

# ARKANSAS CHILD CARE TRANSPORTATION SAFETY GUIDE

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Passenger carriers in Arkansas encompass numerous business and operational models – rural and urban public transit, school bus transportation, medical transportation, taxis and Uber, nonprofit client transportation, and child care transportation. Child care businesses operate over 2,100 vehicles and are no small part of the Arkansas passenger carrier industry. Our best estimate is child care operations account for approximately 5,000,000 passenger trips annually. This is a significant transit business and safety challenge.

All passenger carriers have various levels of mandated safety oversight to ensure they safely transport their passengers. The majorities of these carriers also embrace and implement good safety practices beyond regulatory requirements.

The information contained in this document was compiled from the A-State Childhood Services safety advisories written for the benefit of child care management and staff. It is intended to provide essential safety information to assist child care operations with developing and managing the safe transportation of children.

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## Section 1 – Management Focus

### Accountability

A child care employee does not arrive at work with the intention of leaving a child on a van or otherwise doing harm. Leaving a child on a vehicle and other negligent acts are a failure in accountability. Not just failure on the part of the driver, but failure of management as well. Generally, when a negligent act happens and it's discovered, fingers start pointing and the excuses start coming. We discover that custodial responsibility and overall accountability have somehow fallen between the cracks.

Accountability seems to be the new watchword in just about every business and it means having to answer for one's actions. This is particularly true in the child care business as there is no greater responsibility than the safety of a child. A child care business, regardless if it is owned by a for-profit corporation, religious entity, non-profit organization or a sole proprietor, is still a commercial business. A business that provides transportation services for compensation assuming responsibility for the care and safety of each child passenger. Parents or guardians, as well as the State of Arkansas, holds every person in that business responsible for a child's well being. Instilling the responsibility of being accountable is one of the greatest challenges owners and directors face.

Accountability always starts at the top with management. In business, it is generally considered that failure of an employee can also be failure of management. The usual first reaction to failure is to fire the employee considered responsible. Firing an employee does not fix the problem, it simply shifts the blame. There is usually an underlying management failure that is the cause for an employee failing. When failure occurs, the "WHY" has many prevailing root causes – poor hiring practices, lack of clear management expectations, nonexistent written policies and procedures, no clear actions vs. consequences, lack of effective training, failure to enforce performance actions, and lax supervisory oversight.

If you are going to be held accountable for your actions, wouldn't you want to know exactly what was expected and required? Owners and directors are the key to making accountability real. Employees need to understand that performance is measured based on expectations and requirements that were spelled out up front and on nothing else. Make sure your employees know that they will have to explain their actions and tie every employee's actions to real consequences, both rewards and punishments. Developing written policies and procedures along with clear personnel actions are necessary and should be acknowledged by the employee when hired. Punishing a person for poor performance without advising them in advance that their actions would have punishments (and rewards) is too late to shape behavior. If employees know in advance that you will hold them accountable for their actions, they can adjust their behavior accordingly before it's too late.

It is important to build trust and confidence with the people you manage. They need to feel informed and empowered to make good decisions based on clear direction. "Do what I say and not as I do" is a poor excuse for directing people. There is no substitute for clear and concise

written guidance and proper training to build the foundation that helps employees to make the right decisions. Demands of daily business can distract from the process of ensuring proper employee education and training. These distractions cannot become excuses for taking shortcuts.

At the same time an owner and/or director is holding those around them accountable, they must also hold themselves to the same expectations. Rules apply to everyone or they apply to no one. If you manage a business then you must realize that everyone is watching you and everything starts at the top. Accountability must be engrained into every aspect of the child care organization or failures will reoccur and children could be harmed.

### **Liability and Litigation**

Everyday attorneys file lawsuits accusing individuals and businesses of negligence. Usually this results when there is an injury or death. Each child care business assumes a tremendous responsibility when they elect to engage in the transportation business. There is an implied burden to ensure a safe and secure environment and avoid needless endangerment. They operate as a commercial passenger carrier and should follow well established industry safety practices. The decision to transport passengers, particularly children, demands that owners and directors know, understand and follow such practices.

The following are some of the pitfalls that exist in the majority of transportation services operated by licensed child care facilities which could demonstrate negligence.

- Neglecting to follow customary safety practices for passenger carrier operations.
- Neglecting to develop and maintain written policies related to safe transportation.
- Neglecting to have and follow proper screening and hiring practices.
- Neglecting to enforce operational policies related to safe transportation practices.
- Neglecting to adequately train transportation personnel.
- Neglecting to ensure employees know and understand their responsibilities.
- Neglecting to have drivers in a drug testing program.
- Neglecting to conduct annual driver license checks.
- Neglecting to ensure proper insurance coverage is in force.
- Neglecting to determine if drivers are physically fit to carry out assigned duties.
- Neglecting to properly supervise transportation employees.
- Neglecting to procure and maintain safe vehicles.
- Neglecting to maintain concise and thorough documentation.

All transportation service providers have a responsibility to properly hire, train and supervise their personnel. That responsibility also extends to providing them with safe vehicles which have had appropriate and reoccurring safety inspections, daily safety assessments and maintaining supporting documentation. Negligence can be easily proven if a transportation provider does not establish and follow good safety practices to prevent injury and death to the children in their care.

## Setting Up A Safe Driving Program

Motor vehicle crashes are a leading cause of death and injury for all ages. Every 12 minutes someone dies in a motor vehicle crash, every 10 seconds an injury occurs and every 5 seconds a crash occurs. The real tragedy is that these crashes are largely preventable. By implementing a driver safety program a child care transportation provider can greatly reduce the risks faced by their employees and child passengers. Not only are you helping to protect the children for whom you are responsible and your employee, you are protecting your company's bottom line.

For businesses transporting child passengers, crashes have a far-reaching financial and psychological effect on both employees and the passengers they transport. Child care operations need a driver safety program:

- To save lives and to reduce the risk of life-altering injuries.
- To protect your organization's human and financial resources.
- To guard against potential company and personal liabilities associated with crashes involving employees driving on company business.

Your program should work to keep the driver and those whom he/she transports safe. And, if necessary, the program must work to change driver attitudes, improve behavior, and increase skills to build a "be safe" culture. By instructing your employees in basic safe driving practices and then rewarding safety-conscious behavior, you can help your employees avoid tragedy.

Driver safety programs not only make good business sense for a child care operation but also are a good public relations tool, demonstrating that the owner cares about the children they transport, as well as, their employees.

The following are ten steps to establishing a safe driving program:

### Step 1: Management Commitment

Owners and managers can provide leadership, set policies, and allocate resources (staff and budget) to create a safety culture. Actively encouraging employee participation and involvement at all levels of the organization is a good practice and will help the effort to succeed.

### Step 2: Written Policies and Procedures

Create a clear, comprehensive and enforceable set of traffic safety policies and communicate them to all employees. These are the cornerstones of an effective driver safety program. Post them throughout the workplace, distribute copies periodically, and discuss the policies at meetings. Offer incentives for sticking to the rules, and point out the consequences of disregarding them.

### Step 3: Driver Agreements

Establish a contract with all employees who drive for work purposes. By signing an agreement, the driver acknowledges awareness and understanding of the organization's traffic safety policies, procedures, and expectations regarding driver performance, vehicle maintenance and

reporting moving violations.

#### Step 4: Motor Vehicle Record (MVR) Checks

Check the driving records of all employees who drive for work purposes. You must screen out drivers who have poor driving records since they are most likely to cause problems in the future. The MVR should be reviewed periodically to ensure that the driver maintains a good driving record. Clearly define the number of violations an employee/driver can have before losing the privilege of driving for work, and provide training where indicated.

#### Step 5: Crash Reporting and Investigation

Establish and enforce a crash reporting and investigation process. Traffic safety policies and procedures should clearly guide drivers through their responsibilities in a crash situation. All crashes should be reviewed to determine their cause and whether or not the incidents were preventable. Understanding the root causes of crashes and why they are happening, regardless of fault, forms the basis for eliminating them in the future.

#### Step 6: Vehicle Selection, Maintenance and Inspection

Selecting, properly maintaining and routinely inspecting company vehicles is an important part of preventing crashes and related losses. It is advisable that the organization review and consider the safety features of all vehicles to be considered for use. Those vehicles that demonstrate "best in class" status for crash-worthiness and overall safety should be chosen.

Vehicles should be on a routine preventive maintenance schedule for servicing and checking of safety-related equipment. Regular maintenance should be done at specific mileage intervals consistent with the manufacturer's recommendations. A mechanic should do a thorough inspection of each vehicle at least annually with documented results placed in the vehicle's file.

#### Step 7: Disciplinary Action System

Develop a strategy to determine the course of action after the occurrence of a moving violation and/or "preventable" crash. The system should provide for progressive discipline if a driver begins to develop a pattern of repeated traffic violations and/or preventable crashes.

#### Step 8: Reward/Incentive Program

Develop and implement a driver reward/incentive program to make safe driving an integral part of your business culture. Safe driving behaviors contribute directly to the bottom line and should be recognized as such. Positive results are realized when driving performance is incorporated into the overall evaluation of job performance.

#### Step 9: Driver Training/Communication

Provide continuous driver safety training and communication. Even experienced drivers benefit from periodic training and reminders of safe driving practices and skills. It is easy to become complacent and not think about the consequences of our driving habits.

#### Step 10: Regulatory Compliance

Ensure adherence to highway safety regulations. It is important to clearly establish which, if any, local, state, and/or federal regulations govern your vehicles and/or drivers.

Child care operations have enormous responsibility to protect their child passengers by educating their employees about safe driving practices. For more information and assistance in implementing a traffic safety program, you can contact the Network of Employers for Traffic Safety (NETS), the National Highway Traffic Safety Administration (NHTSA), the Occupational Safety and Health Administration (OSHA) or the National Institute for Occupational Safety and Health (NIOSH).

### **Understanding Commercial Auto Insurance**

Child care facilities are commercial businesses that provide commercial transportation services. As such, licensing regulations require “Commercial insurance coverage shall be maintained for any vehicle used for transportation by the facility”. This means that any vehicle that is used to transport children must be written on a commercial / business auto policy regardless if it is owned by the facility, leased or rented, on loan, or owned by an employee or other individual or business. The only way to determine if the proper insurance is to have a policy, which states on the declarations page, Business Auto Coverage or Commercial Auto coverage. Having a proof of insurance card (typically referred to as a “glove box card”) does not satisfy proof of having proper commercial coverage. A Personal Auto Policy will not meet licensing regulation requirements!

Licensing regulations require you to purchase auto liability and property damage in a “Combined Single Limit (CSL)” policy of \$100,000 minimum limit. Typically, we are used to personal auto coverage that is sold in split limit coverage such as the State minimum requirement of \$25,000/\$50,000/\$25,000. This means that \$25,000 is the bodily injury limit per person, \$50,000 is the bodily injury limit per accident, and \$25,000 is the property damage limit per accident. Under the combined single limit, the coverage does not have a split limit between bodily injury, and property damage. A combined single limit is exactly what it implies; all liability is combined into one single limit.

