

January 25, 2011

«First\_Name» «Last\_Name»  
«Title»  
«Org»  
«Org\_2»  
«Address»  
«City», «State» «Zip»

Dear «Salutation» «Last\_Name»:

The Commercial Vehicle Safety Alliance (CVSA) works to closely monitor, evaluate, and identify potentially unsafe transportation processes and procedures as well as to help facilitate and implement best practices for enhancing safety on our highways. Commercial motor vehicle safety continues to be a challenge and we need the involvement of all affected parties to help us better understand these issues and put into place practical solutions. The voting members of the Alliance have approved ten (10) changes to the April 1, 2011 edition of the *North American Standard Out-of-Service Criteria* (OOSC). These changes were voted in as a result of the Monday, November 1, 2010 ballot and subsequently ratified on Monday, November 15, 2010.

The 2011 edition will be reproduced on “Yellow” colored paper and the changes denoted by an asterisk (\*) will be effective throughout North America on April 1, 2011. French and Spanish editions are also available.

A copy of the 2011 edition of the *North American Standard Out-of-Service Criteria Handbook and Pictorial* is enclosed for your review. Additional copies are available for purchase from the CVSA online store under “Products & Services”. Call CVSA for bulk discount pricing on orders of 50 or more. The OOSC is available electronically through an online subscription and may be purchased from our CVSA online store.

In addition, a PowerPoint outlining the changes is available for annual in-service/refresher training from the Training Committee webpage at [www.cvsa.org/committees/training.aspx](http://www.cvsa.org/committees/training.aspx).

### ***Table of Contents***

Changed to reflect the revisions contained in the April 1, 2011 edition of the OOSC.

***Part I – North American Standard Driver Out-of-Service Criteria***

1. **Action:** Amend Part I, Item 4. DRIVER MEDICAL/PHYSICAL REQUIREMENTS, b. Medical Certificate, by updating paragraph (3).

**Reason:** By changing the word “possess” to “possession” it is intended to remove any confusion or misinterpretation when applying this OOS condition.

***Part II – North American Standard Vehicle Out-of-Service Criteria***

2. **Action:** Amend Part II, Item 1. BRAKE SYSTEMS, a. Defective Brakes, by updating and clarifying paragraph (1) and b. Front Steering Axle(s) Brakes, by updating and clarifying paragraph (1).

**Reason:** This issue was brought forward based on a situation that was found roadside where the brakes were fully applied. The top brake lining was in contact with the drum; however, the bottom lining was not. There was no evidence of missing or damaged internal brake components and the brake was not out of adjustment. The question arose whether this condition meets an out-of-service condition as an ineffective (inoperative) brake under 1.a.(1). Discussion revealed that interpretation of this section is not consistent and that a revision should be made. To promote uniform interpretation and clarification of this section, the Vehicle Committee, as well as the brake manufacturers present, agreed that this condition should be included in the 20% defective brake rule and considered ineffective. Brake experts indicated that this condition can happen when improper repairs are completed or improper parts are used.

3. **Action:** Amend Part II, BRAKE SYSTEMS, by updating and clarifying paragraph j. Low Air Pressure Warning Device.

**Reason:** An Issue/Request for Action sought to clarify the application of the criterion for low air warning devices that operate for a short period and then deactivate. It was discussed that the requirements of 571.121.5.1.5 are for the low air warning device to operate continuously. Therefore, if the device does not work as intended, it should be an OOS condition. This revision received unanimous support from the Vehicle Committee.

4. **Action:** Amend Part II, Item 1. BRAKE SYSTEMS, i. Tractor Protection System, by updating and clarifying the “NOTE”.

**Rationale:** An Issue/Request for Action sought to correct an oversight in the *North American Standard Out-of-Service Criteria* (OOS) and the Inspection Bulletin 2005-02, relating to failure conditions of the tractor protection valve that cause leakage out of the trailer supply line of the tractor, during testing for inspection purposes. The wording was also amended to reflect a previously approved change that stipulated that criterion is based on pressure in either the primary or secondary system. Given the support of industry experts and the brake component manufacturers, the Vehicle Committee briefly discussed the issue and unanimously approved the amendment.

