



# SPEED BUMPS

FMX, Inc

December 2019

**www.fmxtruck.com**

As many of you may already know, FMX does have a website. The safety Department utilizes the website to provide applicants with the ability to complete an application online.

While this has worked out great for both us and the applicant, we have recently added a page for all of our owner operators. The page name is called DRIVER INFO. This page is designed to provide you with the most up-to-date information on documents such as policies, ELD Set up and use, Safety Bonus Program, etc.

In order to access the DRIVER INFO page, It will require you to type in the User ID **fmxtruck** and the password **safety**.

Once you have entered the User ID and password, you will be able to open, read or even print copies of all of the documents.

The safety dept. will notify you when a document has been updated so that you may review it online.

We also place a copy of all of FMX's newsletter called Speed Bumps. Just click on Safety & News in order to view, print or read the most current or past issues of the newsletter.

## Merry Christmas from FMX



### 2020 Safety Meeting Schedules

#### Orlando

**Jan 11, 2020**

**May 9, 2020**

**Sept 12, 2020**

Hilton Garden Inn at 7300

Augusta National

Breakfast is at 7:30 and

meeting starts at 8 Am

#### Tampa

**Feb 8, 2020**

**June 13, 2020**

**October 10, 2020**

Hilton Garden Inn East

Brandon at 10309 High-

land Manor Dr

Breakfast is at 7:30 and

meeting starts at 8 Am

**Jacksonville—dates  
are tentative until  
hotel is actually  
booked**

**March 14, 2020**

**July 11, 2020**

**November 14, 2020**

Holiday Inn Express at

1120 Suemac Rd

Breakfast is at 7:30 and

meeting starts at 8 Am

**MISSED A MEETING?**



## Post-Accident Testing

After an accident you may be required to give your drivers post-accident drug and alcohol tests. The requirements for these tests are outlined in Section 382.303 of the Federal Motor Carrier Safety Regulations.

Two factors must be considered when determining who needs to be post-accident tested. They are:

- Whether the accident (as defined by Section 390.5) involved a fatality, bodily injury, or disabling damage to any involved vehicle; and
- Whether or not the driver of the commercial motor vehicle was issued a citation as a result of the accident.

Using these factors as a guide, post-accident testing is required when the accident:

- Involves a fatality, whether a citation is issued or not;
- Involves bodily injury and a citation is issued to your driver; or
- Involves disabling damage to any motor vehicle involved in the accident and a citation is issued to your driver.





### What To Give An Optimist And A Pessimist

A family had twin boys whose only resemblance to each other was their looks. If one felt it was too hot, the other thought it was too cold. If one said the TV was too loud, the other claimed the volume needed to be turned up. Opposite in every way, one was an eternal optimist, the other a doom and gloom pessimist.

Just to see what would happen, at Christmas time their father loaded the pessimist's room with every imaginable toy and game. The optimist's room he loaded with horse manure.

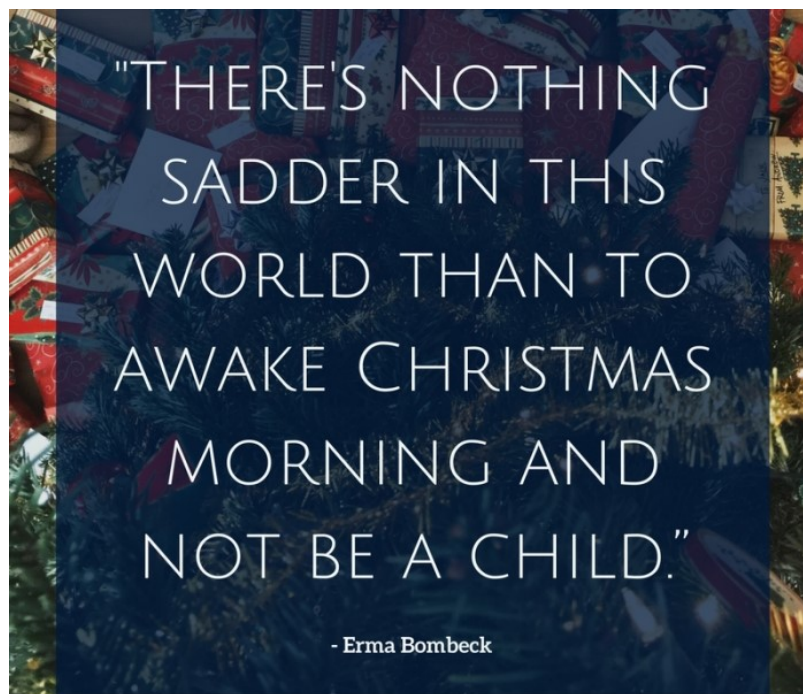
That night the father passed by the pessimist's room and found him sitting amid his new gifts crying bitterly.