In addition to the liability requirement, licensing regulations require you to purchase both Uninsured Motorist (UM) and Underinsured Motorist (UIM) each with a \$100,000 minimum coverage. Uninsured Motorist covers damages caused by an at-fault uninsured or hit-and-run driver. Underinsured Motorist coverage is for situations in which the at-fault driver has insufficient insurance. Licensing regulations also require you to purchase Personal Injury Protection (PIP) at a minimum coverage of \$5,000 per passenger.

The minimum limits required by the licensing regulation is exactly that, minimum limits. It is important to realize that your risk exposure could be much greater. Insurance is there to protect you from lawsuits that come from injuries to others involved in an accident. Considering the predominance of litigation resulting from traffic accidents and tremendous cost exposure from damages and injuries, the minimum CLS limit any business should carry is \$1,000,000, as well as, \$1,000,000 for UM and UIM. Consulting with an insurance broker is the best source of determining what your risk exposure maybe and the type and amount of auto insurance coverage needed.

For insurance coverage to be in force and stay in force there may be specific responsibility placed on a business. There may be age restrictions on drivers and other criteria to include periodic drivers' license check. You may have ongoing obligations to adhere to the requirements of your policy contract. Failure to do so can result in failure to maintain proper insurance required for you to operate transportation as part of your child care licensing authority.

Auto insurance is one of the most important products you purchase. You cannot afford to make the wrong purchase or not have the right coverage. Be sure to tell your insurance agent that you are required to have "Commercial Insurance Coverage" for our vehicles used to transport children. An insurance policy is a legal contract between the insurance company and your business. Read your policy!! Verify that the policy meets your needs and the requirements of the licensing regulations. It is important to understand what is covered, the exclusions that take away coverage, and the conditions that must be met in order for coverage to apply when a loss occurs. Follow and maintain your responsibility required of your policy.

If you need assistance understanding the insurance language in your policy, sit down with your agent and discuss it. The Arkansas Insurance Department regulates all insurance companies that do business in the State. You may contact their Consumer Services Division @ 800-852-5494 if you have concerns or need assistance. A word of caution, do not purchase insurance from any company that is not licensed to do business in Arkansas.

### **No Child Left Behind**

"NO CHILD LEFT BEHIND" is a banner we are most accustomed to hearing associated with an academic achievement program. But in the childcare profession, this banner should resonate the safety message about never leaving a child in a vehicle. Regardless of all the efforts put forth to prevent this careless and inexcusable tragic event, it continues to happen. Is it preventable – Absolutely!! Is it ever excusable – Absolutely not!!

Heatstroke deaths in motor vehicles have claimed the lives of 700 children during the past 18 years (1998-2016). Over half (376) of these were forgotten by a parent or caregiver. Childcare personnel were responsible for 11% of these deaths. This fact alone should be enough to pull out every stop at raising awareness among state oversight personnel, childcare staff and parents/guardians

It is important to understand what actually happens inside a vehicle that is exposed to the sun. The sun's shortwave radiation passes through the windows of a vehicle and warms the objects inside (dashboard, steering wheel, child seat, etc.). Heat from these objects can reach 180 to 200 degrees, which warms the air inside. For example -- on an 80 degree day, a vehicle's inside temperature can exceed 120 degrees in an hour or less. Imagine how fast that heat will rise on a hot summer day in Arkansas. Children have died from heatstroke in cars on days with outside temperature as low as 60 degrees.

What happens when a child is left in this hot environment? Heatstroke (hyperthermia) will occur. Medically speaking, heatstroke is when a person's temperature exceeds 104 degrees and their thermoregulatory mechanism is overwhelmed. When a person's body temperature of 107

degrees or greater is reached, cells are damaged and internal organs begin to shut down. Children's thermoregulatory system are not as efficient as an adult's and their body temperatures warm at a rate 3 to 5 times faster than adults'.

The most dangerous mistake a child care employee can make is to think leaving a child alone in a vehicle could never happen to them. It can happen to anyone! And when it does, everyone responsible for that child's safety is at fault. Child care regulations direct the use of rosters, child passenger alarms, unloading procedures, and training to help prevent leaving a child behind on a vehicle. However, it still happens. In all cases, it is human failure stemming from taking short cuts, not following policy, and lack of attention and management oversight. Most tragedies occur during busy times, periods of crisis, holidays, understaffing situations and changes in routine.

Preventing these tragedies is a combination of developing sound operational policy and ongoing education. Every childcare entity that transports children should have a written policy directing the specific steps to be taken by its staff to ensure no child is left on a vehicle. The policy should also set forth the personnel actions that will be taken if the policy is not followed. Each employee hired should read, understand, and sign the policy - even if they are not involved in the actual transportation of children. They most certainly will be involved in accountability for children being transitioned from the vehicle to the classroom. The use of child safety alarms, proper utilization of trip rosters, and following operational procedures all work together to avoid leaving a child onboard a vehicle.

The driver of the vehicle shoulders the primary responsibility but is not alone in the accountability. The center's director, transportation aides, and classroom teachers all play a role in the process and in the responsibility. The Safety Advisories published in January and March addressed child safety alarms and trip rosters. Properly installed and utilized safety alarms along with detailed, concise rosters used for each trip are critical tools. But the most critical factors in this process are education and training. Some people want to take shortcuts or get distracted and at times it appears they are "just lazy". The process of unloading children from a vehicle requires a certain level of redundancy, and this is a good thing. However, redundancy can bore people and they become lax in their tasks. Ongoing training and oversight is necessary to reinforce that the correct process is followed. For those smaller vehicles not required to have safety alarms, policies and procedures need to stress safety checks by more than one person.

Any child left on a vehicle is ultimately the responsibility and liability of the director and/or owner. Therefore, hiring and training the right employees who are given this shared responsibility is theirs as well. When an employee fails and a child is left on a vehicle, management also fails. Arkansas is one of the 30 remaining states without laws specifically against leaving a child unattended in a vehicle. An Associated Press study in 2005 found that a "Wide disparity exists in sentences for leaving kids to die in hot cars". In the cases of paid caregivers (childcare works, babysitters), 84% were charged and 96% were convicted.

A daycare center in Atlanta was closed down by the state because they left a child in a locked van for two hours. The child was found uninjured, but the van driver was still arrested on child cruelty charges and jailed. In Arkansas, leaving a child in a vehicle seems to have little or no consequences for the childcare entity unless the act results in some harm or a fatality. Law

enforcement and prosecutors, in conjunction with the State, need to consider if specific laws and regulations should be directed toward commercial child care operators and their staff who endanger the welfare of a child by leaving them in a vehicle.

### **Trip Rosters**

Licensing requirements stipulate in Section 1300 of the regulations that “all transportation provided by the licensee, including transportation provided by any person on behalf of the licensee, regardless of whether the person is employed by the licensee” must be in compliance with the regulations. Any periodic or incidental transportation is also covered whether a fee is charged or not.

While there are several functions of accountability involved with transporting children, this advisory focuses on the transportation trip roster. Section 1300, paragraphs 10, 11, and 12 of the Licensing Regulations addresses the requirement and general use of rosters. While the regulations stipulate what information is to be contained in the roster, it does not provide a specific form for the roster. Without uniformity and clear expectations, many rosters fall short of impressing upon the driver and other staff their accountability and importance of their actions. Consistency in practice is the foundation of safe transportation. The goal of safe transportation is to protect children from harm.

The roster is not an attendance sheet, it is a custodial tracking of each child – a chain of custody so to speak – from the time a child leaves a facility till they safely arrive at their destination. Each trip should be carefully documented and each child accounted for by the appropriate individual designated responsibility. It is not to be used for a head count, each child shall be accounted for by name and face using the roster when they enter and exit the vehicle.

Roster should be clear and concise records for each time a child is transported. Multiple trips information on a single roster become confusing and, frankly, leads to less attention and oversight. Trip rosters also serve as a source of passenger information for first responders in the event of accident. Rosters can also become critical records in investigations and litigation. All of these facts should drive child care facilities to place the proper attention on transportation accountability and concise documentation for each time a child is transported.

Attached to this advisory are two different rosters designed to be used for a specific type of trip – a group trip with all passengers having the same origin and destination and a route trip with passengers having different origins or destinations. Both rosters focus on accountability and clear documentation for each time a child is transported. While using these specific forms is not a requirement by licensing, it is considered a “best practice” and strongly encourages all child care facilities to adopt their use. While this is an initial version, experience in the field may necessitate some changes.

*The documents on the following pages were created in a Microsoft Word and can be transmitted via email to allow preprint with facility name and the child’s name and age. All other data should be recorded by the driver or appropriate individual.*

## **GROUP TRIP ROSTER**

(This roster will be completed when children are transported as a group)

*The licensing regulations for child care facilities require roster be used to check children on and off the vehicle when picked up and dropped off. This roster asserts accountability on those involved and responsible for safe transportation of any child in their custody. This roster will be completed and certified at the appropriate time an action is accomplished. To insure adherence to the requirements of the regulations, each trip must be documented separately and all actions and signatures completed in a timely manner. This form may be preprinted with the facility name and child's name and age ONLY!*

Facility Name	Vehicle Tag #	# Passenger Seats
Driver's Name (Print)	Driver's Signature (See Certification Below)	

*(Driver's Certification: By signing above, I certify that I have conducted a pretrip inspection of the vehicle and have determined the vehicle to be in safe operation condition, and further certify that I am in good health and physically able to perform all duties of a driver in a safe manner.)*

Date of Transport	Pick-Up Location	Destination	Load Time	Departure Time
Name of Staff/Aide On Board Vehicle:				

Child's Name	Age	<u>Absent</u> = A	<u>Loaded</u> Driver Initials	<u>Unloaded</u> Driver Initials	Special Needs/Medical Alerts
<b>Arrival Time</b>	<b>Unload Time</b>	<b>Signature of Driver – NO CHILD LEFT!</b>		<b>Signature of Staff – NO CHILD LEFT!</b>	
Signature of Director or Designee (1) – Verified Safe Transition from Vehicle to Classroom!					Date

The proper utilization of this roster along with required child safety alarm devices and appropriate loading and unloading procedures are critical to insuring the safety of all children transported. Failure to do so may result in loss of your privilege to provide transportation services.

