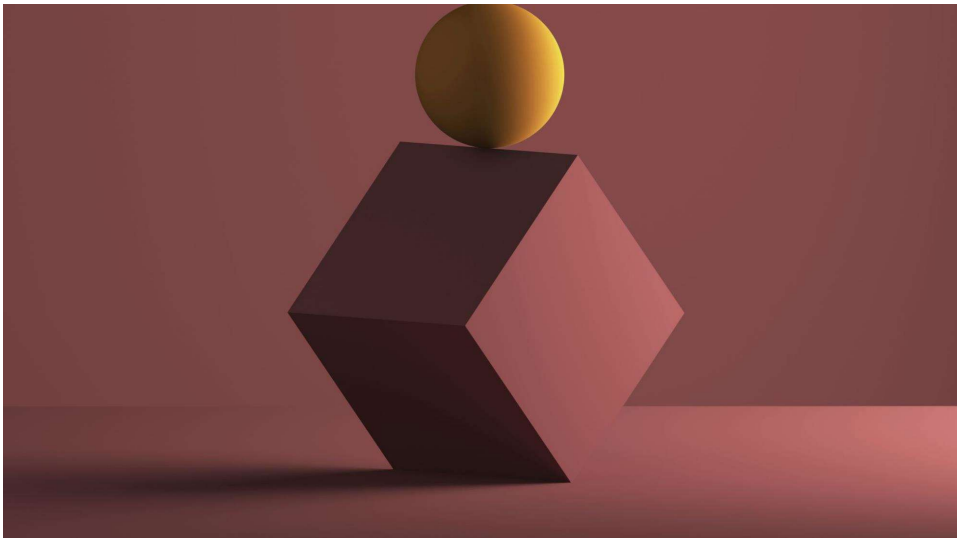


Safety vs. Sales

Jeff Shanker



BUS industry
SAFETY council

Brought to you by ABC Companies

A dramatic image showing two hands, one from the left and one from the right, clashing in a fiery battle. The hands are covered in dirt and grime, and a bright, glowing fire is erupting from the point of impact. The background is a dark, stormy sky with a bright light source behind the hands, creating a silhouette effect. The overall tone is intense and conflict-driven.

Safety vs. Sales

The Battle begins, but wait... we're on the same team



Sales Person

Responsibilities

- Present, promote and sell products/services using solid arguments to existing and prospective customers
- Perform cost-benefit and needs analysis of existing/potential customers to meet their needs
- Establish, develop and maintain positive business and customer relationships
- Expedite the resolution of customer problems and complaints to maximize satisfaction
- Coordinate sales effort with team members and other departments
- Analyze the territory/market's potential, track sales and status reports
- Keep abreast of best practices
- Typically pay includes “hourly” and “commissions”



Safety
Director





OFFICER

Responsibilities

- Collaborates with management to develop, prepare, and implement safety policies and procedures
- Ensures compliance with local, State and Federal Rules and Regulations (USDOT / FMCSA / OSHA, Etc.)
- Provides technical and administrative support to the safety committee.
- Identifies opportunities to minimize workplace injuries, accidents
- Conducts employee training on applicable safety standards.
- Conducts safety inspections and audits to assess employee compliance with safety regulations.
- Reviews accident and incident reports.
- **Typical compensation - Salary**



Here come the Sales!!!

Types of Sales



SHUTTLES



EVENTS



CORPORATE
MOVES



TEAMS



OTHER

Safety



What challenges are we faced with?

Considerations

Safety Considerations

Hours of Service

Trip Distance

What else?

Driver Fatigue

Sales Considerations

Revenue

What Else?

Rules and Regulations



- **Most Common Challenges**

- Hours of Service
 - On Duty Time 395.2
 - On-duty time means all time from the time a driver begins work or is required to be in readiness for work until the time the driver is relieved from work and all responsibilities for performing work.
 - Performing other compensated work for a person who is not a motor carrier is also on-duty time. The complete definition of on-duty time can be found in § 395.2.

Off-Duty Time



“Off-duty time” is not specifically defined in the regulations. In effect, it is any time that is not “driving time,” “on-duty time,” or “sleeper berth” as defined in § 395.2.



The following guidelines must be met before a driver is considered off duty:

- ✓ During a trip, the driver must be relieved of all duty and responsibility for the care and custody of the bus or passenger-carrying CMV, its accessories, and any passengers, baggage, and freight that it may be transporting.
- ✓ During a trip, the driver must be at liberty to pursue activities of his/her own choosing and to leave the premises where the bus or passenger-carrying CMV is parked.
- ✓ The driver must not be performing any work in the capacity, employ, or service of a motor carrier.
- ✓ The driver must not be performing any compensated work for a person or company that is not a motor carrier.



