

# Shippers' Unregulated Role

## Some Fleets Educate Their Customers About CSA

By Mindy Long

Special to Transport Topics

Even though shippers aren't directly regulated by the new motor carrier safety program, they will see changes in the ways they interact with fleets and drivers. To ensure there are no surprises, carriers are opening lines of communication to let their customers know how CSA may affect their relationships.

"We want to ensure that all parties understand what CSA 2010 is going to mean and that shippers realize their part in helping the trucking industry be in compliance," said Scott Bowen, director of safety and risk management for the Maryland-based fleet D.M. Bowman Inc.

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— David Heller,  
Truckload Carriers Association

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Any violations of hours of service, cargo securement and overweight loads will count against a carrier's safety score, so fleets and shippers need to work together to stay in compliance.

"It is a play everybody has to take part in together," said David Heller, director of safety and policy for the Truckload Carriers Association.

Bowen has had several customers ask about CSA, and he

created a one-hour webinar about it for customers.

"We're planning to share with the customers first and foremost the difference between CSA and SafeStat," Bowen said.

Bowen drew on information from TCA and the Federal Motor Carrier Safety Administration for his webinar, which also covered the effects of delays and overweight loads.

Members of TCA that would like a ready-made presentation may use the conference's PowerPoint presentation created specifically to share with customers.

Heller recommends carriers and shippers talk sooner rather than later.

"Even though we're still early in the game in CSA 2010, it is good to keep your shippers involved, because it will affect them," he said.

For example, shippers sometimes prefer to designate a carrier's route, but under CSA their choices may be more limited.

"There are times when trucks aren't allowed on part of a route a shipper specifies. Before, they've offered to pay the fines. But that will stop happening, because now those violations will count against the [carrier's] safety score," Heller said.

Drivers and carriers especially don't want to be flagged for a violation that isn't their fault.

"If the shipper is going to load a trailer, they have to make sure it is loaded and secured properly," Heller said.

Delays at loading docks may mean drivers have to make decisions about waiting for loads or using their remaining driving time to find legal parking spaces, especially if the shipper doesn't offer any parking.

"Shippers are going to want to get drivers in and out quicker because drivers will not want to go over their hours," Heller said.

He added that he is hopeful shippers will be receptive to carriers' concerns.

"You're not going to make a positive change without all parties involved," he said.

## **SHIPPER COMPLIANCE** *(Continued from page A36)*

Carriers often are forced to choose between serving the client's wishes or losing the client, fleet executives told federal regulators during a series of listening sessions FMCSA hosted early in CSA planning.

Some fleet managers complained about businesses that pressure carriers to accept contracts with unreasonable delivery timeframes. Also, they said, carriers are cited for any errors in shipment documents, which should be the responsibility of the shipper. And during compliance reviews, shippers and brokers are forgotten and the entire regulatory burden falls on the carrier.

Shippers should be made part of the regulated community, these truckers said.

But FMCSA has no statutory authority over shippers, federal authorities pointed out.

Standard procedures and the nature of the less-than-truckload business enable Old Dominion Freight Line, a large, interregional carrier with headquarters in Thomasville, N.C., to oversee variables that bedevil others.

"Our drivers are fingerprinting the freight," said Brian

Stoddard, vice president of safety and personnel. "They're actually there when it's loaded, if it's palletized. They see what's going on, paperwork-wise and cargo-wise."

Old Dominion, as everyone else in the industry, is waiting for the full package of regulations. "So much remains unknown," Stoddard said.

At least more time is being taken, Stoddard noted, to address the industry's most pressing appeals: adoption of vehicle-miles traveled (VMT) in assessing exposure to accident risk, and fair and accurate means of determining crash causation.

FMCSA has VMT data for 40,000 to 50,000 carriers, but only blanks for other fleets, agency officials said during an industry webinar on March 29. But they stated that "the door is not closed" to changes.

They spoke of a possible middle ground that would account for the different risk characteristics of urban and on-highway truck operations.

The agency also is looking at the feasibility of hiring a contractor to evaluate crash reports and determine fault, the officials said.