## **ROUTE TRIP ROSTER**

(This roster will be used when children are transported along a scheduled route)

*The licensing regulations for child care facilities require roster be used to check children on and off the vehicle when picked up and dropped off. This roster asserts accountability on those involved and responsible for safe transportation of any child in their custody. This roster will be completed and certified at the appropriate time an action is accomplished. To insure adherence to the requirements of the regulations, each trip must be documented separately and all actions and signatures completed in a timely manner. This form may be preprinted with the facility name and child's name and age ONLY!*

Facility Name	Vehicle Tag #	# Passenger Seats
Driver's Name (Print)	Driver's Signature (See Certification Below)	

*(Driver's Certification: By signing above, I certify that I have conducted a pretrip inspection of the vehicle and have determined the vehicle to be in safe operation condition, and further certify that I am in good health and physically able to perform all duties of a driver in a safe manner.)*

Trip Date	Route Departure Location	Route Departure Time	Arrival Location	Arrival Time

Name of Staff/Aide On Board Vehicle: \_\_\_\_\_

Child's Name	Age	Absent = A	Loaded <i>Driver Initials</i>	Load Time	Unloaded <i>Driver Initials</i>	Unload Time	Transfer Custody To/From
<b>Signature of Driver – NO CHILD LEFT!</b>				<b>Signature of Staff – NO CHILD LEFT!</b>			
<b>Signature of Director or Designee (1) – Verified Safe Transition from Vehicle to Classroom!</b>						<b>Date</b>	

The proper utilization of this roster along with required child safety alarm devices and appropriate loading and unloading procedures are critical to insuring the safety of all children transported. Failure to do so may result in loss of your privilege to provide transportation services.

## **Passenger Van Safety and Personal “Non-Owned Vehicles”**

Licensing regulations stipulate that a vehicle used to transport children be “maintained in proper working condition”. In commercial operations, this requirement implies that a vehicle should not be operated in such a condition as to likely cause an accident or to breakdown. Parts and accessories should be kept in safe and proper operating condition and all inspections, maintenance and repairs should be documented and maintained for the period of vehicle ownership by the business. Any business can be held liable if it entrusts its vehicles to someone who negligently causes an injury or a vehicle which is defective.

Twelve and fifteen conventional vans are commonly used to transport children in child care. While such vehicles do not require a driver to have a “commercial drivers’ license” under Arkansas law, these vehicles are used in furtherance of a commercial enterprise. Business operations such as child care centers are compensated for transportation and this places responsibility on owners and drivers to engage in due diligent operations. Drivers should be properly trained to operate a van, be medically qualified to operate a vehicle that transports passenger, and be road tested before being allowed to transport children. Vans should be well maintained by following a preventative maintenance program, be inspected and repaired by qualified mechanics and have daily safety assessments done by the driver. A vehicle should be serviced following a specific preventative maintenance schedule and a center’s director needs to verify that the service schedule is being followed.

Larger vans are not like smaller passenger vehicles and minivans; they have a higher rate of rollover under certain conditions. Owners and drivers of these vans need to be especially diligent of maintaining correct tire pressure and be aware that tires deteriorate over time regardless of use. Some vehicle manufacturers recommend replacing tires every six years regardless of tread depth. Have your mechanic check the tire date code located on the inboard sidewall of the tire. The van’s tires need to be properly inflated and the tread should not be worn down below 4/32 inch of tread. Another easy test is the quarter test. Insert a quarter into your tread groove. If the tread touches Washington's head, you have at least 4/32 inch of tread remaining. Also avoid using old spares; even unused tires weaken with age.

If drivers are unfamiliar with the size, shape and handling of larger vehicles, they will have accidents. Only trained, experienced drivers who operated these vans on a regular basis should be allowed to drive when transporting children. Vans are longer and wider than a car and require more space to maneuver. They also require additional reliance on the side-view mirrors for changing lanes and backing. These vehicles do not respond well to abrupt steering maneuvers and require additional braking time – always drive slower on wet and icy roads. The driver should be well rested and attentive to driving at all times. Cell phone use should be prohibited while the van is in motion.

A key part of ensuring van safety is the daily driver inspection. The focus of this inspection is for the driver to be satisfied that the vehicle is in safe operating condition. Part of this process is to review the last driver’s vehicle inspection report to acknowledge that any defects or deficiencies were noted and required repairs have been performed. The “Arkansas Child Care Transportation



The daily inspection is part of overall preventative maintenance. The pre-trip inspection and timely reporting of mechanical defects and damage is a key part of transportation safety diligence and adds life to a vehicle. In addition, regular and consistent servicing according to the vehicle maintenance schedule is critical to a center's safety responsibility. Any repairs to a vehicle should only be done by a qualified mechanic and the vehicle should be road tested before transporting children. A complete inspection, repair, and maintenance records file should always be kept for each vehicle. If a childcare center is sued as a result of an accident, good records can help prove your diligence and concern for safety. If a center acquires a used vehicle, they should ensure that the previous owner provides complete and thorough repair and maintenance records.

Many centers are operating aging vehicles – some 20 plus years old with mileages ranging well beyond 150,000 miles. These 15-25 year older vehicles are past their useful life when we think of reliability and safety. Aging and high mileage leads to increased likelihood of excessive breakdowns, creates hazards to passengers and employees, incurs costly delays and contributes to poor services. The transportation of children should always be done by the safest means possible and relying on aging and dilapidated vehicles is irresponsible. Particularly alarming are those which are not getting regular inspections by persons experienced and qualified to perform vehicle safety inspections.

In the last 10 years, there are many additional safety design features incorporated into late model vans such as stability control, shoulder and lap belts, collision warning alarms and other high-tech safety features that can help drivers avoid accidents. Modern vehicles are the safest in history and have contributed to year-over-year decreases in crash-related fatalities and injuries nationwide. Centers making the decision to transport children should also commit to using safer late model vans.

#### Personal “Non-owned” Vehicles

“Non-owned” vehicles are those not owned by the business but used in connection with a child care center's operations. At times owners and staff chose to transport children in someone's personal vehicle. The principle violation identified for using personal “non-owned” vehicles is not following the requirement to have the appropriate commercial auto insurance coverage. While this is not prohibited, any vehicle used to transport children is equally subject to the child care licensing regulations on transportation. This poses a serious liability for both the child care center and personal vehicle owner who may not be covered by either's insurance. Businesses can be held liable for uninsured damages if employees are permitted to drive their own vehicle in the course of business activities. Make sure procedures are in place to verify that any vehicle authorized to be used on behalf of the childcare center has the proper insurance coverage in place.

A childcare center needs to develop procedures to: 1) determine if trip is necessary; 2) vehicle is safe and appropriate for the intended use; 3) vehicle is properly insured; and, 4) driver has the appropriate license and is 21 years of age. Centers should ensure they have “non-owned/hired insurance” as part of their business coverage which would cover employees or volunteers' use of their own personal auto on childcare business. It will typically provide protection for vehicles your business rents from another party.

## Requirements for Operating Commercial Passenger Vehicles

Child care facilities are commercial businesses that receive compensation for providing transportation services as part of their programs. When they operate commercial type vehicles and are directly or indirectly compensated, they assume regulatory responsibility as a commercial passenger carrier. The State of Arkansas has established laws and regulations governing the operation of commercial passenger carriers in intrastate commerce. Child care facilities are subject to these laws and regulations and are considered “for hire” motor carriers of passengers for the purposes of compliance and enforcement actions. The only exception to these regulations is transportation by Federal, State, and local governments; and, school bus operations which are those subject to rules of the State Board of Education. The Arkansas Highway Commission is the responsible public entity for regulatory oversight and enforcement of commercial vehicle safety regulations that apply to “for hire” carriers.

The Arkansas Highway Commission adopted the Federal motor carrier safety regulations as the safety rules and regulations applicable to intrastate operations with the exception of Federal insurance/surety rules. The regulations can be found in 49 C.F.R. Parts 383 through 399. Understanding and complying with these regulations can be daunting. As a “For Hire” passenger carrier, a child care facility places themselves into a commercial transportation business the same as a charter bus operator.

These safety rules and regulations apply to intrastate operations of carriers in Arkansas when a commercial motor vehicle is used to transport passengers is a vehicle with a gross vehicle weight rating of 10,001 pounds or more; or, a vehicle which is designed to transport 16 or more passengers, including driver. The owning or leasing of a commercial vehicle brings with its operation a number of regulatory requirements. Initially, the owner should contact the Legal Division of the Arkansas State Highway and Transportation Department to determine the registration requirement. This is assuming the facility will not be transporting beyond the Arkansas state line. Anyone who transports into another state is considered to be engaging in interstate transportation and must be registered with the Federal Motor Carrier Safety Administration and subject to Federal rules.

In the majority of instances where child care centers are using commercial vehicles, they are operating used school buses. Once these vehicles are purchased from school districts they are no longer considered “school buses”. They are considered commercial passenger vehicles and can no longer remain painted in the traditional school bus yellow and cannot have the words “SCHOOL BUS” on the vehicle. To place these vehicles in operation, the child care facility must be in full compliance with all commercial motor vehicle safety regulations. Many facilities are only aware that their driver must have a commercial driver’s license (CDL) but are not following the requirements for hiring, medical qualifications, fitness, drug and alcohol testing and recordkeeping. There is also confusion as to the proper endorsement on the CDL. Drivers must not only have the proper class of CDL but also the proper “P” endorsement as well as any other endorsement as may be applicable. Drivers should not seek an “S” endorsement as this applies to “school buses” and these vehicles are no long considered such.

As a commercial carrier, the facility must satisfy the minimum public liability requirements by having the appropriate amount of insurance required by the Arkansas Highway Commission. Even though the facility may meet the auto liability requirement stipulated by Child Care Licensing Regulations, they will need to ensure they have the liability limits set by the Commission. In addition to satisfying the rules applicable to the CDL driver and financial responsibility, there are numerous rules that apply to the safety of the commercial vehicle. Every commercial vehicle must be equipped with certain standard equipment and accessories. There are a number of rules that apply pertaining to vehicle inspections, maintenance and repair of commercial motor vehicles, as well as, recordkeeping requirement. In some situations hours of service rules may also apply.

Any commercial vehicles operating upon public roads and streets are subject to being stopped and inspected. Failure to comply with the motor carrier safety regulations can result in the vehicle being taken out of service and significant penalties. If the roadside inspection is a result of an incident or accident involving injury or death, it would pose some serious legal and liability issues for the driver and child care facility particularly if they are noncompliant with any motor carrier safety regulation.

As a commercial motor carrier, a facility should seek to have a qualified safety auditor or safety inspector conduct a compliance review and safety audit. As an educational tool, this visit can be very informative and help the facility to understand the full impact of their responsibilities and get on the right track to ensure compliance. The Arkansas Highway Police, a division of the Arkansas Highway and Transportation Department, is a source of compliance information and possible assistance if they have personnel available. At last check, there were no private safety consultant services available in Arkansas that provided this assistance to passenger carriers. Local trucking companies and charter providers could be possible sources of guidance.

Child care facilities that chose to operate commercial vehicles and transport children will find themselves in both the child care business and the transportation business – each with its own set of regulations and government oversight. It is the responsibility of each commercial passenger carrier and their drivers to know and comply with all applicable motor carrier safety regulation.