The Local Shuttle....

- 5-day shuttle Monday to Friday, *small bus* (mini-bus)
 - Shuttle starts 06:30
 - Shuttle ends 21:00
 - Total Hours *14.5 per day*
- *From a Safety Perspective – is this within the 15-hour rule*
 - *150 air miles*
 - *Pre-Trip / Post Trip*
 - *Travel time to and from the “site” – 15 miles each way, at least 45 minutes*
 - *How many drivers do you need for a week?*
 - *Could the “run” be “split”?*

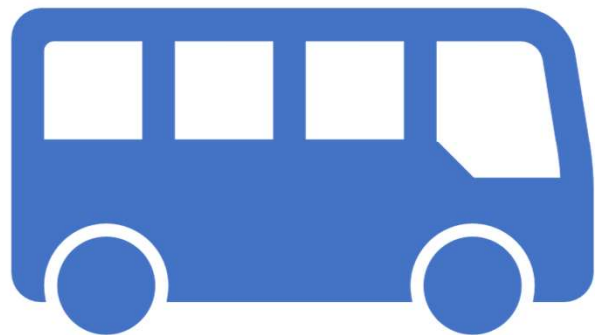


Rules and Regulations

- Payroll
 - Over The Road (**Interstate**) – Overtime Exempt
 - Intrastate – **not exempt** – must pay overtime

**Fact Sheet #19:
The Motor Carrier
Exemption under
the Fair Labor
Standards Act
(FLSA)
Revised November
2009**

- Section 13(b)(1) of the FLSA provides an overtime exemption for employees who are within the authority of the Secretary of Transportation to establish qualifications and maximum hours of service pursuant to Section 204 of the Motor Carrier Act of 1935, except those employees covered by the small vehicle exception described below.
- Thus, the 13(b)(1) overtime exemption applies to employees who are:
 1. Employed by a motor carrier or motor private carrier, as defined in 49 U.S.C. Section 13102 (see **Employer** below);
 2. Drivers, driver's helpers, loaders, or mechanics whose duties affect the safety of operation of motor vehicles in transportation on public highways in **interstate** or foreign commerce (see **Employee Duties** below); and
 3. Not covered by the small vehicle exception (see **Small Vehicle Exception** below).



The Over-The-Road Shuttle

- 5-day shuttle Monday to Friday, Large bus
- Richmond, VA to Wilmington, DE (223 miles each way)
 - Shuttle starts 06:30 arrives in Wilmington, DE 11:00
 - Departs Wilmington at 11:30
 - Total Hours *14.5 per day*
- *From a Safety Perspective – is this within the 15-hour rule*
 - *150 air miles*
 - *Pre-Trip / Post Trip*
 - *Travel time to and from the “site” – 15 miles each way, at least 45 minutes*
 - *How many drivers do you need for a week?*
- *What else should be considered?*

