

REGULATORY COMPLIANCE

Occupational Safety and Health Administration (OSHA) issues a proposed rule rescinding portions of the electronic injury/illness reporting requirements

OSHA issued a proposed rule in July that would rescind current regulations requiring larger employers (>250) from electronically submitting annual detailed data regarding their workplace injury and illnesses. The reporting stems from a 2016 final rule requiring the reporting of workplace data from most US employers. The newly proposed rule amends the reporting requirements for larger employers to lessen the level of incident detail being reported. This change will help protect affected worker's personal information. Large employers and those employers having 20-250 employees engaged in certain targeted industries, including electric utilities, must continue to submit generalized workplace data annually from their year-end summary documents (300A) under the rule. OSHA intends this data to then be made available for public review on OSHA's website. Staff is analyzing the newly revised rule for its potential impact to our members. OSHA also announced that effective immediately that they will not enforce the original rule requirements of detailed employer information to be reported during the rule amendment process. Comments on the proposed rule specifics must be submitted by September 28, 2018 (FR Vol. 83, No. 146, July 30, 2018, P.36494).

Federal Motor Carrier Safety Administration (FMCSA) issues a notice of proposed rulemaking amending the entry-level driver training requirements for drivers upgrading CDL Class licensing

FMCSA issued a notice of proposed rulemaking in June revising its rules outlining entry-level CDL driver training requirements for drivers wanting to upgrade their licensing from a Class B license to a Class A license. The original rule, published in December 2016, required drivers obtaining their CDL license for the first time and those drivers upgrading the class of their existing CDL license to undergo additional driver training. The outlined training includes both class-room and behind-the-wheel instruction. Under the newly announced proposed rule, FMCSA has developed a new instructional curriculum for drivers simply wishing to upgrade their class of CDL license. FMCSA indicates that the revisions will allow for better targeting of the skills and information needed for these drivers to adequately upgrade their licenses without having to undergo additional driver instruction which is still required of new drivers without previous experience. The revised proposal targets the classroom portion of the driver instruction and does not propose changes to the behind-the-wheel training requirement as set forth in the original regulations. Staff is reviewing the proposal for its impacts to member CDL driving operations. Comments on the proposed rule must be submitted by August 28th (FR Vol. 83, No. 126, June 29, 2018, P. 30668).

Federal Motor Carrier Safety Administration (FMCSA) extends the compliance date for implementation of specific provisions of the CDL Medical Examiner's Certification requirements

On June 21, the FMCSA issued an interim final rule delaying the compliance date for several provisions of its 2015 Medical Examiner's Certification rule. This interim rule postpones further implementation of specific requirements of the National Commercial Driver's License Information System (CDLIS) until June 2021. The CDLIS system will function as a central medical informational clearing house on all commercial motor vehicle drivers nationwide. The interim rule delays targeted requirements of the original rule including the electronic transmission of information from the Clearinghouse of specific driver information to State licensing agencies, the relay of driver medical variance information online and the need for the States to post related driver information on the National Commercial Driver's License Information System (CDLIS) for public and employer reference. The interim rule became effective on June 21, 2018.