The following link is a publication which provides basic guidance on the Federal Motor Carrier Safety Regulations adopted by the Arkansas Highway Commission - <http://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/ETA-Final-508c-s.pdf> . This guide covers specific safety regulatory topics but is not intended to be a substitution for the regulations.

## Section 2 – Driver/Vehicle Focus

### Remember Back When.....

...you took your driver's license exam. For some us that's been a while, for other not so long ago. A driver's license was and still is very much a necessity for most Arkansans and something we relish. As a teenager, getting that license opened up a new world but also new responsibilities.

The State grants you that privilege but only after you demonstrate knowledge of Arkansas rules of the road and safe driving practices. How did we gain that knowledge – by studying the driver's manual carefully. Decades ago when I studied for my exam, the manual was a small booklet of 25-30 pages. Now, the manual is 100 pages in small font on 8 x 11 paper. The index alone takes eight pages. Drivers who have not looked at today's manual owe it to themselves to do so. Drivers' testing now is a much more involved process and requires a broader knowledge of our many laws, safety awareness and actual driving skills in the world of evolving technology. Making this point is to say many of us are behind the curve for keeping up with the knowledge that should be required of all drivers, not just our younger generation of drivers.

There is a lot more to understand than just knowing the traffic control devices (signals, signs, pavement markings, etc.) and safely controlling a vehicle. Society now demands that drivers know and understand the impact of expanding safety laws that were not around when my generation started to drive. Use of safety belts and child safety restraints are an example. Laws on littering, unattended children and pets in vehicles, sharing the road with bicycles are other examples of the need to refresh our awareness. The significant increase in large trucks on our highways has created a further need for drivers to understand what to do or not to do when navigating in the vicinity of a tractor-trailer truck. Motorcycles are more popular now than years past resulting in an increase in motorcycle facilities. Knowing and understanding how to share the road with motorcyclist is critical knowledge for today's drivers.

Rules of the road are changing as laws are amended and new ones are passed. Catching up on these changes may keep you out of trouble. No one wants a traffic citation and we all know that "ignorance of the law is no excuse". As our miles of multi-lane highways grow, the awareness of how to negotiate and adjust to the flow of traffic are now taught to new drivers-- for many of us it was our driving experiences that taught us those lessons. Even driver fitness today is covered in the manual. Having good vision, avoiding fatigue and being free for drugs and alcohol are a must. A safe driver depends on seeing clearly, not being tired and not driving under the influence.

Today's driver manual with it's much expanded information covers not only the basic knowledge but the additional public awareness initiatives to help us understand why drivers need to avoid circumstances that lead to so many traffic accidents and fatalities. Not only do we need to revisit the driver's manual, we need to follow the current safety alerts from our State and Federal highway and traffic safety organizations.

For child care transportation programs, help your drivers to refresh their knowledge by simply reading through the Arkansas Driver License guide. You can find it online at <http://driving-tests.org/arkansas/ar-dmv-drivers-handbook-manual/>

### **Basic Training**

When we hear the term “basic training”, most often our thoughts turn to initial military training required of every person who joins any branch of the armed services. In basic training, a person under goes both physical and mental conditioning in preparation for military service. In transportation service, drivers need to be both physically and mentally conditioned to be professional drivers. Child care facilities, as a rule, do not consider their drivers to be professional drivers since they are hired to perform primarily child care duties and only drive part time. However, a professional driver is someone who is paid to drive and child care employees that transports children should be considered professional drivers the same as bus drivers, taxi drivers, chauffeurs and other driving occupations. There is a misconception that driving as a secondary duty in child care operations does not warrant professional driver training.

As a professional driver, basic training is a necessity before getting behind the wheel. Today’s driving standards demand skill, knowledge, and decision-making abilities. In the January 2016 Safety Advisory, we addressed physical fitness. This month we look at mental conditioning as a key component of safe driving. The most important aspect of mental conditioning comes from developing a “Defensive Driving” skill set. The National Safety Council created the first defensive driving course more than 50 years ago, and defensive driving safety training remains the primary basic training for all professional drivers.

We know that not everyone drives well – some people speed aggressively, wander into another lane, follow too closely, make sudden turns, weave in and out of traffic and “multitask” while driving. While you can’t control the actions of other drivers, training in defensive driving safety helps avoid dangers from other people’s bad driving.

In addition to hazards caused by other drivers, you must also contend with hazards caused by dangerous road and weather conditions. Such things as:

- Rain, fog, wind, snow or ice
- Sharp curves, busy intersections, uneven surfaces or obstacles in the road
- Glare in the daytime and poor light at night
- Heavy traffic with stop-and-go driving and lane changes
- Construction work with narrowed lanes and equipment interference
- Accident sites

Defensive driving skills helps prevent accidents that could result from the bad driving of others and adverse weather conditions. It is important to remember that defensive driving is a full-time job. A driver must anticipate traffic problems that are likely to develop and decide if these developments could be dangerous. The defensive driver has the foresight, the ability to size up traffic situations as far ahead as possible and prevent an accident from happening. As a defensive

driver, you must operate your vehicle in a ways that avoid contributing to an accident or being involved in a preventable accident.

Another important part of defensive driving safety is obeying traffic rules and using common sense. Defensive driving teaches us to always obey speed limits, traffic signs, and signals. Some of the other things are to use the 3-Second Rule: always stay 3-seconds behind the vehicle in front of you; signal your intentions to turn or change lanes in plenty of time; and, tap your brakes before you intend to slow down or stop to let the driver behind you know your intentions. We learn how to avoid fatigued or drowsy driving that leads to thousands of crashes every year and how to deal with aggressive driving and road rage which have become a national epidemic.

Remember that the most dangerous mile you have to drive is the one directly ahead of you. Defensive driving is about staying focused. You have a lot of things to think about when you are behind the wheel: road conditions, your speed and position, observing traffic laws, signs and signals, following directions, being aware of cars around you, checking your mirrors – the list goes on. Staying focused on driving-and only on driving-is the key. It is not just young drivers at fault; people driving for a while can get overconfident in their abilities and let their driving skills get sloppy.

No driver should be allowed to transport children unless they have completed a defensive driving safety training course. Of all driver safety training, defensive driving is the basic training necessary to develop safety-conscious habits every time you get behind the wheel. This training has also proven to be effective to:

- Reduce insurance premiums and repair bills
- Decrease workers' compensation claims
- Control liability associated with motor vehicle accidents
- Keep employees safe, on and off the job
- Improve public perception of your driving practices

In Arkansas, defensive driving school courses are usually between four to eight hours long, depending on the course provider and program you're enrolled in. You may be required to take the course in person, or you may have the option to complete your course online. Some defensive driving schools will allow you to complete the course over a single session, while others have multiple sessions, particularly online.

### **Fitness For Driving**

Individuals who drive commercial motor vehicles must be physically qualified to operate those vehicles. They must pass a medical examination and meet required qualification standards. The requirements apply to any driver of a vehicle designed to carry 16 or more passengers including the driver when it is used to transport for compensation. The majority of vehicles used in transporting children by child care operations are 15 passenger vans that do not require a commercial driver's license (CDL) and medical certificate. However, businesses transporting children for compensation should consider voluntarily having drivers undergo medical fitness examinations.

Federal Motor Carrier Safety Administration (FMCSA) regulations set the standard for commercial drivers. For non-CDL drivers, Arkansas looks to the National Highway Traffic Safety Administration (NHTSA) medical guidelines on driver fitness. Just simply having a driver's license does not ensure that a driver is fit to drive. While the State only requires a driver to pass a visual acuity test, any number of medical issues can cause a driver to be considered unfit for driving. The State can suspend driving privileges if a driver is determined to have a mental and physical capability which does not allow them to operate a vehicle safely. Such medical conditions can be either permanent or temporary.

Child care licensing regulations require drivers to have a "valid" driver's license. Having an undisclosed medical condition that affects a person visually, physically, or cognitively in a manner that jeopardizes public safety questions the validity of that license. Child care operators have a responsibility to determine if their drivers are medical fit to operate a vehicle safely.

Under guidelines from the National Highway Traffic Safety Administration, each State Department of Motor Vehicles is tasked with determining whether or not individuals are functionally able to drive safely. However, States do not do this as a standard licensing procedure but only when it is brought to their attention, then a determination must be made. In the case of child care businesses, there is a due diligent responsibility to verify that drivers can operate a vehicle safely from both an operational standpoint and a medical fitness standpoint. Therefore, child care operators cannot rely upon the State to know if a person is medical fit to safely operate a vehicle by simply possessing a license. They must take it upon themselves to make that determination. Not doing this could be seen as negligence in the event of a motor vehicle accident resulting in serious injury or death if the driver was not physically fit to drive.

The following chart lists the most common conditions that should require an evaluation.

PHYSICAL IMPAIRMENT	VISION	MEDICAL CONDITIONS	TEMPORARY CONDITIONS
Amputation	Visual Acuity Impairment	Dementia	ACL Injury/Surgery
Arthritis	Contrast Sensitivity Impairment	Diabetes	Disk Injury
Multiple Sclerosis	Visual Field Impairment	Sleep Apnea	Fracture
Parkinson's Disease	Color Vision Deficits	Seizures	Hip Replacement
Spinal Cord Injury	Visual Processing Impairment		Knee Replacement
Traumatic Brain Injury	Hemianopia		
Stroke	Macular Degeneration		
	Cataract		
	Glaucoma		
	Diabetic Retinopathy		

Drug and alcohol abuse are certain issues that should also be considered as impairments to driving. Drug and alcohol testing programs are common tools that government and businesses use to address this issue. It is highly recommended that child care drivers be placed in a drug and

alcohol testing program that requires pre-employment, reasonable-suspicion, random testing and post accident testing.

Child care licensing regulations require that staff be physically able to perform their duties. Having an impairment that impacts that ability can be considered non-compliant. Child care businesses should consult with a health care professional or occupational health clinic to best determine how to handle a medical fitness determination.

The website <https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam> is a source for finding certified medical examiners in your area that are trained in assessing commercial driver fitness.

### **The Challenges of Older Drivers**

Driving lets us go to the places we want or need to go. For many of us – even as we get older – driving is important to get to and from work, and sometimes as part of our job.

Driving appears to be relatively easy, but in fact it is a complex skill. Our ability to drive safely is affected by changes in our physical and mental conditions. Many of these changes take place as we get older, though in different ways and at different times.

Research shows that age is not the *sole* predictor of driving ability and safety. But there is ample evidence to show that most of us experience age-related declines in our physical and mental abilities – declines that can signal a greater crash risk. One key to safety is knowing when a driver is at increased risk – even if we ourselves are that driver. So we must know what signs to look for, and pay attention to them. We need to understand how our driving environment changes and what we should do to respond to those changes.