"Why are you crying?" the father asked.

"Because my friends will be jealous, I'll have to read all these instructions before I can do anything with this stuff, I'll constantly need batteries, and my toys will eventually get broken." answered the pessimist twin.

Passing the optimist twin's room, the father found him dancing for joy in the pile of manure. "What are you so happy about?" he asked.

To which his optimist twin replied, "There's got to be a pony in here somewhere!"





## 2019 Accidents

Date of Loss	Accident Description	Preventable	Type
10/01/2019	IV was entering intersection after light change and bumped into OV rear.	y	Rear-End
10/04/2019	backing into property damaged gate control box, rained and fried the system	Y	Backing
10/30/2019	IV struck another truck backing into receiver	Y	Backing
10/19/2019	Struck dock concrete wall at Dal Tire while backing	Y	Backing
04/03/2019	tire of container struck an A/C unit and damaged it when the driver was backing up to the dock area.	Y	Backing
05/13/2019	Backing: while departing Crowley, OV backed into IV .	N	Backing
10/21/2019	OV crossed median and struck IV in rear chassis Tires	N	Other
11/05/2019	OV struck IV while he was entering Staples Orlando, zoomed around him clipped the front of IV tractor	N	Other
07/31/2019	IV rear ended Republic Service Truck, his truck had to be towed	Y	Rear-end
07/17/2019	returning from GA traveling E on I-10 blew 2 tires, trying to get off the road driver got stuck under overpass.	Y	Other
07/09/2019	while leaving parking lot of Republic in Sarasota IV clipped a parked vehicle. Damage done to rear	Y	Side-swipe
05/11/2019	While sitting behind a semi at the red light, another Semi making a turn struck the rear of our vehicle, and caused it to rear end the vehicle in front of him	N	Rear-end

# Backing Safely

One out of every 4 accidents is the result of poor backing techniques and FMX falls into that category as well. Poor backing can result in damage to equipment, buildings, property, pedestrians and can cause serious injury and/or death.

Backing accidents are almost always **preventable**. Here are some suggestions to improve your backing skills.

- Avoid backing if at all possible, or pick spots that reduce backing to a minimum.
- Walk around your rig and check for clearance—GET OUT AND LOOK (GOAL)
- Make sure your trailer doors are properly hooked.
- Watch for people, vehicles, forklifts, overhead wires, tree limbs and other objects
- Use your mirrors and back up slowly using the driver's side whenever possible.
- Watch your clearance on both sides through your side mirrors
- Use a spotter if the backing maneuver could be hazardous but beware that using a spotter does not relieve you from the responsibility of moving your truck.
- Turn on your four way flashers before backing
- Tap your horn periodically as a warning
- If it is dark, get out and check unlighted areas with a flashlight.



Happy Birthday



### **Dec. Birthday's**

**Alvaro Muneton 12-3**

**Indrit Halluni 12-5**

**Julio Garriga 12-13**

**Ted Royal 12-22**

**Israel Gracia 12-26**



### **Dec. Anniversaries**

**Gloria Featherston 12-2-04 (15 yrs)**

**Ted Royal 12-1-08 (11 yrs)**

**Majail Zerquera 12-4-18 (1 yr)**

**Julio Garriga 12-12-08 (11 yrs)**

**Carol Lancaster 12-20-04 (15 yrs)**

**Goran Panic 12-23-16 (3 yrs)**







# **Log Dates Matter..**

*PLEASE take your time when dating your paper logs.*

*FMX is not allowed to change a log date. Logs received with incorrect dates will be rejected and you will be required to correct the date or submit another log showing the correct date.*



## Personal Conveyance

### 1. What is personal conveyance?

PC is the personal use of a commercial motor vehicle while off duty. You are off duty only if you are not responsible for performing work for the carrier at that time.

