



Covered Violations and Exclusions

IN-SCOPE (COVERED) VIOLATIONS

Following is a list of in-scope (covered) violations under the ORDP plan available for active ORDP plan members:

SECTION	VIOLATION DESCRIPTION
177.800(d)	Unnecessary delay in HM transportation to destination
177.804B	Failure to comply with 49 CFR 392.80 – Texting while Operating a Commercial Motor Vehicle (“CMV”) – Placardable HM
177.804C	Fail to comply with 392.82 – Using Mobile Phone while Operating a CMV – HM
390.17DT	Operating a CMV while texting
390.20	Failing to properly secure parked vehicle
392.2C	Failure to obey traffic control device
392.2DH	Headlamps – Failing to dim when required
392.2FC	Following too close
392.2LC	Improper lane change
392.2LV	Lane Restriction violation
392.2P	Improper passing
392.2PK	Unlawfully parking and/or leaving vehicle in the roadway
392.2R	Reckless driving
392.2RR	Railroad Grade Crossing violation
392.2S	Speeding
392.2-SLLS2	State/Local Laws – Speeding 6 – 10 miles per hour over the speed limit
392.2-SLLS3	State/Local Laws – Speeding 11 – 14 miles per hour over the speed limit
392.2-SLLS4	State/Local Laws – Speeding 15 or more miles per hour over the speed limit
392.2-SLLSWZ	State/Local Laws – Speeding work/construction zone
392.2-SLLT	State/Local Laws – Operating a CMV while texting
392.2T	Improper Turns
392.2Y	Failure to yield right of way
392.6	Scheduling run to necessitate speeding
392.10(a)(1)	Failing to stop at railroad crossing – bus
392.10(a)(2)	Failing to stop at railroad crossing – chlorine

392.10(a)(3)	Failing to stop at railroad crossing – placard
392.10(a)(4)	Failing to stop at railroad crossing – cargo tank
392.14	Failed to use caution for hazardous condition
392.16	Failing to use seat belt while operating CMV
392.22(a)	Failing to use hazard warning flashers
392.60(a)	Unauthorized passenger on board CMV
392.62	Unsafe bus operations
392.62(a)	Bus – Standees forward of the standee line
392.71(a)	Using or equipping a CMV with radar detector
392.80(a)	Driving a CMV while Texting
392.82(a)(1)	Using a hand-held mobile telephone while operating a CMV
392.82(a)(2)	Allowing or requiring driver to use a hand-held mobile telephone while operating a CMV
397.3	State/local laws ordinance regulations
397.13	Smoking within 25 feet of HM vehicle
398.4	Driving a vehicle to transport migrant workers in noncompliance with part 398
Section	Violation Description
392.2H	State/Local Hours-of-Service (HOS)
392.3	Operating a CMV while ill/fatigued
392.3-FPASS	Fatigue – Operate a passenger-carrying CMV while impaired by fatigue
392.3-FPROP	Fatigue – Operate a property-carrying CMV while impaired by fatigue
392.3-I	Illness – Operate a CMV while impaired by illness or other cause
395.1(h)(1)	15, 20, 70/80 HOS violations (Alaska-Property)
395.1(h)(2)	15, 20, 70/80 HOS violations (Alaska-Passenger)
395.1(h)(3)	Adverse driving conditions violations (Alaska)
395.1(o)	16 hour rule violation (Property)
395.3(a)(1)	Requiring or permitting driver to drive more than 11 hours
395.3A1R	11 hour rule violation (Property)
395.3(a)(2)	Requiring or permitting driver to drive after 14 hours on duty
395.3A2R	14 hour rule violation (Property)
395.3A2-PROP	Driving beyond 14 hour duty period (Property carrying vehicle)
395.3A3-PROP	Driving beyond 11 hour driving limit in a 14 hour period (Property Carrying Vehicle)
395.3(a)(3)(ii)	Driving beyond 8 hour limit since the end of the last off duty or sleeper period of at least 30 minutes
395.3(b)	60/70 – hour rule violation
395.3B1-PROP	Driving after 60 hours on duty in a 7 day period. (Property carrying vehicle)
395.3B2	Driving after 70 hours on duty in a 8 day period. (Property carrying vehicle)
395.3BR	60/70 – hour rule violation (Property)
395.3(c)	34-hour restart violation (Property)