Most people 60 and older change how they drive as they age, choosing to drive only during daylight hours, for example, or limiting where they drive, or cutting back on how often they drive. Talking with an older person about their driving is often difficult. Often we delay that talk until the person's driving has become what we believe to be dangerous. At that point, conversations can be tense and awkward for everyone involved. But there are things you can say and do to make those conversations more productive and less tense.

Collecting Information - This takes time and may require gathering information from a variety of people who have opportunities to observe the older person's driving. The more information you collect, the better and more complete a picture of the driver you will have, and the more informed your discussions can be. The information can help you, and the older driver decide what needs to be done. A word of caution: It is not uncommon for some observers to be wrong in their judgment of a driver's risk or driving ability. A person's driving performance – not age – is what determines fitness to drive. Collecting a variety of information can give you more confidence in the accuracy of the determination that something needs to be done.

Even collecting the best information and planning ahead does not mean the decision about what to do with an at-risk or unsafe driver will be easy. But the information and planning can give all

concerned more assurance that the best interest of the older driver is at the center of the decision making process.

Driving Observations - Ideally, you will have a conversation about your interest in ensuring that the driver remains safe on the road. Explain that riding with the driver is the best, most practical way to make observations about his or her driving. Another option may be to follow the driver in your own vehicle.

You should watch the person drive at different times of the day, in different types of traffic, and in different road conditions and weather. Over time, a picture will emerge of things the driver can do well and things the driver may not do as well.

You should be paying attention to make sure that the driver:

- stops at all stop signs and looks both ways to check for cross traffic;
- stops at red lights;
- appropriately yields the right-of-way;
- responds properly to other vehicles, motorcyclists, bicyclists, pedestrians, and road hazards;
- merges and changes lanes safely; and
- stays in the lane when turning and driving straight.

In addition, you want to observe whether the person is:

- slowing or stopping inappropriately, such as at green lights or in intersections;
- driving too fast for road conditions;
- driving so slowly as to impede the safe flow of traffic;
- driving aggressively; or
- getting lost routinely on routes that should be familiar for the driver.

Obviously, some of these driving behaviors pose an immediate concern. Drivers must stop at red lights and stop signs, and yield to other cars as traffic laws require. Failure to do these things puts the driver and others at extreme risk and requires immediate action to stop the driver.

Non-Driving Observations - Even when older people are not in the car, their actions, statements, or even the way they look may cause you concern or may indicate a problem that could threaten their safety when they are driving. Some of these things you see and hear may be triggered by major events happening in the person's life. These could include the loss of a spouse or a close friend. But an illness or changes in one's medications can also make it hard for the person to drive safely.

No single sign can be taken as a warning that the person is at risk or is an unsafe driver. But if you observe several of the warning signs, you should strongly consider taking action to help. Such danger signals may include:

- forgetfulness (frequent and combined with other signs);
- unusual or excessive agitation;
- confusion and disorientation;
- loss of coordination and trouble with stiffness in joints;

- trouble walking, swallowing, hearing, or following verbal instructions;
- dizziness when changing positions, tripping, and falling;
- shortness of breath and general fatigue; and
- difficulty following verbal instructions, and/or giving inappropriate responses to those instructions.

If you frequently observe these behaviors they likely signal the need for you or a health professional to take action. These behaviors can indicate the person is at risk if he or she continues to drive.

Driver Self-Assessment - In addition to your own and others' observations about the older driver, encourage the person to evaluate his or her own driving performance. A self-assessment cannot solely determine whether or not the person is a safe driver. But an assessment may prompt the person to be more open to a conversation with you about driving.

### **Medications and Driving Safety**

It is critical to know how medication could make you feel and how it can impact your driving ability and routine. Many people receive a prescription and do not fully understand their medication. When your doctor writes you a prescription, it is very important to ask the six basic questions about the medication:

1. Why am I taking this medication?
2. How much should I take?
3. When should I take it?
4. How should I take it?
5. What should I do if I miss a dose?
6. What are the possible side effects?

You also need to know how the medication will affect your ability to drive. Receiving answers to these questions will help you gain a better understanding of how to read your prescription label(s). Please remember to verify your name and address on the prescription label. Also, verify the prescription number, medication name, instructions on how to take the medicine, and the name of the doctor who wrote the prescription. Most importantly, know how the medicine could make you feel and how it could affect your daily driving routine.

Some medication labels have warnings. These labels may note foods to avoid while taking the medication or the label may inform you to not take a specific medication in combination with other medications.

#### Medication Interactions

Did you know medication interactions can occur when you take two or more medications at one time or on the same day? It doesn't matter whether the medication is prescribed, over-the-counter, or herbal. Interactions can increase or decrease the effectiveness of your medications.

When medications interact with chemicals found in the body, in food, from medical tests, can cause you to experience serious side effects not normally linked with either drug. These interactions may affect you in many ways, possibly altering the effects of other medications and could adversely affect pre-existing medical conditions. For instance, blood pressure medications may cause side effects associated with food intake. If you eat or drink grapefruit products while taking certain blood pressure medications, you may experience an increased heart rate or blood pressure changes and/or increased side effects such as facial flushing, headache, or dizziness. Therefore, it is important to inform your health care provider of any over-the-counter medications you may take. So how can you evaluate your medication interactions to determine if they are major, moderate, or minor?

In some cases, recommendations from your physician can manage your interactions. Because it may be harmful to a driver's ability to drive safely, it is important to be aware of possible interactions between medications.

### Sharing Medications

Share a cab. Share your food. Share joy! But don't share medications. Sharing medications, even over-the-counter medications like aspirin, can be a prescription for disaster.

Side effects and drug interactions: Although it is common for family and friends to share medications, the medication prescribed for you may cause serious problems for others with bad side effects such as severe allergic reactions and unhealthy interactions with another prescription medication that is being taken. In fact, sharing one medication may decrease the effectiveness of another medication. The medication you share may work with other prescriptions to double the potency and cause a reaction similar to an overdose. Even herbal and dietary supplements can do this.

Not all symptoms are alike! You may think the symptoms your friend is suffering are the same as yours, but he or she may have a very different medical problem. By sharing your medication, you may be delaying his or her trip to a doctor, and may even contribute to the worsening of a medical condition. Sharing medication with someone is like diagnosing and treating him or her. You wouldn't expect your doctor to get into your vehicle and drive it without any training, so don't try to diagnose and treat your friends. It is a dangerous practice!

Unique responses: We are unique and so are our reactions to medications. You have heard the statement, "I can take that medication and not be the least bit drowsy, but my sister falls asleep two minutes after swallowing it." Our body chemistry, composition, and how fast our liver works to clear medications out of our system are evidence of our differences, and those factors play a role in medication use. So just because a medication works for you doesn't mean it will work the same for someone else.

Unsafe: Medications, particularly those that have a narcotic component, may be habit-forming and may pose a severe risk to safe driving. Side effects such as drowsiness, dizziness, and confusion have a direct impact on the focus, concentration, and stamina needed for commercial driving. Although you may not have an adverse reaction to the medication, someone else may.

Thus, sharing a medication with another driver who may have a different reaction to the medication can cause serious public safety concerns.

It's improper and unsafe to share any prescriptions with other people. Doctor prescribed medications are strong, even some antibiotics can cause serious reactions, that's why they have unique numbers for writing prescription orders. Your good intentions may cause dangerous results to health and safety while on or off the road - especially if the drivers are unaware of how the medication will affect them. In addition, sharing a controlled substance such as a narcotic, may be illegal. So be safe, don't share.

Source: [www.fmcsa.dot.gov/medical/driver-medical-requirements/medication-issues](http://www.fmcsa.dot.gov/medical/driver-medical-requirements/medication-issues)

### **Preventative Maintenance**

Why are we concerned about preventative maintenance? The primary goal of a fleet preventative maintenance (PM) is to prevent the failure of a vehicle before it actually occurs. Preventive maintenance consists of scheduled servicing, inspections, and vehicle repairs to prevent potential problems and maximize vehicle reliability. PM guides for vans and small buses are usually based on mileage and found in the vehicle owner's manual.

All child care passenger operations need to be proactive to avoid or reduce vehicle breakdowns. If preventive maintenance is not performed regularly, vehicle life span will be greatly reduced. Some vehicles, particularly older models, may be prone to excessive breakdowns requiring expensive repairs, causing a vehicle to be out of service when least expected and possibly when needed most. Vehicles may become unsafe due to lack of PM. Proper maintenance will also help prevent litigation from negligence

Preventive maintenance is as important as driver safety programs. If a vehicle becomes unsafe due to lack of maintenance or repair, the child care facility owner can be held liable for negligent entrustment. As defined, liability is premised upon providing an employee with a dangerous tool or instrument, such as a vehicle, while knowing, or having reason to know, that use of the vehicle creates unreasonable risk or harm to others. Simply stated, the vehicle must be safe to operate. Should the brakes fail causing a serious crash or fatality; the vehicle can be impounded by authorities for investigation. Should the investigation determine that bad brakes or other vehicle malfunctions contributed to the accident, the authorities can seek to obtain vehicle maintenance records. If your facility fails to practice preventive maintenance under these circumstances, you could be prosecuted for a negligent act, which you failed to prevent.

Vehicle maintenance and repairs can be performed in one of two methods:

- Proactive: scheduled preventive maintenance.
- Reactive: unscheduled breakdown maintenance.

A scheduled vehicle service consists of preventive maintenance, scheduled component repairs, and driver inspection. Unscheduled breakdown maintenance is most often due to lack of preventive maintenance. Reactive maintenance can be costly and should be minimized by a

proactive preventive maintenance program. The object is to have the majority of vehicle maintenance and repairs scheduled rather than unscheduled.

An effective PM program should consist of the following:

- Checklist of PM service tasks performed.
- PM service interval or frequency to perform tasks.
- Driver written-up inspections and/or complaints.
- An automotive facility with trained professional automotive technicians — either in-house or outsourced.
- Scheduling and recordkeeping, either manual or electronic.

The following should be addressed during a routine preventive maintenance service: engine oil and filter changes; transmission fluid; fuel system; cooling system; engine and transmission mounts; drive shafts or CV joints; belts and hoses; tune-ups; electrical system components; braking system; steering and suspension system; tires, wheels, and rims; exhaust system; undercarriage and frame; exterior and interior lights; body, glass, and mirrors; windshield wiper system; horn; seatbelts and seat structures; fluid leaks; and auxiliary systems.

The vehicle operator is the first line of defense against unexpected breakdowns and repairs. It is important that the driver communicate vehicle problems immediately to management. This allows the vehicle operator to participate in the PM program, proactively reducing breakdowns. The following vehicle systems should be monitored by the driver:

- Vehicle safety items (e.g., tires, wipers, horn, brakes, steering, etc.).
- Vehicle drivability items (e.g., misfire, rough idle, etc.).
- Vehicle body (e.g., glass, body damage, cleanliness, etc.).
- Vehicle miscellaneous repair items (heater, radio, etc.).

