically be added to your account. All you'll have to do is log in and start spending. If you spend more than the amount you were issued, you'll owe that remaining balance, or you can allow them to accrue until you have the amount to cover that higher-cost item. (At this time, your DRT Dollars will not expire. This could change at any time, but you will be notified). Your orders will then be shipped directly to the address you supply.

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According to worktruckonline.com, on July 31, 2002, the Federal Motor Carrier Safety Administration (FMCSA) issued a final rule that included changes to the disqualification regulations (FMCSR 383.51) for drivers who possess a commercial driver's license (CDL). This rule went into effect Sept. 30, 2002, and all states needed to be in "substantial compliance" no later than Sept. 30, 2005.

Understanding CDL Disqualifications

As fleet or safety professionals, it is important to understand that a number of requirements must be met for drivers to remain qualified to operate equipment that requires a CDL. Certain traffic violations that occur in or out of a commercial motor vehicle (CMV) and the driver's personal vehicle may have an effect on the eligibility to drive a CMV.

Employers must not allow disqualified drivers to operate vehicles at any time. To help employers comply with this rule, there are two regulatory safety nets in place.

The first is FMCSR 383.31, Notification of Conviction for Drivers. This regulation requires the driver to notify both the state and employer of any conviction(s).

The second is FMCSR 391.25, Annual Inquiry and Review Driving Record. This regulation requires the employer to review driver MVRs to ensure the driver is not disqualified and the employee is required to complete a certification of violations.

The driver, as well as the person responsible for reviewing MVRs, must understand the types of violations.

What Are the Major Offenses for CDL Suspension?

- Being under the influence of alcohol as prescribed by state law, or refusing to undergo testing.
- Being under the influence of a controlled substance.
- Leaving the scene of an accident involving a commercial motor vehicle.
- Using a vehicle to commit a felony.
- Using a vehicle in the commission of a felony involving the manufacture, distribution, or dispensing of a controlled substance.

What are CMV-Only Violations?

- Having an alcohol concentration of 0.04% or more.
- Driving with a revoked, suspended, or canceled CDL, or after being disqualified.
- Causing a fatality through the negligent operation of a CMV.

The CDL disqualification period for the first conviction is one year, three years if hauling HAZMAT. A second conviction results in disqualification for life.

If convicted of using a vehicle in the commission of a felony involving the manufacture, distribution, or dispensing of a controlled substance, a driver is disqualified for life with no eligibility for reinstatement.

Kingsbury Korner

Serious Violations that Impact CDL Qualification

Serious violations that will result in a CDL disqualification include:

- Excessive speeding — 15 mph or more above the posted speed limit.
- Reckless driving.
- Improper or erratic lane changes.
- Following too closely.
- A traffic violation arising in connection with a fatal traffic accident.
- Driving a CMV without having obtained a CDL.
- Driving a CMV without having a CDL in the driver's possession.
- Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group operated, for passengers or cargo type.

Differences in CDL Disqualification Periods

The time a driver is disqualified from a CDL varies by offense and includes:

- Two serious traffic violations in separate incidents during any three-year period: 60-day disqualification.
 - Three serious traffic violations in separate incidents during any three-year period: 120-day disqualification.
- If the driver is convicted of two or more serious traffic violations while operating a vehicle other than a CMV, he or she becomes disqualified only if there is a revocation or suspension of driving privileges.

Impact of Out-of-Service Violations

If a driver is convicted of violating an out-of-service order, he or she is disqualified for:

- First offense: 90 days – one year.
- Second offense in a 10-year period: one to five years.
- Third offense in 10 years: three to five years.

Penalties for HAZMAT drivers:

- First offense: 180 days – two years.
- Two or more violations in a 10-year period: three to five years.

Railroad & Highway Grade Crossing Offenses

If a driver is convicted of operating a CMV in violation of federal, state, or local law pertaining to any of the six railroad-highway grade crossing requirements, per FMCSR 383.51(d), the following disqualification periods apply:

- First violation: minimum 60 days.
- Second violation during any three-year period: minimum 120 days.
- Three or more violations within any three-year period: minimum one year.