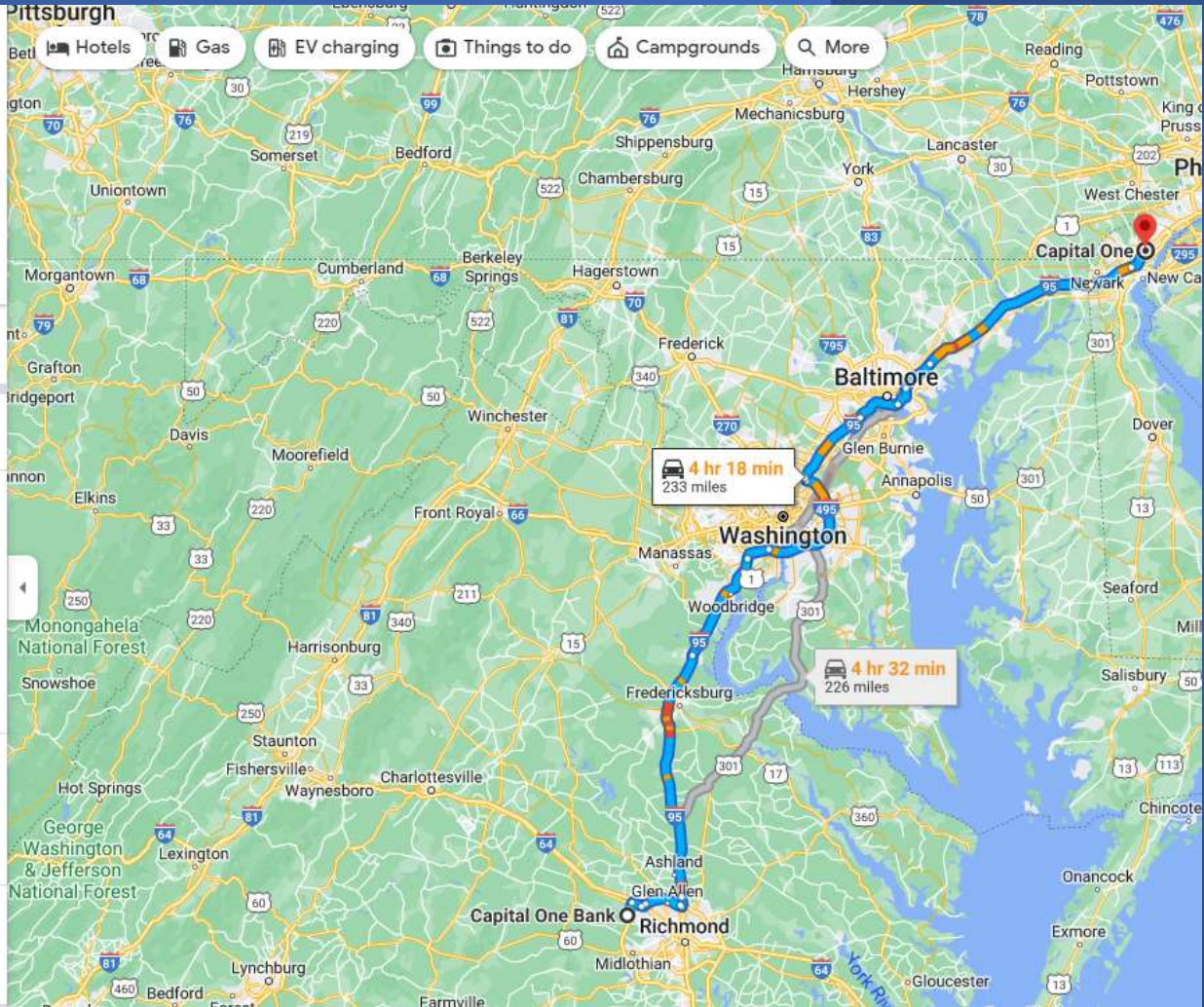
Best 4 hr 18
 4 days
 23 hr

Add destination

Leave now Options

Send directions to your phone

via I-95 N Fastest route now due to traffic conditions ⚠️ This route has tolls. ⚠️ This route has restricted usage or private roads. Details	4 hr 18 min 233 miles
via Baltimore-Washington Pkwy and I-95 N Some traffic, as usual	4 hr 25 min 223 miles
via US-301 N and I-95 N Some traffic, as usual	4 hr 32 min 226 miles



Best 3 hr 50 4 days 23 hr

Capital One Bank, 15075 Capital One Dr 2
 Capital One, 802 Delaware Ave, Wilmington