The vehicle operator must be held accountable for inspecting these items. The PM program depends on the driver for continued success. Should the vehicle operator fail to inspect the vehicle prior to, during, and after a trip, a potential problem may go unnoticed causing a breakdown or unsafe condition.

Training and accountability are important. The vehicle operator must be trained on proper inspection procedures and be held responsible for failure to inspect and report vehicle problems. This requires the support at all levels of management. As a team effort, the PM program can be a great success.

Preventive maintenance can be scheduled manually or by using fleet management software (automated computer system). These days, technology is affordable even for the smallest fleet. Computerized systems are a more efficient method for gathering timely reports. Reports can be generated faster and more accurately, allowing management to make timely proactive decisions.

Preventive maintenance can be performed by either an in-house certified automotive technician or outsourced to a local automotive service center specializing in fleet preventive maintenance

with certified technicians using state-of-the-art equipment. The PM service is only as good as the person performing it; shortcuts must never be taken. The technician must proactively service each vehicle to reduce breakdowns and repairs. If your facility outsources preventive maintenance, use a local vendor specializing in maintaining fleet vehicles. It is a good idea to meet with the service manager to discuss the PM service expectations, requirements and service intervals. Most shops focus on breakdown maintenance, not preventive maintenance. Communicate your exact expectations to the maintenance facility using your own PM program.

The majority of maintenance jobs should be scheduled PM. Tracking and comparing scheduled and unscheduled maintenance provides a detailed report on the success of a preventive maintenance program.

### **Tire Safety – Everything Rides On It**

***Tires are the most important safety feature on your car!*** They are the only contact between your vehicle and the road. Maintaining proper tire pressure, observing tire and vehicle load limits, avoiding road hazards, and inspecting tires for cuts, slashes, and other irregularities are the most important things you can do to avoid tire failure. Making tire safety a regular part of your vehicle maintenance routine will help avoid the inconvenience and other consequences of a flat tire or other failure. In the United States, approximately 11,000 accidents occur annually as the result of tire failures.

Properly maintained tires improve steering, stopping, traction, and load carrying capability of your vehicle. Good maintenance also improves fuel economy and increases the life of your tires. It starts with knowing your vehicle's recommended tire pressure and load limits. Look for the placard attached to the vehicle door edge, door post, or glove box door. It can also be found in the owner's manual. Tire inflation pressure is the level of air in the tire that provides it with load-carrying capacity and affects the overall performance of the vehicle. Air pressure is measured in pounds per square inch (psi) and the vehicle's placard states the psi for the tire to be properly inflated. Vehicle manufacturers determine the tire pressure based on the vehicle's design load limit and tire size. These recommended pressures are "cold inflation pressure" or a pressure taken when the vehicle has not been driven for three hours. Tire manufacturers will list a "maximum permissible inflation pressure" on the tire sidewall which is the greatest amount of air pressure that should be put in the tire under normal driving conditions.

For vehicle used in childcare transportation, it is important to check your vehicle's tires pressure at least once a week, and don't forget to check the spare tire. Tires naturally lose air over time. Air can also be lost suddenly after striking a pothole or the curb. A visual inspection cannot determine under inflation, particularly with radial tires. Purchase a tire pressure gauge and keep it in the vehicle. Check all the tires to make sure they have the same air pressure, except in cases where front and rear tires are supposed to have different pressures, such as passenger vans.

Tire size is also important to tire safety. Replacing tires can be complicated given the multiple tire options. Always purchase new tires that are the same size as the vehicle's original tires or another size recommended by the vehicle manufacturer. Look at the tire information placard or

owner's manual to find this information. If you have any doubt about the size and type of tire to choose, consult with an authorized tire retailer.

Monitoring the tire tread wear and the wear pattern is a critical part of tire maintenance. The tire tread provides the gripping action and traction that prevents your vehicle from slipping or sliding, especially in wet or icy conditions. Tires have built in wear indicators which are raised sections spaced intermittently in the bottom of the tread groves. One method for checking tread depth is to place a quarter in the tread with Washington's head upside down and facing you. If you see the top of Washington's head, you are ready for new tires.

Tire balance and wheel alignment maximizes the life of your tires and prevents uneven wear. They also prevent the vehicle from veering to the right or left. Balancing and alignment requires special equipment and should only be performed by a qualified technician.

Rotating tires on a regular schedule will reduce irregular wear. Check the owner's manual for information on how frequently the tires on the vehicle should be rotated and the best pattern for rotation. You may also consult with your local vehicle service facility for recommendations. Driving conditions (i.e. unpaved roads, heavy urban driving, etc) and certain tread wear patterns may indicate the need for more frequent tire rotations. Remember, you are trying to get uniform wear on a set of tires. Tires with uneven wear create uneven traction.

Tires which have even tread wear and good tread depth will have a higher friction resistance than tires that have been allowed to suffer uneven wear. This is particularly critical on surface types that have a low skid resistance (worn asphalt, dirt, gravel) and even more critical in wet or icy conditions. Uniform tire traction contributes to better steering, braking control and overall stability in all weather conditions on all surface types.

When evaluating if a tire can be repaired you need to consider the size, type and location of the damage. Any tire repairs without removing the damaged tire from the wheel should be avoided. Without dismounting the tire, any hidden damage would likely be missed on the inside of the tire and greatly reduces the risk of returning a weakened tire to service. Industry guidelines allow repair of punctures of up to 1/4" in diameter in a tire's tread area. Some manufacturers limit the number of repairs permitted (usually two) and how close they can be (no closer than 16" apart). Repair of any punctures in the shoulder and sidewall areas are not permitted. Repair of larger tread punctures, long straight cuts and irregular gashes are not permitted. Long cuts have sliced through the tire's steel belts, reducing strength and durability. Returning a permanently weakened or incorrectly repaired tire to service (even as a spare tire) can ultimately have catastrophic results.

Tires are perishable. Tire aging is an important safety consideration as tire rubber and other components change over time due to service, storage, and environmental conditions. Generally, we replace tires before aging becomes a factor. However, for vehicles with low annual mileage, aging could be a risk. Passenger vans were specifically identified as a type of vehicle in this category. Every tire has a DOT number stamped on the sidewall. The last group of four digits indicates the week and year the tire was built. You need to determine the age of your tires and consider replacing tires that are more than ten (10) years old. Vehicle manufacturers may

recommend replacement at six (6) years. Visual inspections that reveal weather cracking or other structural change indicates the need to replace old tires even if there is tread remaining.

Newer tires generally grip the road better than tires that have significant tread wear. It's best to replace all four tires at once, but if you must replace them in pairs, put the new tires on the back (regardless of whether the vehicle is front-or rear-wheel-drive). This will help retain its stability and predictability in a swerve as older tires on the rear will make the vehicle more likely to spin out. NEVER replace a single tire -- if a tire is damaged and cannot be repaired, replace it as well as its mate on the other side of the car.

When child care drivers do daily or weekly tire safety inspections, they should focus on proper tire inflation pressure, tread wear and tire damage. Tires should be replaced for several reasons: tread is worn down to a minimum depth, physical damage (cuts, cracks, bulges, etc), signs of irregular wear or other damage due to under inflation or overloading. Drivers should also be aware of changes in tires performance, such as failing to maintain proper inflation, noise, or vibration. Drivers need to inspect tire rims as well for damage, cracks, and missing or loose lug nuts.

If you have any issues or questions, consult a tire service professional. For more information on tire safety, recalls, investigations and complaints go to [www.safecar.gov](http://www.safecar.gov) and [www.tiresafetygroup.com](http://www.tiresafetygroup.com).

### **Safety Equipment and Emergency Procedures**

In child care transportation, every driver and aide must understand and acknowledge that a disaster might strike. The safety of the children is to be given first priority. Whether it is a vehicle accident, breakdown or some incident with a child, planning for an emergency and knowing what to do if and when it happens will help prevent panic and confusion. Knowledge and planning could help save a life, or many lives someday.

Safety Equipment - Having the proper on-board safety equipment is critical to creating a safe environment for vehicles transporting children. Ensuring a driver is capable of responding to an emergency starts with proper on-board safety equipment. The following are basic on-board safety equipment:

- **Emergency Triangles** – Typically there are three reflective triangles in a set. In the case of breakdown, accident or other emergency, the driver will place the triangles on the traffic side of the vehicle within 10 feet from the front or rear corners to make the vehicle location. About 100 feet behind and ahead of the vehicle, on the shoulder or in the lane you are stopped in. If the line of sight is obstructed due to a hill or curve, move the rearmost triangle to a point giving adequate warning. If you are on a one-way or divided highway, place warning triangles 10 feet, 100 feet, and 200 feet toward the approaching traffic.
- **Fire Extinguisher** – Every vehicle transporting children should be equipped with a fire extinguisher of a type approved by UL and mounted in the manufacturer's bracket (automotive type) and located in the driver's compartment in full view. A driver should

be trained on the use of the specific model of extinguisher in their vehicle. The extinguisher should have a pressure gauge that can be easily read without removing it. The fire extinguisher is to help you safely evacuate students from a burning vehicle. It does not have the capacity to extinguish a major vehicle fire. Remember, with an engine fire, never open the hood.

- **First Aid Kit** – A first aid kit should be either mounted securely in full view or the location plainly indicated by appropriate markings, in the driver compartment. The kits should be mounted in such a way that they can be removed, if necessary. The kit should be sealed to verify the integrity of the contents without opening the kit and should allow easy access to the contents.
- **Body Fluid Cleanup Kits** – Body fluids should be treated as if they contain infectious agents. The term “body fluid” includes blood, urine, vomit, feces, drainage from scrapes and cuts, saliva and respiratory secretions. Contact with body fluids presents a risk of infection from a variety of pathogens (microorganisms). Generally the risk is very low and dependent on a variety of factors. Body fluids must be contained or removed immediately. There are a variety of kits commercially available or you can find information for building your own. Typically vehicle kits contain disposable gloves, absorbent materials, disinfectant, wipes and a disposable bag with closure mechanism. Training is essential on how to use the specific items in a kit.
- **Seatbelt Webcutter** - This device can be readily found on the internet along with instructions for mounting and use.
- **Flashlight and Reflective Vest** – For most child care operations, transporting at night is not a normal transportation activity. However, during winter months, early morning and late afternoon can be in semi-dark conditions or during inclement weather situation. Having a flashlight and reflective vest during an emergency situation are extra safety measures.

