

Date: Wed, 07 Jul 1999 08:37:46 -0600  
From: Meredith Brown <racer@lanl.gov>  
Subject: Yellow Alert: Commercial Driver Qualifications

**Title: Employee Unqualified to Drive Commercial Motor Vehicle**

Identifier: Y-1999-OR-LMERX10-0601 Date: June 30, 1999

**LESSONS LEARNED STATEMENT:** Driving a commercial motor vehicle (CMV) as a company employee subjects the driver to federal regulations not applicable to private individuals. In the event of an accident, failure to comply with such regulations could make the company and the employee liable, regardless of fault.

**DISCUSSION:** An Oak Ridge National Laboratory employee leased a CMV with a gross vehicle weight rating (GVWR) of 22,940 pounds, which is above the 10,001 pounds that defines a CMV. He drove it from Knoxville, Tennessee, to the Y-12 plant in Oak Ridge over public highways with the intent of transporting a microwave tube and associate power supply to a Laboratory in another state. After the employee arrived at Y-12, a company truck driver and riggers arrived to load the equipment. The truck driver expressed concern related to the move and contacted a Y-12 Transportation Safety Specialist. It was determined that the employee who had leased the truck was unqualified to drive a CMV per Department of Transportation Regulations 49 CFR 391.11. The Transportation Safety Specialist stopped the shipment. The leased vehicle was returned to the rental company and the equipment was shipped via a commercial carrier.

**ANALYSIS:** According to information from an investigation conducted by the Lockheed Martin Transportation and Packaging Management Organization, the employee was at no time during this process qualified to drive a truck as part of his assigned job duties.

Rental trucks with a GVWR over 10,001 pounds meet the U. S. Department of Transportation definition of CMV and may only be operated by a qualified driver. Qualifications include a complete and up-to-date driver qualifications file, training in the Federal Motor Carrier Safety Regulations, medical certificate, and if the GVWR exceeds 26,001 pounds, a commercial drivers license plus enrollment in a drug and alcohol testing program.

**RESOLUTION/RECOMMENDED ACTIONS:** The Associate Laboratory Director for Operations, Environment, Safety, and Health issued an e-mail to all Division/Office/Program Directors, dated June 3, 1999, documenting the issues related to the event and requested that they "convey to their employees the urgency and importance of this matter to ensure that such incidents do not occur in the future."

ORIGINATOR: Lockheed Martin Energy Research Corporation; Connie Arnwine, 423-241-3134; Office of Quality Services VALIDATOR: Lockheed Martin Energy Research Corporation; Jeff H. Shelton, 423-576-6401; Laboratory Services  
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PRIORITY DESCRIPTOR: Yellow / Caution - Potential Event Conditions

DOE FUNCTIONAL CATEGORY: Packaging and Transportation

LMER FUNCTIONAL CATEGORY: Transportation Safety

KEYWORDS: Commercial Motor Vehicle, DOT, Trucks, FMCSR, Driver Qualification

REFERENCES: Occurrence Report ORO--ORNL-X10FUSIONE-1999-0001

**FOLLOW-UP ACTION:** Information in this report is accurate to the best of our knowledge. As means of measuring the effectiveness of this report, please notify Connie Arnwine at 423-241-3134 or e-mail a93@ornl.gov of any action taken is a result of this report or of any technical inaccuracies you find. Your feedback is important and appreciated.