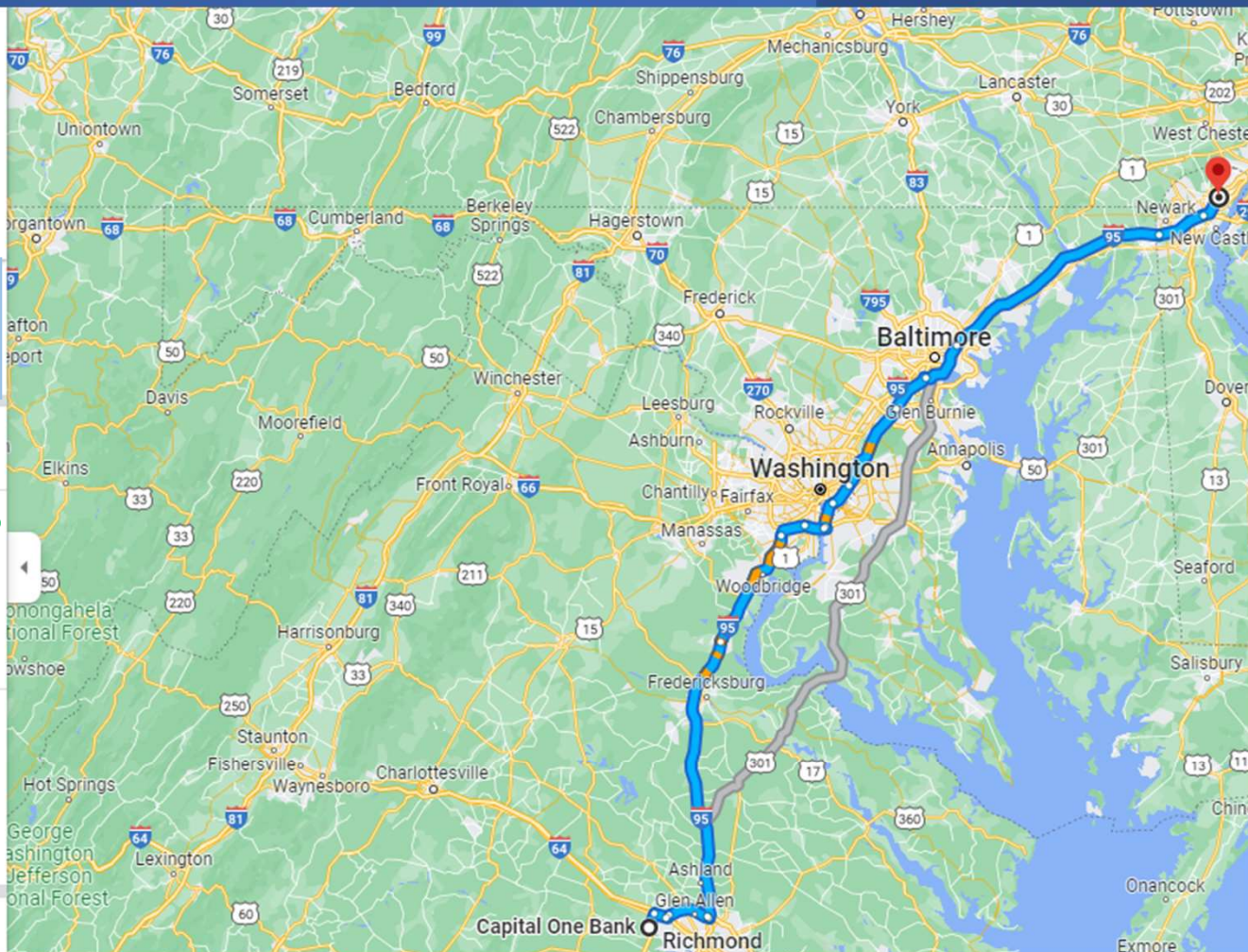
Depart at Options
 6:30 AM Mon, Jul 24

Send directions to your phone

via I-95 N **typically 3 hr 30 min to 4 hr 20 min**
 Arrive around 10:50 AM
 223 miles
[Details](#)

via US-301 N **typically 3 hr 30 min to 5 hr 10 min**
 Arrive around 11:40 AM
 221 miles
 and I-95 N

