



MMTA SAFETY MANAGEMENT COUNCIL

Meeting Minutes - November 21, 2024

Meeting was opened by Chairperson Nycole McGlaufflin at 8:01 am.

- Welcome, Introductions and a Safety Moment was shared about Winter Safety reminders.

PRESENTATIONS:

1. Close calls/near misses – Vickey Witham, Lynch Logistics
 - Vickey shared a number of Close Call videos and mentioned how one of the counseling sessions with a driver lead to him wanting to improve and be a better driver. He eventually became a trainer for LL drivers.
 - Tim asked for those that have not presented to think about doing so in November 2025.

OLD BUSINESS:

1. APTA/MMTA Transportation Safety Conference Wrap Up – MMTA
 - Not well attended by MMTA members in Canada.
 - One of the presentations was an all-female panel that spoke about challenges in the industry.
 - Another interesting presentation was about AI in the industry.
2. 2025 MMTA/APTA Transportation Safety Conference – Planning Committee
 - September 28 -29 in Rockport at the Samoset.
 - Planning Committee is putting agenda together. Suggestions for speakers are welcome.
3. ORAL TESTING UPDATE– MMTA
 - Although rule allowing oral testing has passed, two labs that are able to process oral tests need to be accredited before oral testing is allow and there are none yet. MMTA will keep members up to date.

	Is a driver who violated FMCSA’s drug & alcohol program prohibited from performing safety sensitive functions in commercial motor vehicles, as defined in 49 CFR Part 383 (e.g., > 26,000 lbs. GVWR), before completing the return to duty process in accordance with 382.503?	Is a driver who violated FMCSA’s drug & alcohol program prohibited from performing safety sensitive functions in commercial motor vehicles, as defined in 49 CFR Part 390 (e.g., > 10,000 lbs. GVWR), before completing the return to duty process in accordance with 382.503?
Current CDL Holder	YES, prohibited in interstate and intrastate commerce	YES, prohibited in interstate commerce only
Former CDL Holder	YES, prohibited in interstate and intrastate commerce	NO

NEW BUSINESS:

1. Election of Secretary
 - Vickey Witham was elected to the Secretary position for the SMC

2. Maine BMV Updates (DACH and MED CARD Self-Cert) – Chris Ireland, Director of Driver License Services
 - Phase II of the Clearinghouse process
 - There were over 400 drivers on the list to be downgraded – letters were mailed
 - On Nov 18, 388 were downgraded
 - “Prohibited” No renewal, upgrade, testing duplicates or waivers
 - “Ineligible” - Maine allows 60 days before CDL is downgraded
 - By 12/15, all Law Enforcement will have information needed
 - Call BMV or FMCSA with questions
 - Rehab of drivers under CDL Lifetime Ban after 10 years
 - Effective 1/1/25
 - See attached two-page handout of the Chapter 6 Rule titled “Proposed Rule Change to Allow Reinstatement of a commercial driving license from lifetime disqualification after 10 years”
 - National Registry
 - The FMCSA has proposed to amend its regulations to extend the compliance date for the National Registry from June 22, 2021 to **June 23, 2025**, for several provisions of the April 23, 2015 Medical Examiner’s Certification Integration final rule.
 - All Medical Examiner’s Certificates will be digital. Physicians must send results electronically directly to FMCSA.
 - BMV must have access to check digitally.
 - The Self-Certification process is being discussed.
 - Link to YouTube video “Return-to-Duty Process for CDL Drivers” [Bing Videos](#)

3. Industry Image and Marketing Coordinator – MMTA
 - Derek Kennedy introduced himself and explained his role
 - Derek spoke about the truck and trailer that will be used for community outreach. A driving simulator will be installed and the unit will be driven to job fairs, community events, etc.
4. Operations/Safety Department Integration – Round table discussion
 - Accident Review Boards – gather department heads to discuss accidents and corrective actions
 - Finding root cause of crash
 - Include drivers in meetings
 - New driver training – what is DOT #, etc.
 - Involve dispatchers in safety meetings, etc.
 - Pre-trip inspection, CSA scores, etc should be discussed
5. Annual Banquet save the date: 1/9/25 Sable Oaks
 - Tim spoke about the banquet and Mike Abrashoff, who is the keynote speaker
6. Once around the room – below is a list of items that we brought up
 - Exploding tires is still an issue. Randy mentioned the training that he teaches “TIA Basic Commercial Tire Service”.
 - Lots of deer hits lately
 - If anyone has ideas for topics for the conference, they should let the Planning Committee know
 - Next visit to the Weigh Station – maybe Pittsfield May 22, 2025
 - Trucks being rear ended
 - One member said they are adding a light strip to the back of trucks to help prevent the trucks being rear ended. Lieutenant Keaten said that the regulation should be reviewed to make sure they are legal.
 - Also mentioned using the Data Q process as some of the crashes may be deemed not-preventable and therefore not count towards total crashes.
 - Remind drivers about being complacent.
 - Wreaths Across America Virtual Convoy - donate to the program if you can
 - \$17 per wreath
 - PrePass has been added by MSP as an option in Maine. Both PrePass and Drivewyze use telematics for operation.
 - 50 New State Troopers in the field – nine vacancies – be patient as they are learning their roles
 - Distracted driving has been huge lately – watch out for others on the road not driving safely.
 - Tim mentioned that we are very fortunate to have Troop K, FMCSA, etc all working with MMTA and the members.