Breakdowns - Despite preventative maintenance, there can be breakdowns. In the case of mechanical failure, follow these procedures:

1. Stop the vehicle as far to the right of the road as possible or on the shoulder if conditions permit.
2. Activate your hazard lamps (flashers).
3. Keep the children in the vehicle unless conditions are unsafe.
4. If unsafe, evacuate the children to a safe place away from the traffic. Conditions such as possibility of fire, stalled on railroad tracks or other dangers may warrant evacuation.
5. Follow your centers procedures on notifications giving your location, type of breakdown and if you have to evacuate the vehicle. If you are in a situation that requires fire, police or EMS, call “911” first before notifying others.
6. Place emergency triangles as specified previously.

Involved In An Accident - When a motor vehicle accident happens, each child care operation should have procedures to follow. All insurance companies have procedures they desire that you know and comply with and will gladly provide that information. They will ask that you keep the “accident kit” in the vehicle and the driver be familiar with its contents. If you do not have such information, the following are recommendations:

1. Stop and secure the vehicle immediately.
2. Activate hazard lights (flashers).
3. Remain at the scene of the accident (there is a severe penalty for any person convicted of leaving the scene of the accident).
4. Make certain all children and aides are safe. If it is determined that it is unsafe to keep passengers inside the vehicle, evacuate the passengers to a safe place, away from traffic.
5. Notify the proper law enforcement authority and child care facility administrator immediately. If necessary, request emergency medical assistance.
6. Check for injuries; render any person injured in the accident reasonable assistance. *Remember: Never do more than you are trained to do.*
7. Remain alert regarding fire or the possibility of fire in any of the vehicles involved in the crash.
8. Check for ruptured fuel tank and fuel lines.
9. Check for electrical fire.
10. Check for hot tires that may catch fire. This is caused by metal rubbing against a tire from impact to the final resting place.
11. Mark the scene with emergency reflective triangles as specified earlier.
12. Information such as names, license numbers, registration numbers, location, time, road and weather conditions, insurance information, and witnesses, should be obtained and accurately written down.
13. If possible, another staff member should be call to the scene for rendering assistance and take pictures.
14. Do not move the vehicle unless instructed by a law enforcement officer or fire department.
15. Never admit fault, but be cooperative with the investigating officer.
16. Provisions will need to be made for transporting children to their homes or to school.
17. Be prepared in case you are involved in an accident or are stopped by law enforcement by always carrying your driver's License, the vehicle Insurance and registration.

Emergency Evacuations – In the majority of emergency situations, the child care vehicle is the safest place for the children unless extenuating circumstances warrant evacuations from the vehicle. A child care facility should have an evacuation plan and every driver should be involved in practice drills. If you think an emergency evacuation is necessary, it's important to carefully evaluate the situation and remain calm. How you evacuate will depend on the age of the children; if there are injuries to consider; which exit is the best to use; traffic and activities in the vicinity; and, determining the safest waiting area. After exiting the vehicle, account for all the students. Remember to take the first aid kit and emergency information binder. If you have called "911" and can wait for fire and rescue personnel, allow them to handle the evacuation.

Accident Scene - When you come upon an accident, use caution and continue moving. Staring too long at an accident can lead to another accident, and puts the drivers behind you at risk.

- Remain alert and briefly size up the accident scene.
- Resist the urge to rubber neck.
- Begin braking early to warn other drivers to slow down, but do not stop completely.

Emergency Vehicles - When an emergency vehicle is approaching you from behind or is approaching you from the opposing lane, get out of the way. Carefully move to the right side of the road and slow or stop your vehicle. Pull back into traffic only when it is safe to do so.

### **Seat Belt Syndrome**

Children who are transported by childcare operators in vehicles using a lap belt only in some seating positions are at a higher risk of sustaining serious injury in the event of a motor vehicle collision (MVC). These injuries are referred to as “Seat Belt Syndrome” which is a contusion of the anterior abdominal wall caused by a lap belt (two point restraint) and may result in spine fractures, trauma to the bowel, vessels, spleen and liver. The most common cause of pediatric spinal cord injury is motor vehicle collisions. Research findings conclude that the risk of significant abdominal injury from using a lap belt only is four times greater. Using a lap belt only is considered to be an improper restraint method for children. In a MVC, the two point restraints may cause spine hyperflexing at the site of the lap belt resulting in spine injury and abdominal injury from the compression of organs between the lap belt vertebral column.

Child passenger safety training teaches that the force needed to restrain an occupant roughly equals the weight of the occupant times the pre-crash vehicle speed. For a 10-pound infant in a vehicle traveling at 30 miles an hour, it would require at least 300 pounds of force to keep them from moving. For a 40-pound child in a vehicle traveling at 60 miles an hour, the restraint force would be approximately 2,400 pounds. Lap and shoulder belts are designed to contact the body at the strongest parts of its structure which are the hips and shoulder. Lap and shoulder belts spread the force across the larger area of the body putting less stress on any one part. It is important to remember that the shoulder belt helps keep the head and upper body away from the hard interior surface of a vehicle. Correct fit of any restraint is critical for the restraint to be effective.

To be properly restrained, children should be in the appropriate child safety restraint for their size, weight, and age. When they fit properly in the vehicle’s seat belt, they should be buckled in a lap and shoulder belt. Keep in mind that fitting properly in one type of vehicle may not indicate they can fit properly in another type of vehicle. Proper position of the lap and shoulder belt can only be determined by observing the child restrained in the vehicle ensuring the lap belt lays across the upper thighs and the shoulder belt fits across the chest (usually at age 8 or when they are 4’9” tall). Having the proper fit of the lap and shoulder belts will vary by make and model of vehicle. The lap and shoulder belts in a small car or SUV will fit differently than the lap and shoulder belts in a large passenger van. In some situations a child who fits in the safety belts of a small passenger vehicle may require a seat belt positioning booster in a 15-passenger van. To ensure properly restrained children requires the child care staff to have the appropriate knowledge and training in child passenger safety.

Children most likely to be in danger of seat belt syndrome are typically in the booster and post-booster ages (4 to 12 years). Child care operations that use older model vehicle with lap belt only seating positions should avoid using these positions for any child unless they use the position to secure a child safety seat with a 5-point harness suitable for the weight (typical up to 40 pounds) and height. Child passenger safety training directs that booster seats should always be used with

a lap and shoulder belt. Boosters are not restraint systems but positioning devices that depend on the vehicles lap and shoulder belt to hold the child in place.

Child care staff that place one child in a lap and shoulder belt and another child in a lap belt only is acting with serious disregard for safety and commits “safety discrimination” by not properly restraining the children in an equal and safe manner. Remember that child safety advocates consider children transport in a lap belt only not effectively restrained and an increased risk to their safety.

### **Backing Up Safely**

According to the National Safety Council, one out of four vehicle accidents can be blamed on poor backing techniques. Unfortunately, the victims of backing accidents frequently are small children, who are especially hard for drivers to see. A study by the National Highway Traffic and Safety Administration shows back-over accidents kill 90 people each year, and almost half are younger than 4 years old. This risk escalates in the child care environment.

There are several reasons for the frequency of backing accidents. Most are related to inattentiveness. Drivers may fail to exercise as much caution as usual because they think that a backing accident is not likely to result in much damage or injury to themselves. After all, they will not be traveling very fast nor backing up very far. Also, drivers backing up are often in a hurry to emerge from a parking space or driveway during a brief break in traffic. More often, drivers simply fail to check the area before backing, trusting the limited view from the driver's position or over-relying on mirrors.

Good drivers develop habits that let them prevent backing accidents. Here are some guidelines:

- **Get to know a vehicle's blind spots.** In a medium and large van, blind spots can extend 100 feet behind a vehicle. Drivers need to remember that mirrors can never give the whole picture while backing.
- **Think in advance.** Drivers should not put themselves into unnecessary backing situations.
- **Park defensively.** Drivers must choose easy-exit parking spaces that don't crowd neighboring vehicles and park their vehicle in the center of the parking space.
- **When parking.** If a parking area doesn't permit driving all the way through or room to turn around, a driver should back into it so that when leaving the vehicle can pull forward into the street.
- **Do a walk-around.** Walking around a vehicle gives a driver firsthand view of the backing area and any limitations. They can check for children, soft or muddy areas, potholes, tire hazards, and other dangers.
- **Know the clearances.** When performing a walk-around, drivers can check for obstructions, low-hanging trees and wires, and any other potential clearance-related problems.
- **Every backing situation is new and different.** Sometimes a driver visits the same location several times a day and should be watchful each visit for changes and any new obstacles.

- **Use a spotter.** A driver should use another person to help them when backing. The driver and spotter should use hand signals instead of verbal ones and make sure they understand each other's signals. Don't have the spotter walking backwards while giving instructions.
- **When driver's spot for themselves,** they need to return to the vehicle and start backing within a few seconds after finishing the walk-around. This will allow very little time for people and/or obstacles to change behind the vehicle. Backing without a spotter should only take place after a driver has as much information about the area as possible. A back up alarm can help warn away pedestrians and drivers of other vehicles who may try to enter the area the vehicle is backing into.
- **When backing,** the steering wheel turns the front of the vehicle in the opposite direction so keep the front wheels in line with the back wheels until any objects on either side have cleared the front bumper.

### Long-Term Solutions to Safe Backing

- Numerous accessories have come on the market for passenger vehicles that are designed to help you avoid backing into people or things. These include a backup light that beeps continuously while your vehicle is in reverse; an obstacle detection system that can be mounted to a fender or license plate frame; and a rear-mounted camera with front-seat monitor to show whether your path is clear.
- No amount of forward-driving experience can help a driver with backing a van or other vehicles. All drivers need to practice, practice, and practice in safe surroundings until they become familiar with the way the vehicle backs up compared to the direction the steering wheel is turned.
- Creation and support of a training program. The program should include a driver's course to teach and review backing techniques, as well as covering equipment usage, hand signals, dangers to avoid, and other risk-lowering topics.

### Stop Safely

Stop what you're doing and think for a moment. Do you hear squeaks and squeals every time you slow to a stop at a sign or light? When was the last time the vehicle you use to transport children had the brakes checked? Brakes (as well as tires) are what enable the vehicle to stop and they are vital to its safe operation.

Through surveys, it has been consistently determined that drivers are in need of more education and awareness of how braking systems should operate and how to inspect them. Braking systems on all vehicles are complicated and contain many parts, all of which need periodic inspection and attention to ensure proper operation and performance.

Drivers need to understand that they are part of the solution and they have the same ultimate objective in mind — getting from Point A to Point B safely and efficiently. Although driving a vehicle is an individual experience, doing it in a safe manner is a collective responsibility to..

- Cut down on auto maintenance repair bills,
- Decrease accidents, and
- Keep you, your passengers and other drivers safe.