Explore nearby Capital One



- Best
- 4 hr 10
- 4 days
- 23 hr

Capital One Bank, 15075 Capital One Dr 2

Capital One, 802 Delaware Ave, Wilmington

Depart at 6:30 AM Tue, Jul 25

Options

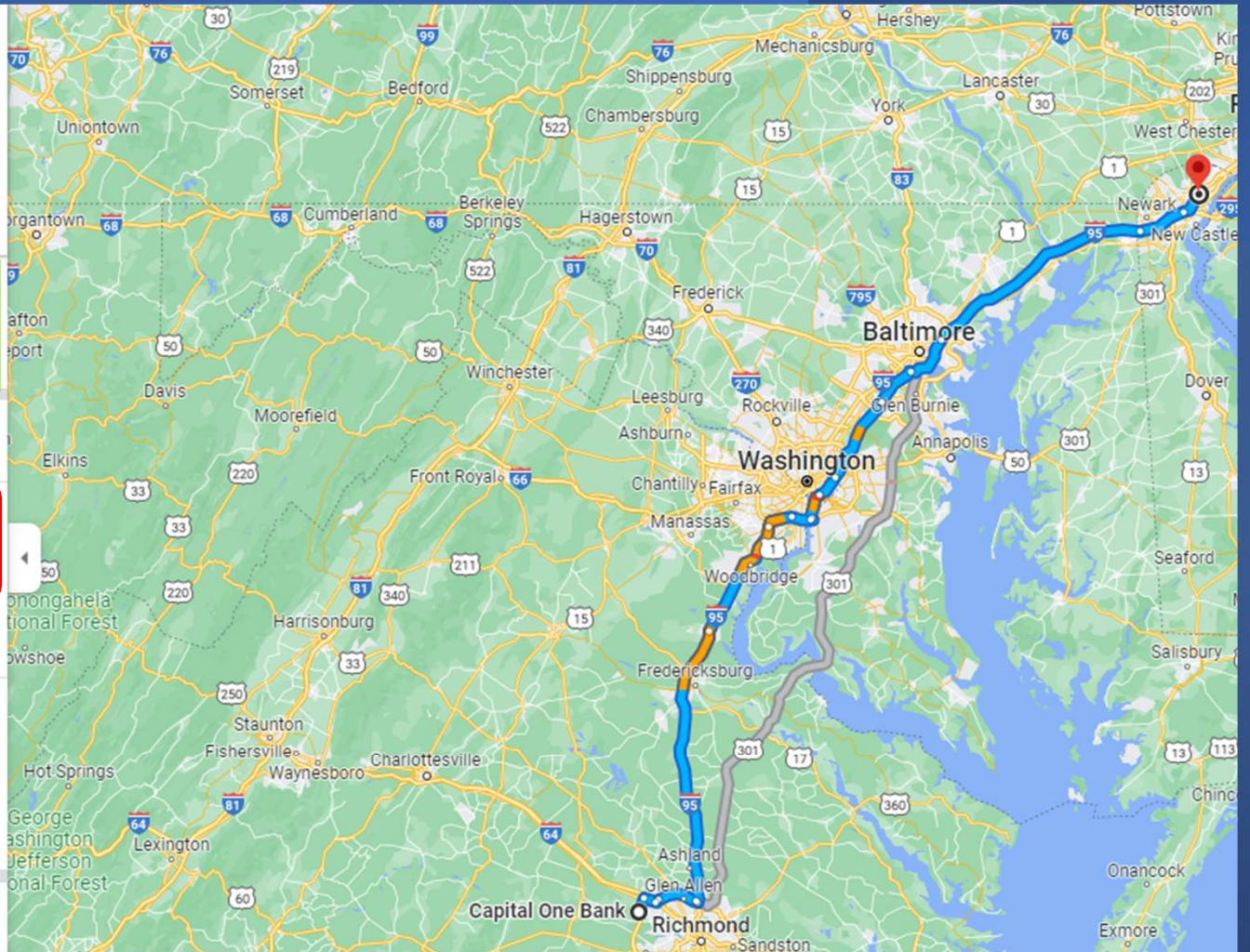
Send directions to your phone

via I-95 N typically 3 hr 40 min to 4 hr 50 min
Arrive around 11:20 AM
223 miles

Details

via US-301 N and I-95 N typically 3 hr 40 min to 5 hr 10 min
Arrive around 11:40 AM
222 miles