### 2. How far may I drive on PC?

You can drive as many miles or hours as you want, **provided you are really off duty**. If the carrier is asking you to record time spent transporting a load from Bangor, Maine, to Long Beach, California, as PC, you would be falsifying your log. Transporting a load at the direction of the carrier is “driving time” as defined by the hours of service regulations.

### 3. May I pass the terminal to make a delivery knowing I will run out of hours and then record time deadheading to the terminal as PC?

No. Time spent driving back to the terminal fulfills a business purpose, not a personal use.

### 4. May I record driving time as PC when the carrier is directing me to travel in the direction of my next pickup?

No. Again, this is for a business purpose.

### 5. May I record as PC time spent driving my truck home or somewhere else without having a dispatch?

Yes. In that circumstance you are off duty, provided you are not doing so for a business purpose at the instruction of the carrier.





## CHRISTMAS SAFETY

Take a moment for Christmas safety

“Merry Christmas” everyone. Christmas is here in a few short days and there are lots of activities going on which can act as distractions to our work. “Did that present we order arrive on time?” “Did we forget to invite anyone to Christmas dinner?” “What was I supposed to bring to that Christmas party?”

It is a challenge to stay focused at work during this time of year. **So, this is when it is especially important to take four seconds for safety.** When you find yourself working away and your thoughts running wild with all the plans and activities of Christmas, STOP, take those four short seconds to look around and come back to the present moment. Look for a hazard in the middle of your activity. Are you standing on a ladder? Are you in an awkward position or about to trip on something lying on the floor? Hazards do not go away. Only our awareness of the hazards goes away. And when we ignore hazards, we tend to get injured.

Christmas injuries tend put extra stress on everyone. Imagine yourself sitting around the Christmas table in a leg cast because you fell off a ladder or tripped over something. Unfortunately, these stories are more common than all of us might admit. Injuries at Christmas seem to magnify how many people are affected by an injury to one person. How many people count on you each day to come home safely? If you add them all up you might be surprised.

Taking four seconds for safety may seem unimportant to you yet it is the one activity, the one action you might take during a busy and distracted day which will have the most benefit in keeping you safe. Think of it as your Christmas present to yourself. In fact, you can think of each of those people who would be affected by an injury to you every time you take four seconds to refocus.

Think about this when you are about to drive away to some gathering this Christmas. The noise, the excitement, the distraction! Take a moment, take a big breath, count slowly to four, then drive away. Chances are that you will arrive safely once you focus for those four seconds.

Again, “Merry Christmas” to everyone. May the Blessings of this season warm the hearts of you and your families.





## Holiday Driving

With the holiday shopping season approaching, we are likely to experience some major traffic challenges. First will be the prospect of more people that have been drinking that are now sharing the roadways with us. Second will be more drivers rushing in and out of shopping malls and shopping centers buying last-minute gifts. Third, will be those people driving “over the river and through the woods,” to visit friends and relatives. Almost all of this extra traffic will be done by people that are fatigued and/or distracted. Fourth, we are approaching the shortest days of the year measured in actual sunlight. Plus the weather, in most parts of the country, will likely present its own set of challenges.

What’s the best way to handle these challenges?

- Start each trip with an extra dose of patience and focus on your job by clearing your head of distractions.
- Plan the best route and check for traffic and weather-related updates. Factor in additional travel time if driving through congested areas or inclement weather.
- Ensure that your truck is in good working order by conducting a thorough pre-trip inspection. It’s important that we can be seen by other motorists, that we can stop on time, and that we don’t add to the congestion by breaking down.
- Always buckle up. We must remain vigilant in parking lots.
- Be extra vigilant of erratic behavior.
- As a responsible driver...do your part to remove as many distractions as you can (e.g. food, phones, maps, papers, etc.)

Most of us understand the risks are high while on the roadway, but the challenge is to recognize that risks remain high once we are off the roadway. Too often, many drivers drop their guard and become less vigilant once they turn off the street and into a parking lot.