It is important to remind drivers that violations in any type of vehicle could result in a loss of their CDL.

All information reported in this article is based on regulatory minimums. Individual companies or organizations may have more stringent requirements and may remove a driver from operating a CMV. Only the state has the authority to suspend or revoke an individual's CDL.

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The following information is from:

<https://www.govinfo.gov/content/pkg/CFR-2011-title49-vol5/pdf/CFR-2011-title49-vol5-part383-subpartD.pdf>

Federal Motor Carrier Safety Administration, DOT

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Subpart D—Driver Disqualifications and Penalties

§ 383.51 Disqualification of drivers.

(a) *General.* (1) A person required to have a CLP or CDL who is disqualified must not drive a CMV.

(2) An employer must not knowingly allow, require, permit, or authorize a driver who is disqualified to drive a CMV.

(3) A holder of a CLP or CDL is subject to disqualification sanctions designated in paragraphs (b) and (c) of this section, if the holder drives a CMV or non-CMV and is convicted of the violations listed in those paragraphs.

(4) *Determining first and subsequent violations.* For purposes of determining first and subsequent violations of the offenses specified in this subpart, each conviction for any offense listed in Tables 1 through 4 to this section resulting from a separate incident, whether committed in a CMV or non-CMV, must be counted.

(5) The disqualification period must be in addition to any other previous periods of disqualification.

(6) *Reinstatement after lifetime disqualification.* A State may reinstate any driver disqualified for life for offenses described in paragraphs (b)(1) through (8) of this section (Table 1 to § 383.51) after 10 years, if that person has voluntarily entered and successfully completed an appropriate rehabilitation program approved by the State. Any person who has been reinstated in accordance with this provision and who is subsequently convicted of a disqualifying offense described in paragraphs (b)(1) through (8) of this section (Table 1 to § 383.51) must not be reinstated.

(b) *Disqualification for major offenses.* Table 1 to § 383.51 contains a list of the offenses and periods for which a person who is required to have a CLP or CDL is disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

TABLE 1 TO § 383.51

	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials required to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F), a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *
(1) Being under the influence of alcohol as prescribed by State law * * *	1 year	1 year	3 years	Life	Life
(2) Being under the influence of a controlled substance * * *	1 year	1 year	3 years	Life	Life
(3) Having an alcohol concentration of 0.04 or greater while operating a CMV * * *	1 year	Not applicable	3 years	Life	Not applicable.
(4) Refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in § 383.72 of this part * * *	1 year	1 year	3 years	Life	Life.

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49 CFR Ch. III (10-1-11 Edition)

TABLE 1 TO § 383.51—Continued

	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials required to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F), a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *
If a driver operates a motor vehicle and is convicted of:					
(5) Leaving the scene of an accident * * *	1 year	1 year	3 years	Life	Life.
(6) Using the vehicle to commit a felony, other than a felony described in paragraph (b)(9) of this table * * *	1 year	1 year	3 years	Life	Life.
(7) Driving a CMV when, as a result of prior violations committed operating a CMV, the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV.	1 year	Not applicable	3 years	Life	Not applicable.
(8) Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle and negligent homicide.	1 year	Not applicable	3 years	Life	Not applicable.
(9) Using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance * * *	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement.	Life-not eligible for 10-year reinstatement

(c) *Disqualification for serious traffic violations.* Table 2 to § 383.51 contains a list of the offenses and the periods for which a person who is required to have

a CLP or CDL is disqualified, depending upon the type of vehicle the driver is operating at the time of the violation, as follows:

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The following information is from:

<https://www.govinfo.gov/content/pkg/CFR-2011-title49-vol5/pdf/CFR-2011-title49-vol5-part383-subpartD.pdf>

Federal Motor Carrier Safety Administration, DOT

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49 CFR Ch. III (10–11 Edition)