Explore nearby Capital One



Best 4 hr 4 days 23 hr

Capital One, 802 Delaware Ave, Wilmington

Capital One Bank, 15075 Capital One Dr 2

Depart at 11:30 AM Mon, Jul 24

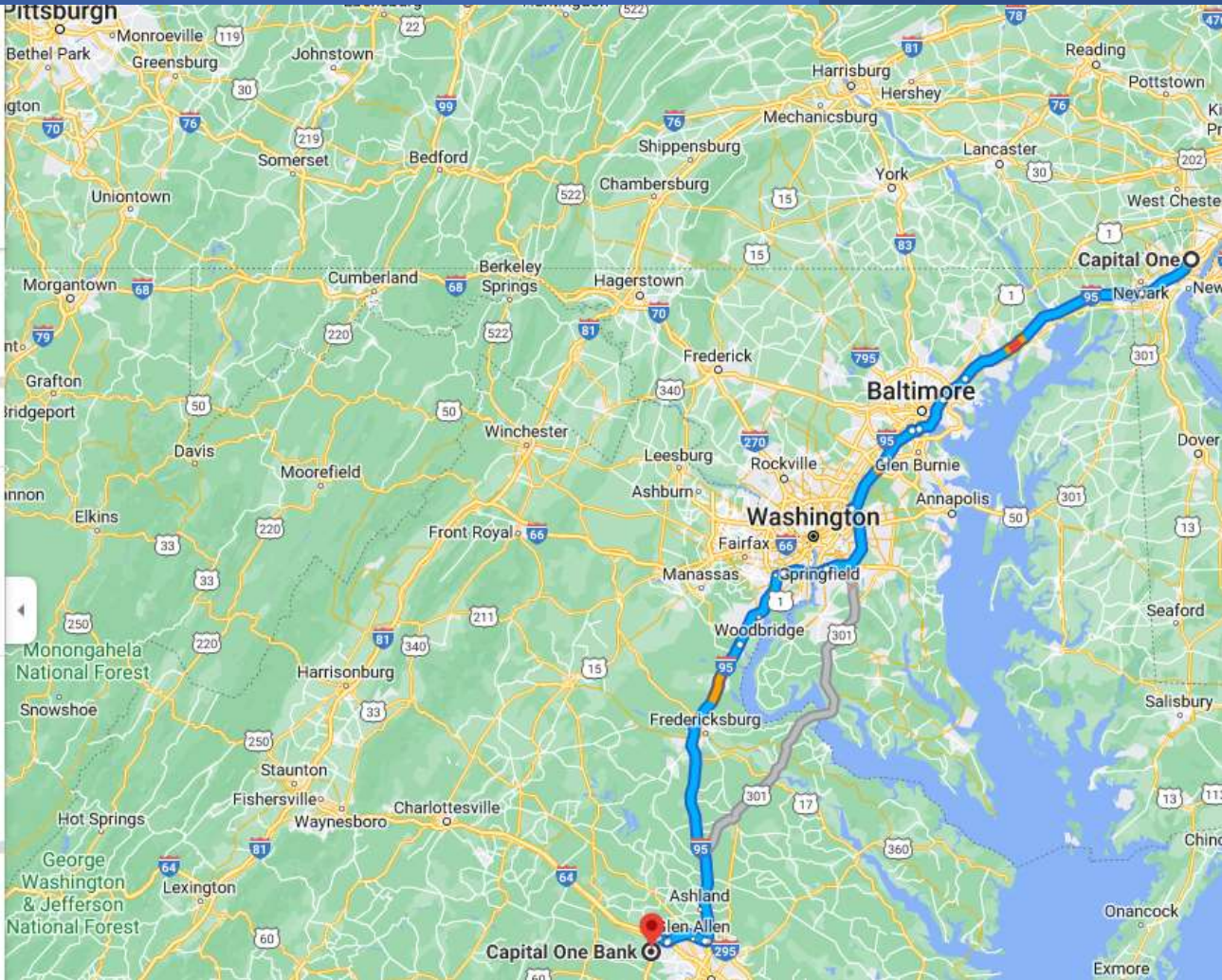
Send directions to your phone

via I-95 S typically 3 hr 40 min to 4 hr 50 min
Arrive around 4:20 PM
227 miles

Details

via US-301 S and I-95 S typically 3 hr 50 min to 5 hr 30 min
Arrive around 5:00 PM
227 miles