Remember that most passenger car drivers are usually focused on seeking a parking spot. They are not on the look-out for other drivers or objects. Many of these drivers roll through stop signs, travel against the directional arrows, or cut between parked cars. Vehicles can be coming from any direction...at any time. Here are some tips to keep your guard up:

- Establish eye contact. Watch for children and the elderly.
- To the degree possible, avoid backing. Look for a “pull-through” spot that will negate the need to back out. When you are not sure what is around you, get out and look.
- Wear your seatbelt – even low speed collisions can throw you around the cab of your truck.
- Obey all traffic signs and directional arrows.
- Drive slowly and use your turn signals and headlights – make sure your vehicle is seen and watch for distracted motorists who do not see you coming.
- Slow down for speed bumps as not to injure yourself or damage your cargo.
- Be extra careful at entrances and exits – motorists stop suddenly and for no apparent reason.
- Be especially careful in lots that contain Post Offices, package stores and other locations where people are prone to dart in and out hastily in a hurry to be on their way.

Keep these driving tips in mind to make sure you have a Happy Holiday season!



## INTRASTATE VS. INTERSTATE: WHICH IS WHICH?

Many of you have asked why FMX does not follow the Florida Rules when it comes to hours of service and other requirements. Florida ONLY deals with Intrastate Commerce, and FMCSA deals with Interstate Commerce.

FMX falls under the category of Interstate due to the definition of Interstate Commerce shown below and therefore is required to follow the rules and regulations of Federal Motor Carriers rather than operate under Florida's Rules.

It is all based upon freight crossing a state line or from overseas.

FMCSA (Federal Motor Carrier Safety Administration) defines intrastate and interstate:

**Intrastate** means that the motor carrier does trade or transportation ONLY in their home state.

**Interstate** means that the motor carrier does trade or transportation that meets one of the following criteria:

- From somewhere in one state to somewhere in a different state (including places outside the United States) (Nearly all of FMX's freight that is transported comes from outside the state of Florida, which makes us an INTERSTATE CARRIER and not an Intrastate Carrier)
- From somewhere in a state to somewhere in the same state but through a different state or outside the US
- From somewhere in a state to somewhere else in that state as part of trade or transportation that begins or ends outside that state or the US

Interstate Commerce is regulated mostly by Federal Requirements, but some State requirements may also apply

### Federal vs. State Compliance

- Interstate Commerce
  - federal and state requirements
- Intrastate Commerce
  - State and local regulations





## INTRASTATE VS. INTERSTATE: WHICH IS WHICH? PG 2

### Interstate Commerce vs. Intrastate Commerce

- Interstate: trade, traffic, or transportation involving the crossing of a state boundary
- Intrastate: trade, traffic, or transportation within a single state



### Interstate vs Intrastate Commerce

**Intrastate commerce** is that business that is conducted between business entities that exist within the same state. (these motor carriers would be required to follow the Florida Rules and regulations)

**Interstate commerce** is that which is conducted between businesses located in differing states (and those motor carriers must follow the Federal rules and regulations)

FMX's freight comes from or is being shipped outside the state lines of Florida and therefore must follow the federal rules and regulations.



## **HAVE YOU MISSED A SAFETY MEETING?**

Safety meetings are not mandatory but if you would like to reach your full safety bonus potential, then you need to attend 3 safety meetings per year. It does not matter where you attend the 3 meetings. We attempt to make meetings convenient for you but sometimes life just interferes with the date of the nearest meeting.

FMX has always welcomed its owner operators to attend an alternate meeting location so that they do not lose any of their bonus potential.

So, if you were not able to attend the nearest meeting, then why not plan to attend a meeting at one of the other 2 locations.

The safety meetings always start with breakfast at 7:30 and the meeting begins at 8 am.

Here is the entire schedule for 2019:

### **Orlando Area—**

**dates: Jan 11, May 9 and Sept 12**

**Hilton Garden Inn at 7300 Augusta National Dr in Orlando.**

### **Tampa Area—**

**Dates: Feb 8, Jun 13, Oct 10**

**Hilton Garden Inn at 10309 Highland Manor Dr in Brandon**

### **Jacksonville Area—**

**Dates: Mar 14, July 11, Nov 14 (dates are tentative until hotel is actually booked)**

**Holiday Inn at 1120 Suemac Dr (off of Commonwealth Ave)**