TABLE 2 TO § 383.51

If the driver operates a motor vehicle and is convicted of:	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CLP or CDL holder's license or non-CMV driving privileges, for * * *	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV, if the conviction results in the revocation, cancellation, or suspension of the CLP or CDL holder's license or non-CMV driving privileges, for * * *
(1) Speeding excessively, involving any speed of 24.1 kmph (15 mph) or more above the posted speed limit.	60 days	60 days	120 days	120 days.
(2) Driving recklessly, as defined by State or local law or regulation, including but not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.	60 days	60 days	120 days	120 days.
(3) Making improper or erratic traffic lane changes.	60 days	60 days	120 days	120 days.
(4) Following the vehicle ahead too closely.	60 days	60 days	120 days	120 days.
(5) Violating State or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.	60 days	60 days	120 days	120 days.
(6) Driving a CMV without obtaining a CDL.	60 days	Not applicable	120 days	Not applicable.
(7) Driving a CMV without a CDL in the driver's possession ¹ .	60 days	Not applicable	120 days	Not applicable.
(8) Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.	60 days	Not applicable	120 days	Not applicable.
(9) Violating a State or local law or ordinance on motor vehicle traffic control prohibiting texting while driving. ²	60 days	Not applicable	120 days	Not applicable.

¹Any individual who provides proof to the enforcement authority that issued the citation, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid CDL on the date the citation was issued, shall not be guilty of this offense.

²Driving, for the purpose of this disqualification, means operating a commercial motor vehicle, with the motor running, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Driving does not include operating a commercial motor vehicle with or without the motor running when the driver has moved the vehicle to the side of, or off, a highway, as defined in 49 CFR 390.5, and has halted in a location where the vehicle can safely remain stationary.

TABLE 3 TO § 383.51

If the driver is convicted of operating a CMV in violation of a Federal, State or local law because * * *	For a first conviction a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction of any combination of offenses in this Table in a separate incident within a 3-year period, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a third or subsequent conviction of any combination of offenses in this Table in a separate incident within a 3-year period, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *
(1) The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train * * *.	No less than 60 days	No less than 120 days	No less than 1 year.
(2) The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear * * *.	No less than 60 days	No less than 120 days	No less than 1 year.
(3) The driver is always required to stop, but fails to stop before driving onto the crossing * * *.	No less than 60 days	No less than 120 days	No less than 1 year.
(4) The driver fails to have sufficient space to drive completely through the crossing without stopping * * *.	No less than 60 days	No less than 120 days	No less than 1 year.
(5) The driver fails to obey a traffic control device or the directions of an enforcement official at the crossing * * *.	No less than 60 days	No less than 120 days	No less than 1 year.
(6) The driver fails to negotiate a crossing because of insufficient undercarriage clearance * * *.	No less than 60 days	No less than 120 days	No less than 1 year.

(d) Disqualification for railroad-highway grade crossing offenses. Table 3 to § 383.51 contains a list of the offenses and the periods for which a person who

is required to have a CLP or CDL is disqualified, when the driver is operating a CMV at the time of the violation, as follows:

(e) Disqualification for violating out-of-service orders. Table 4 to § 383.51 contains a list of the offenses and periods for which a person who is required to

have a CLP or CDL is disqualified when the driver is operating a CMV at the time of the violation, as follows:

TABLE 4 TO § 383.51

If the driver operates a CMV and is convicted of * * *	For a first conviction while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a third or subsequent conviction in a separate incident within a 10-year period while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *
(1) Violating a driver or vehicle out-of-service order while transporting nonhazardous materials.	No less than 180 days or more than 1 year.	No less than 2 years or more than 5 years.	No less than 3 years or more than 5 years.
(2) Violating a driver or vehicle out-of-service order while transporting hazardous materials required to be placarded under part 172, subpart F of this title, or while operating a vehicle designed to transport 16 or more passengers, including the driver.	No less than 180 days or more than 2 years.	No less than 3 years or more than 5 years.	No less than 3 years or more than 5 years.