Explore nearby Capital One Bank



- Best 4 hr 37
- 4 days
- 23 hr

Capital One Bank, 15075 Capital One Dr 2

Capital One, 802 Delaware Ave, Wilmington

Add destination

Leave now

Options

Send directions to your phone

via US-301 N and I-95 N 4 hr 37 min

Fastest route now, avoids slowdowns on I-95 N 218 miles

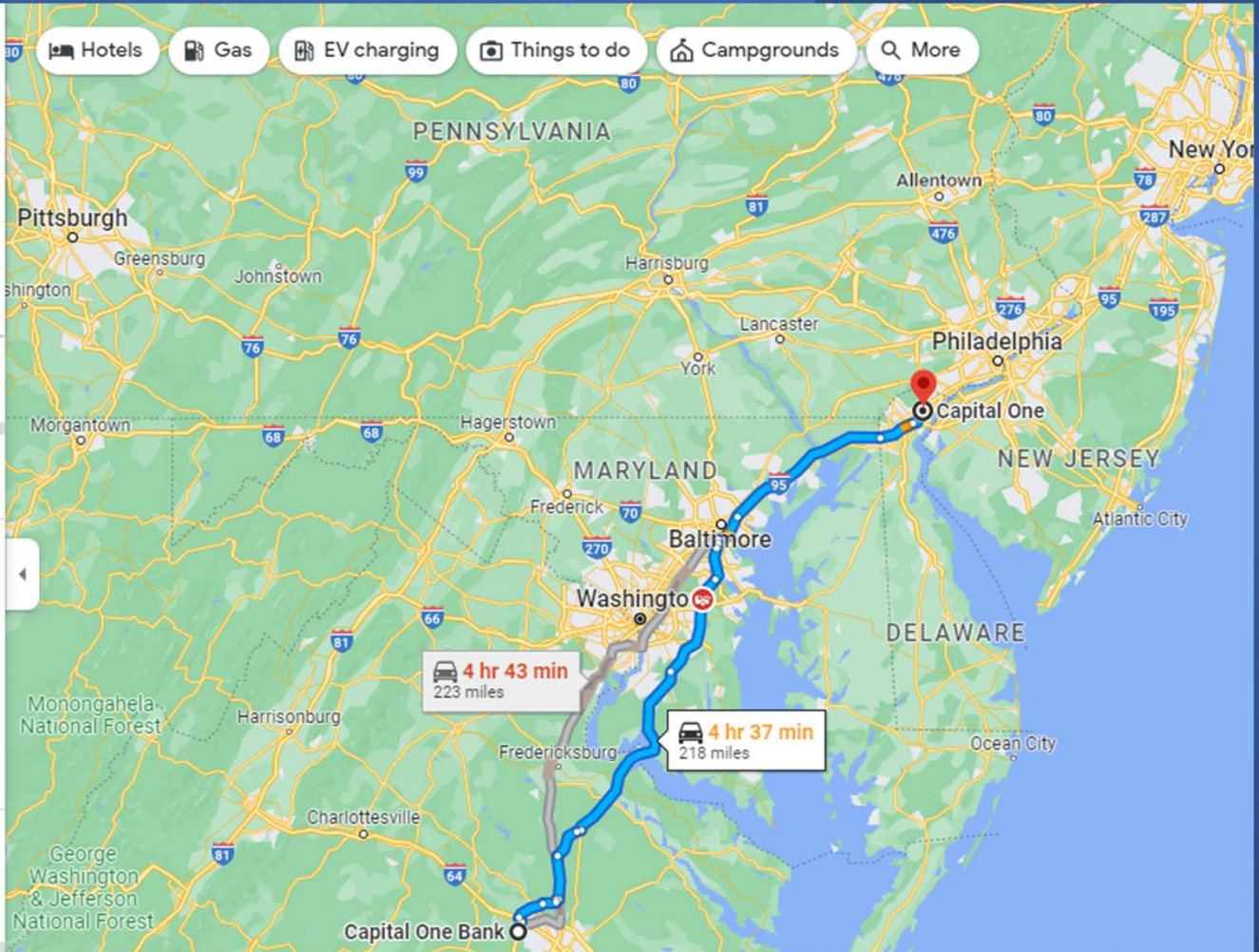
- ⚠ This route has tolls.
- ⚠ This route has restricted usage or private roads.