Future Topics: Chris Fierro on deck for close calls/near misses

Meeting was adjourned by Chair Nycole McGlaulin at 9:36 a.m.

Respectfully Submitted by Vickey Witham, Secretary

Proposed Rule Change to Allow

Reinstatement of a commercial driving license from lifetime disqualification after 10 years

To be Implemented on 1/1/2025

- A. The Secretary of State may reinstate any eligible commercial driver disqualified for life based on offenses described in paragraphs (b)(1) through (8) of Table 1 to 49 CFR Section 383.51 after 10 years, if that person has voluntarily entered and successfully completed the appropriate rehabilitation program described in this section.
- B. Only drivers who possessed a commercial driving license issued by the Maine Bureau of Motor Vehicles at the time of lifetime disqualification may apply under the provisions of this section.
- C. Drivers Disqualified for Life as a Result of non-OUI Offenses (Rows 5-8 of Table 1, 49 CFR, Section 383.51).
 - (1) Eligibility Criteria. To be eligible under this paragraph, an applicant must meet the requirements of 49 CFR Section 383.51 and must:
 - (a) Not have received any convictions in a commercial motor vehicle within 10 years of application submission.
 - (b) Not have received any criminal convictions in a non-commercial motor vehicle within 5 years of application submission.
 - (c) Not have received any convictions in a non-commercial motor vehicle that would otherwise trigger commercial driving license suspension per 49 CFR 383.51(b) within 5 years of application submission.
 - (d) Possess an active Maine Class C non-commercial driver's license.
 - (2) Rehabilitation Requirements. An applicant must submit with their application:
 - (a) Certificate of Completion of the National Safety Council's Defensive Driving Professional Truck Driving Course (4-hour duration) within 180 days of application.
 - (b) Reinstatement fees consistent with M.R.S.A. 29-A, section 2486, sub. 1 or 1-A as appropriate.

- (3) Maine BMV will verify the applicant is not listed as 'prohibited' in the Drug and Alcohol Clearinghouse when reviewing the application.
- D. Drivers Disqualified for Life as a Result Offenses Related to Operation Under the Influence (Rows 1-4 of Table 1, 49 CFR, Section 383.51) on any of the major offenses aggregated to reach the lifetime disqualification determination.
 - (1) Eligibility Criteria. To be eligible under this paragraph, an applicant must meet the requirements of paragraph C (1) (a-e) above, and must:
 - (a) Not have received any administrative or criminal convictions for operating under the influence in a non-commercial motor vehicle within 5 years of application submission.
 - (2) Rehabilitation Requirements. An applicant must submit with their application the items listed in paragraph C (2) ((a-b) above, and:
 - (a) Drug Education and Evaluation Program (DEEP) Certificate of Completion from the Maine Department of Health and Human Services (DHHS) dated within 180 days of application.
- E. A driver reinstated under this program must also complete all examination requirements per MRSA 29-A, Chapter 11: Driver's License before the commercial driver's license and any accompanying endorsements will be awarded.
- F. Request for hearing. An applicant who is denied reinstatement may make a written request for a hearing to review the determination of the Secretary of State. The request must be made within 10 days from notification that an application was denied. Hearings will be conducted per M.R.S.A. 29-A, Section 2483.
- G. A driver reinstated under this program shall not be licensed or endorsed to operate any class of schoolbus.

Language reflects pre-signature proposed rule changes. Once signed into Rule by the Attorney General's Office and Maine BMV, the new version of Chapter 6 rules will be available at: <https://www.maine.gov/sos/cec/rules/29/chaps29.htm#BMV>

For questions, contact Chris Ireland, Director of Driver License Services, 207-624-9124, Christopher.ireland@maine.gov