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The following information is from:

<https://www.govinfo.gov/content/pkg/CFR-2011-title49-vol5/pdf/CFR-2011-title49-vol5-part383-subpartD.pdf>

Federal Motor Carrier Safety Administration, DOT

§ 383.71

[67 FR 49756, July 31, 2002, as amended at 68 FR 4396, Jan. 29, 2003; 72 FR 36787, July 5, 2007; 75 FR 59134, Sept. 27, 2010; 76 FR 26879, May 9, 2011]

§ 383.52 Disqualification of drivers determined to constitute an imminent hazard.

(a) The Assistant Administrator or his/her designee must disqualify from operating a CMV any driver whose driving is determined to constitute an imminent hazard, as defined in § 383.5.

(b) The period of the disqualification may not exceed 30 days unless the FMCSA complies with the provisions of paragraph (c) of this section.

(c) The Assistant Administrator or his/her delegate may provide the driver an opportunity for a hearing after issuing a disqualification for a period of 30 days or less. The Assistant Administrator or his/her delegate must provide the driver notice of a proposed disqualification period of more than 30 days and an opportunity for a hearing to present a defense to the proposed disqualification. A disqualification imposed under this paragraph may not exceed one year in duration. The driver, or a representative on his/her behalf, may file an appeal of the disqualification issued by the Assistant Administrator's delegate with the Assistant Administrator, Adjudications Counsel (MC-CC), Federal Motor Carrier Safety Administration, 1200 New Jersey Ave., SE., Washington, DC 20590-0001.

(d) Any disqualification imposed in accordance with the provisions of this section must be transmitted by the FMCSA to the jurisdiction where the driver is licensed and must become a part of the driver's record maintained by that jurisdiction.

(e) A driver who is simultaneously disqualified under this section and under other provisions of this subpart, or under State law or regulation, shall serve those disqualification periods concurrently.

[67 FR 49759, July 31, 2002, as amended at 72 FR 55700, Oct. 1, 2007]

§ 383.53 Penalties.

(a) *General rule.* Any person who violates the rules set forth in subparts B and C of this part may be subject to civil or criminal penalties as provided for in 49 U.S.C. 521(b).

(b) *Special penalties pertaining to violation of out-of-service orders—(1) Driver violations.* A driver who is convicted of violating an out-of-service order shall be subject to a civil penalty of not less than \$2,500 for a first conviction and not less than \$5,000 for a second or subsequent conviction, in addition to disqualification under § 383.51(e).

(2) *Employer violations.* An employer who is convicted of a violation of § 383.37(c) shall be subject to a civil penalty of not less than \$2,750 nor more than \$25,000.

(c) *Special penalties pertaining to railroad-highway grade crossing violations.* An employer who is convicted of a violation of § 383.37(d) must be subject to a civil penalty of not more than \$10,000.

[59 FR 26028, May 18, 1994, as amended at 64 FR 48111, Sept. 2, 1999; 67 FR 49759, July 31, 2002; 72 FR 36788, July 5, 2007]

Subpart E—Testing and Licensing Procedures

SOURCE: 53 FR 27649, July 21, 1988, unless otherwise noted.

§ 383.71 Driver application and certification procedures.

(a) *Commercial Learner's Permit.* Prior to obtaining a CLP, a person must meet the following requirements:

(1) *Commercial learner's permit applications submitted prior to July 8, 2014.* CLPs issued prior to July 8, 2014 for limited time periods according to State requirements, shall be considered valid commercial drivers' licenses for purposes of behind-the-wheel training on public roads or highways, if the following minimum conditions are met:

(i) The learner's permit holder is at all times accompanied by the holder of a valid CDL;

(ii) He/she either holds a valid automobile driver's license, or has passed such vision, sign/symbol, and knowledge tests as the State issuing the learner's permit ordinarily administers to applicants for automotive drivers' licenses; and

(iii) He/she does not operate a commercial motor vehicle transporting