Details

via I-95 N 4 hr 43 min

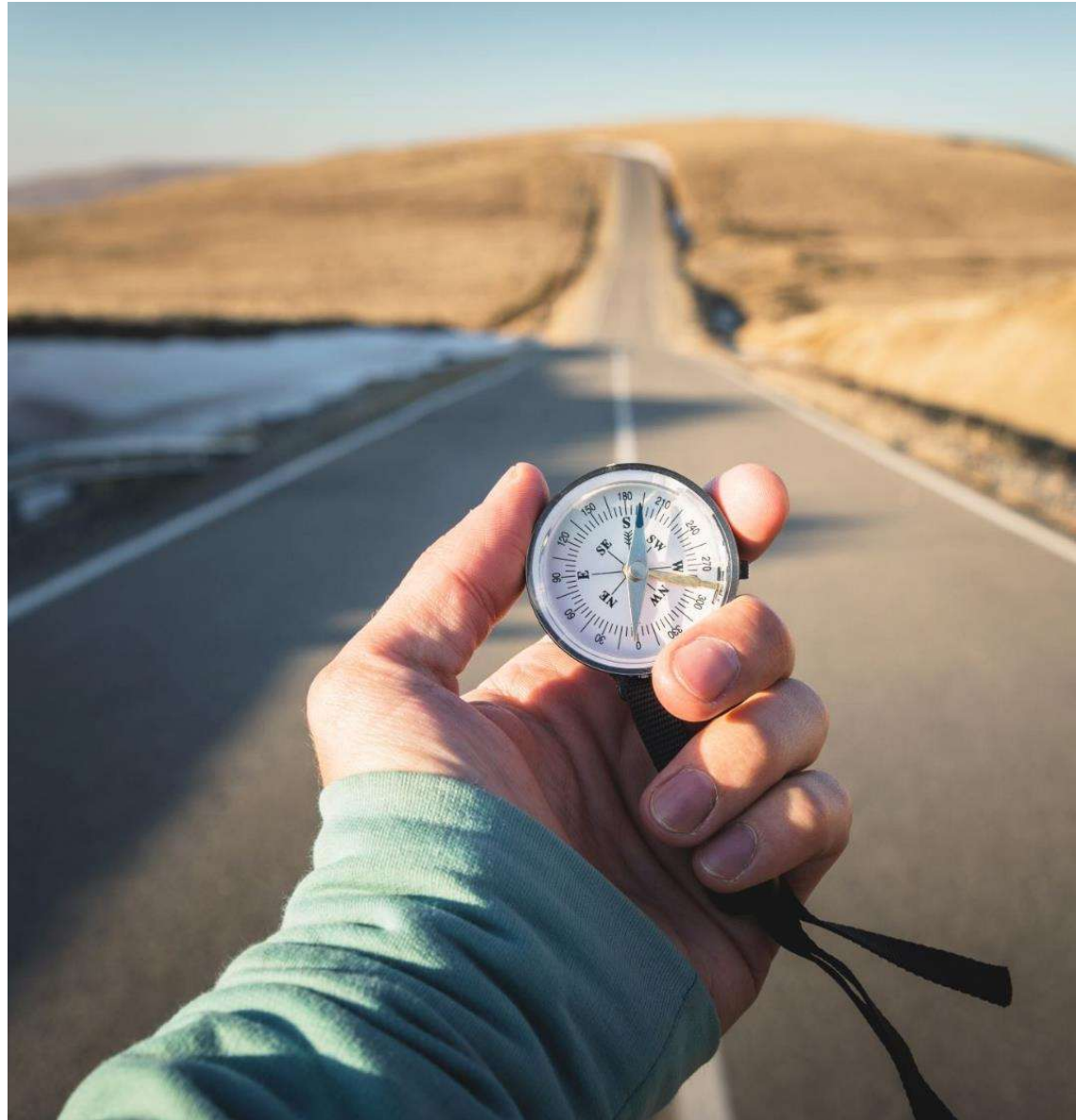
Heavy traffic, as usual 223 miles

- Hotels
- Gas
- EV charging
- Things to do
- Campgrounds
- More



Adverse driving conditions §395.1(b)(1)

- Up to 2 additional hours of driving time
 - Additional driving time must fall within 15-hour on-duty window
 - Weather or traffic condition must be unknown at start of run



Personal Conveyance

What is personal conveyance?



The movement of a commercial motor vehicle (CMV) for personal use while **off-duty**.



A driver may record time operating a CMV for personal conveyance as off-duty **only when the driver is relieved from work and all responsibility for performing work by the motor carrier.**



The CMV may be used for personal conveyance even if it is laden, if the load is not being transported for the commercial benefit of the motor carrier at that time.


What is personal conveyance? Proper Use



Time spent traveling to a **nearby, reasonably, safe location** to obtain required rest after loading or unloading.



Time spent traveling from a driver's enroute lodging to restaurants and entertainment facilities. **Must allow the driver adequate time to obtain the required rest** - minimum off-duty periods under 49 CFR 395.5(a) - before returning to on-duty driving, and **the resting location must be the first such location reasonably available.**




Personal
Conveyance
What is
personal
conveyance?

- **Personal Conveyance website:**

- <https://www.fmcsa.dot.gov/regulations/hours-service/personal-conveyance>



Events

- What Challenges do you foresee?
 - How do you handle these?
- 



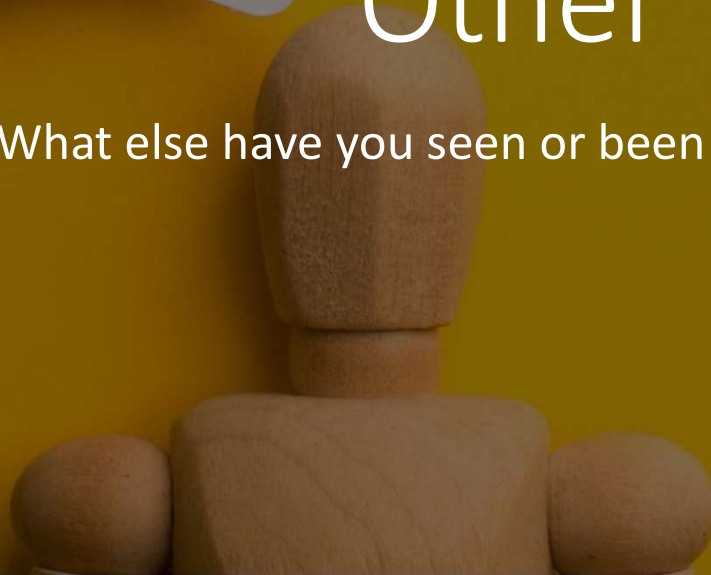
Types of Sales - Teams

- Team Travel
 - Athletic
 - Professional
 - Collegiate
 - Travel Teams
 - “Band”
 - Requests from the “team”
 - Food
 - Alcohol
 - Other



Other

What else have you seen or been involved with?



Teamwork – Work as a Team



MEETINGS



COLLABORATION



WHAT ELSE?

Questions /
Comments



Thank You

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American Bus Association