5. **Action:** Amend Part II, Item 1. BRAKE SYSTEMS, by updating and clarifying paragraph m. Air Reservoir (Tank).

**Rationale:** An Issue/Request for Action sought to clarify the defect and ensure consistent application of the criterion for air tanks that were no longer securely attached to the vehicle. The Vehicle Committee discussed several approaches involving better descriptions of the defect but it was agreed that including a measurement would be the most helpful to inspectors and would result in greater uniformity. A proposed movement of 2 inches was discussed and based on the positions put forward by the brake manufacturer representatives, who suggested going as low as ½ inch of movement, the Vehicle Committee agreed on 1 inch of movement. The word “tank” was added to help with the understanding of the term “reservoir”.

6. **Action:** Amend Part II, Item 3. EXHAUST SYSTEMS, by updating and clarifying paragraph a.

**Rationale:** An Issue/Request for Action was sent to the Vehicle Committee by the Passenger Carrier Committee (PCC) based on revisions previously approved by the PCC. This change added diesel exhaust system leak conditions to gasoline exhaust leaks to the *North American Standard Out-of-Service Criteria*. The Vehicle Committee was asked to support the change and to consider similar revisions for other vehicles. The Vehicle Committee considered the fact that while there is a much lower level of CO in diesel exhaust, there are still enough toxic substances that a driver who was exposed to the exhaust fumes for any extended period was likely to become impaired due to illness. After some discussion, the Vehicle Committee passed a motion to revise this item to address an exhaust leak that is combined with an entry point.

7. **Action:** Amend Part II, Item 7. SECUREMENT OF CARGO, by adding a clarifying “NOTE” under paragraphs e.(3) and f.

**Rationale:** An Issue/Request for Action was submitted by the North American Cargo Securement Harmonization Public Forum. The issue revolved around where tiedowns must be located on a load to satisfy the one for every 10 feet rule. The subcommittee had agreed that the regulation does not require a tiedown within every 10 feet but rather one for every 10 foot of cargo. Some enforcement personnel are interpreting this to mean; either a tiedown is required **within** each 10 feet segment, a tiedown is required **at each** 10 foot segment, or a tiedown is required **for every** 10 feet in length. The additional note in the criteria will serve to clarify the acceptable placement of tiedowns to promote more uniform enforcement of the regulations.

8. **Action:** Amend Part II, Item 10. TIRES, a. Any Tire on Any Front Steering Axles(s) of a Power Unit, by adding a clarifying “NOTE” under paragraph (7).

**Rationale:** An Issue/Request for Action sought to clarify the application of the criterion relating to a tire contacting any part of a vehicle in cases where there is some evidence of past tire contact on a steering component (such as a shiny or worn spot on a drag link, pitman arm and possibly on the tire itself), but the inspector is unable to visually witness the contact.

9. **Action:** Amend Part II, Item 14. EMERGENCY EXITS AND/OR ELECTRICAL CABLES AND SYSTEMS IN ENGINE AND BATTERY COMPARTMENTS (BUSES), b. Electrical Cables and Systems in Engine and Battery Compartments, by removing language from paragraph (2).

**Rationale:** Since no definition for an “unsuitable insulation protection to electrical components” was provided, this amendment is intended to clarify when an out-of-service condition exists.

10. **Action:** Amend Part IV, Item 3. U.S. FEDERAL OUT-OF-SERVICE ORDERS, by updating and clarifying the table.

**Rationale:** The reason for this addition is so that enforcement personnel can place a motor vehicle out-of-service when a motor carrier has not complied with requirements under 49 Code of Federal Regulations (CFR) §385.308 related to the filing by a new entrant motor carrier of information under a corrective action plan.

If you have further questions or comments, please do not hesitate to contact me by phone at 301-830-6145 or via email at [stevek@cvsa.org](mailto:stevek@cvsa.org).

Sincerely,



Stephen A. Kepler  
Executive Director

Enclosures