

Case Study for Group Discussion

A Road-Side Stop, Part 1

→ This case study focuses on a hypothetical scenario involving a bobtail driver's conversation with a law enforcement officer during a probable cause road-side stop. Safety and preparedness are your responsibility—both you and your employer are accountable for meeting all compliance requirements.

After you read the scenario, discuss the talking points with your group.

Scenario:

OFFICER: How are you doing today?

DRIVER: Fine, is there a problem?

OFFICER: Did you know your left-rear taillight was out?

DRIVER: No, my shift just started and there was nothing noted by the last driver.

OFFICER: Can you go ahead and get your driver's license and registration, and your shipping papers?

DRIVER: Sure, here you go.

OFFICER: Can I also see your medical card, insurance certification, and your hours of service documentation? You look a little young to be driving this rig.

DRIVER: Sure...here is my medical card and here's the insurance card. But I don't have to log my hours because I'm under the 100 mile radius exemption, so I don't have that.

OFFICER: Are you driving your regularly assigned vehicle today?

DRIVER: Yes sir.

OFFICER: I understand this bobtail carries propane, correct?

DRIVER: Yeah.

OFFICER: Why don't you step out of the cab and walk to the back of the vehicle.

DRIVER: But I have the right endorsements. See...I have my N and my H endorsement. I am pretty sure those together make me qualified to deliver propane.



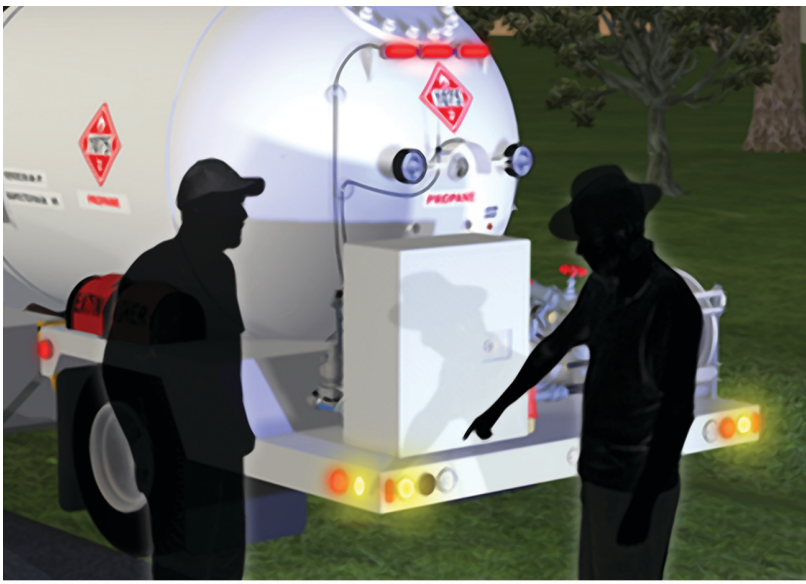
OFFICER: Are you aware that you have been issued a corrective lens restriction which limits you to operating vehicles while wearing your glasses? Why aren't you wearing them today?

DRIVER: What? My boss never told me that. I am new to this company and just learning the ropes. I left my glasses at home today.

OFFICER: Well, son understanding what you need to do and doing it is your responsibility. Take a look at your endorsements. You can see that you are not allowed to operate vehicles unless you are wearing glasses.

DRIVER: Like I said, I am new to the job, and I guess I just thought it wasn't my responsibility.

OFFICER: Well unfortunately you have not evaluated things correctly today. You are driving with a broken taillight. Am I also correct in saying that you are supposed to inspect your vehicle before you drive it each day?



Talking Points:

- When preparing for a delivery, discuss the daily procedures you must follow. Think about the necessary paperwork that must be with you and readily available in your vehicle.
- Discuss policies and procedures the employee should have considered in this scenario, and what, if anything, would you have done differently?

HERE'S WHAT LAW ENFORCEMENT OFFICERS HAVE TO SAY:

Law enforcement officers will tell you that this case study presents a common situation that happens too often. Perhaps as a result of 9/11 and increased security awareness, officers are performing more routine stops and specifically checking driver credentials. Bottom line for this case, the driver is going to be cited for two things and may have to pay a fine. He will receive a citation for the broken taillight and, because he wasn't wearing his glasses, another citation for a violation of his medical restriction. As a result, the driver will have to be placed out of service and have to call up his supervisor, who isn't going to be pleased. He may send the driver home, put him on probation, or both.

Because the driver was stopped for a probable cause, we need to take a closer look at his first mistake: driving with a broken taillight. Although the driver says that his broken taillight wasn't noted on the DVIR, daily protocol would prompt him to do a routine walk-around inspection to make sure his vehicle was in proper working order. Had the taillight been fixed, there would have been no reason for a probable cause stop.

As the officer checks the driver's information, he discovers the corrective lens restriction, and the driver blames his supervisor for not telling him that he is required to wear them while driving. Rule #1: Take responsibility for your job duties. Although it is the supervisor's responsibility to train his employee properly, this driver must make it his first priority to understand all of his personal obligations, responsibilities and paperwork, including something as simple as his medical card. Try to think of the driver's eye glasses like the vehicle's keys: without them, you just can't drive.

A piece of sound advice: Driver qualifications, endorsements, credentials are all extremely important. When an officer finds that something is wrong with any piece of the driver's documentation, or if something is missing, the officer will advise the driver to step out of the cab. This is exactly what you don't want to happen. Once the driver is outside his cab and is questioned by the officer, there's a potential for the situation to escalate. The law enforcement officer could choose to contact a DOT inspector to be called to the scene and perform a full DOT inspection.

Drivers who take their daily responsibilities seriously and have all paperwork in order may avoid some of these potential issues.