The following are indications you may have brake problems:

- Hearing the tell-tale screeching or grinding noise whenever the brake pedal is pressed.
- If the car pulls to one side or the other when you use the brakes, this can indicate that there is an issue with one of the brake components.
- If it feels like the pedal goes almost to the floor before it does anything, you have low pedal pressure. This is caused by a problem that can lead to a brake failure.
- If the brake is very difficult to depress and you have to press down harder and harder to get the same result or it to get the brake to engaged, you have a hard pedal which can be indicative of brake problems.
- If your brakes seem to engage even when you touch the pedal lightly, this is called grabbing. It can signify problems with the braking system or components.
- If you press the pedal and you can feel the brakes stutter, pulse, or vibrate in any other unusual way, this is a sign that there is a problem with the brakes.
- If the light in the dashboard that relates to brakes comes on it can indicate problems with the [anti-lock brake system](#), brakes that are worn out and failing, or another problem with the braking system that cannot wait.

Troubleshooting a vehicle's braking system is not always easy to do. Each part of the system must be in good condition for it to work correctly, and recognizing indications of problems requires basic knowledge about how the system works, as well as how to recognize a specific problem.

- Check the brake pedal travel by starting your engine and applying pressure to the pedal while the car is in the *park* or *neutral* position. Begin by pressing gently and seeing how far the pedal moves before encountering resistance. Normal travel varies from one car to another, but generally, should not be more than 1/4 of the distance from its highest position and the floor of the car.
- Press harder on the brake pedal and hold a steady, firm pressure to see if the pedal *fades*, or gradually begins to move downward while you hold it.
- Pump the pedal rapidly a few times to see if it returns to the same position under pressure each time. If the pedal stops at a higher position when the brakes are pumped, you may have air trapped in your brake lines.
- Release the parking brake and put the car in *Drive* and engage the transmission. Listen for scraping or squeaking sounds from the car's axles while the brakes are not in use. There are a number of moving parts in action when the car is rolling including the rotors, bearings, and gears, so some sound is normal, but hard scraping sounds or squeaking may indicate a brake problem. Press down lightly on the brake pedal and listen to see if any sounds you hear increase or disappear. A steady rubbing sound indicates uniform contact of the brake components, where an irregular scraping or rubbing sounds indicates a warped brake rotor or drum.
- Be particularly alert for vibrations or a change in resistance felt in the brake pedal. This is a warning there may be air in the brake's hydraulic system.

- Accelerate your car to as safe a speed as possible in your location, up to about 20 mph (32 km/h), and apply the brakes stiffly. Observe if the car's wheel seems to *pull* in either direction. An ineffective brake will cause the car to pull to the opposite side, whereas, a sticking brake will cause the car to pull sharply to the side the brake is sticking on.

It is recommended that vehicles should have a thorough brake inspection by a certificated mechanic at least once a year to include brake pads checked, brake fluid levels examined, rotor thickness inspected, hoses and brake lines checked and inspect any warning lights on the dashboard to ensure they work properly.

Every minute you drive with brake problems, you're risking the possibility of an accident. But even if you dodge a dangerous road situation, there is still a pay the price. When a brake pad is worn down all the way, the brake caliper will begin to press on the disk. This will scratch or even warp your rotors, meaning that they'll have to be turned or replaced. When it comes to having the brakes changed, replacing the pads alone is a lot cheaper than swapping out rotors.

### **Asleep At The Wheel**

Sleep deprivation and fatigue can play a critical role in motor vehicle crashes that are many times attributed to other causes. Drowsy driving is a form of impaired driving that negatively affects a person's ability to drive safely. Most people associate impaired driving with alcohol or drugs, but in this situation, sleepiness is the primary cause. Drowsy driving is not just falling asleep at the wheel. Driver alertness, attention, reaction time, judgment and decision-making are all compromised leading to a greater chance of crashing. According to NHTSA's National Motor Vehicle Crash Causation Study (NMVCCS), drowsy drivers involved in a crash are twice as likely to make performance errors as compared to drivers who are not fatigued. In extreme cases, a drowsy driver may fall asleep at the wheel.

In 2014 there were 846 fatalities (2.6% of all fatalities) recorded in NHTSA's FARS database that were drowsy-driving-related. These reported fatalities (and drowsy-driving crashes overall) have remained largely consistent across the past decade. Between 2005 and 2009 there was an estimated average of 83,000 crashes each year related to drowsy driving. This annual average includes almost 886 fatal crashes (2.5% of all fatal crashes), an estimated 37,000 injury crashes, and an estimated 45,000 property damage only crashes.

There is ongoing research and discussion about how best to measure the impact of drowsy driving on crashes. A variety of research approaches and data indicate that traditional measures of drowsy driving may significantly underestimate the prevalence of the issue. Researchers have inferred the existence of additional drowsy-driving crashes by looking for correlations with related factors such as the number of passengers in the vehicle, crash time and day of week, driver sex and crash type. One such study from the AAA Foundation for Traffic Safety analyzed data from NHTSA's National Automotive Sampling System (NASS) Crashworthiness Data System (CDS). By using a multiple imputation methodology they estimated 7 percent of all crashes and 16.5 percent of fatal crashes involved drowsy driving. If this estimate is accurate, it suggests that more than 5,000 people died in drowsy-driving-related motor vehicle crashes across the United States last year. The 2009 Massachusetts Special Commission on Drowsy Driving, based on a

different research methodology, estimated that there could be as many as 1.2 million crashes, 8,000 lives lost, and 500,000 injuries due to drowsy driving each year.

Crashes caused by drowsy driving often exhibit a set of common factors. Although sleepiness can affect all types of crashes during the entire day and night, drowsy-driving crashes most frequently occur between midnight and 6 a.m., or in the late-afternoon – both times when there are dips in your circadian rhythm (the internal human body clock that regulates sleep). Many drowsy-driving crashes also involve only a single vehicle, with no passengers besides the driver, running off the road at a high rate of speed with no evidence of braking. Drowsy-driving crashes also frequently occur on rural roads and highways.

Over the last decade, more than 7,000 people have been killed in drowsy-driving-related crashes. Alcohol, in addition to its other detrimental effects on driving, can magnify the effects of drowsiness and cause you to fall asleep at the wheel more easily. Use of prescription or over-the-counter medications can also heighten the effects of drowsiness.

Who is most at risk? While no one is immune, the following groups are the highest risk, based on evidence from crash reports and self-reports of sleep behavior and driving performance:

- Young male drivers (17-23 years old)
- People with sleep disorders, such as sleep apnea, insomnia, restless leg syndrome, or narcolepsy
- Shift workers who work at night or who work long or irregular hours
- People who sleep less than 6 hours per night

The best countermeasure to drowsy driving is to get enough rest on a daily basis. Sleep is the only true preventative measure against the risks of drowsy driving.

- Make it a priority to get 7-8 hours of sleep per night.
- Many teens do not get enough sleep at the same time that their biological need for sleep increases, thereby increasing the risk of drowsy-driving crashes, especially on longer trips.
- Avoid drinking any alcohol before driving. Consumption of alcohol interacts with sleepiness to increase drowsiness and impairment.
- Be alert to medications that could cause drowsiness as a side effect.
- Try to avoid driving during the peak sleepiness periods (midnight – 6 a.m. and late afternoon).
- If you must drive during the peak sleepiness periods, stay vigilant for signs of drowsiness, such as crossing over roadway lines or hitting a rumble strip, especially if you're driving alone.

Drinking coffee or energy drinks alone is not always enough. They might help you feel more alert, however, the effects last only a short time, and you might not be as alert as you think you are. If you drink coffee and are seriously sleep-deprived, you still may have “micro sleeps” or brief losses of consciousness that can last for four or five seconds. This means that at 55 miles per hour, you've traveled more than 100 yards down the road while asleep. That's plenty of time to cause a crash.

If you start to get sleepy while you're driving, drink 1-2 cups of coffee and pull over for a short 20-minute nap in a safe place, such as a lighted designated rest stop. This has been shown to increase alertness in scientific studies but only for short time periods.

More information on this subject can be found on the National Highway Traffic Safety Administration website -- <http://www.nhtsa.gov/Driving+Safety/Drowsy+Driving>

### **Please Pay Attention**

Technology is playing an increasing role in enhancing our quality of life. Yet using these technologies while you're behind the wheel can have devastating consequences. The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) estimates that there are at least 3,000 deaths annually from distraction-affected crashes—crashes in which drivers lost focus on the safe control of their vehicles due to manual, visual, or cognitive distraction. Cell phones and texting aren't the only things that can distract drivers. The National Highway Traffic Safety Administration defines distracted driving as any activity that could divert attention from the primary task of driving. Besides using electronic gadgets, distractions also can include adjusting a radio, eating and drinking, reading, grooming, and interacting with passengers.

While distracted driving can take on many forms and affects all road users, young drivers are at particular risk. A nationally representative survey of distracted driving attitudes and behavior published in 2011 shows that a young driver is most likely to have been involved in a crash or near-crash. Drivers under 25 are two to three times more likely than older drivers to send text messages or e-mails while driving. While almost all drivers believe that sending text messages while driving is very unsafe, young passengers are much less likely than older passengers to speak up if the driver is texting behind the wheel.

Arkansas law officers will tell you that distracted driving is the key issue affecting safety on the state's roads and highways. Many states are enacting laws—such as banning texting while driving, or using graduated driver licensing systems for teen drivers—to help raise awareness about the dangers of distracted driving and to keep it from occurring. Since October 2011, Arkansas law prohibits use of handheld cell phones in school zones and highway work zones. While the State has no other restrictions on cell phone calling by adult drivers, it regulates their use by drivers under the age of 21. Drivers 18-20 must use hands-free attachments while talking on cell phones. Drivers under 18 may not use cell phones, regardless of whether a hands-free accessory is employed. However, Arkansas law does prohibit all drivers from text messaging and “wireless interactive communication” such as emailing, playing games and using the Internet. Also, hitting multiple keys in order to dial a phone number is being interpreted as an infraction.

The U.S. Department of Transportation launched a national campaign in 2009 to end the dangerous practice of distracted driving. While these efforts have boosted public attention to the problem and built momentum for action in communities around the country, serious behavioral and technological challenges remain. While progress has been made in the fight to end distracted driving, there is much more to do to end this dangerous practice. It's clear the problem is complex—and the solutions require parents, teens, educators, employers, industry, and

government to get involved. Still, the first line of defense against this risky behavior must be personal responsibility by all drivers to their focus on the road.

Responsibility as a driver is to understand the risks of distracted driving, recognize your own inability to safely multi-task while behind the wheel, and make the right decisions. Passengers, as well, need to use their influence to steer drivers toward responsible driving behaviors. Speaking up could save a life.

Distraction-affected crashes are preventable. Distracted driving does not just happen - it is a choice. State laws, local ordinances, workplace policies, and organizational resolutions that address the dangers of distracted driving communicate concern about the risks and intolerance for this dangerous behavior. Addressing the distracted driver issue will require the full commitment and persistence of many stakeholders.

Please visit [www.distraction.gov](http://www.distraction.gov) , the official government website dedicated to the education and prevention of this safety issue.