395.5(a)(1)	10-hour rule violation (Passenger)
395.5A1-PASS	Driving after 10 hour driving limit (Passenger carrying vehicle)
395.5(a)(2)	15-hour rule violation (Passenger)
395.5A2-PASS	Driving after 15 hours on duty (Passenger carrying vehicle)
395.5(b)	60/70 – hour rule violation (Passenger)
395.5B1-PASS	Driving after 60 hours on duty in a 7 day period. (Passenger carrying vehicle)
395.5B2-PASS	Driving after 70 hours on duty in a 8 day period. (Passenger carrying vehicle)
395.8	Driver’s record of duty status (general/form and manner)
395.8(a)	No driver’s record of duty status
395.8(e)	False report of driver’s record of duty status
395.8(f)(1)	Driver’s record of duty status not current
395.8(k)(2)	Driver failing to retain previous 7 days’ logs
395.15(b)	Onboard recording device information requirements not met
395.15(c)	Onboard recording device improper form and manner
395.15(f)	Onboard recording device failure and driver failure to reconstruct duty status
395.15(g)	Onboard recording device information not available
395.15(i)(5)	Onboard recording device does not display required information
398.6	Violation of hours of service regulations – migrant workers
177.816	Driver training requirements
383.95(a)	Violating airbrake restriction
386.72(b)	Failing to comply with Imminent Hazard OOS Order
391.11(b)(2)	Non-English speaking driver
391.11B2S	Driver must be able to understand highway traffic signs and signals in the English language

OUT-OF-SCOPE (NOT COVERED) VIOLATIONS

Following is a list of out-of-scope (not covered) violations under the ORDP plan:

SECTION	VIOLATION DESCRIPTION
395.13(d)	Driving after being declared out-of-service
383.21	Operating a CMV with more than one driver’s license
383.23(a)(2)	Operating a CMV without a Commercial Driver’s License (“CDL”)
383.23(c)	Operating on learner’s permit without CDL holder
383.23(c)(2)	Operating on learner’s permit without valid driver’s license
383.51(a)	Driving a CMV (CDL) while disqualified
383.51A-NSIN	Driving a CMV while CDL is suspended for a non-safety-related reason and in the state of driver’s license issuance
383.51A-NSOUT	Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver’s license issuance

383.51A-SIN	Driving a CMV while CDL is suspended for a safety-related or unknown reason and in the state of driver's license issuance
383.51A-SOUT	Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the driver's license state of issuance
383.91(a)	Operating a CMV with improper CDL group
383.93(b)(1)	No double/triple trailer endorsement on CDL
383.93(b)(2)	No passenger vehicle endorsement on CDL
383.93(b)(3)	No tank vehicle endorsement on CDL
383.93(b)(4)	No hazardous materials endorsement on CDL
383.93(b)(5)	No school bus endorsement on CDL
383.93B5LCDL	License (CDL) – Operating a school bus without a school bus endorsement as described in 383.93(b)(5)
391.11	Unqualified driver
391.11(b)(1)	Interstate driver under 21 years of age
391.11(b)(4)	Driver lacking physical qualification(s)
391.11(b)(5)	Driver lacking valid license for type vehicle being operated
391.11B5-DEN	Driver operating a CMV without proper endorsements or in violation of restrictions
391.11B5-DNL	Driver does not have a valid operator's license for the CMV being operated
391.11(b)(7)	Driver disqualified from operating CMV
391.15(a)	Driving a CMV while disqualified
391.15A-NSIN	Driving a CMV while disqualified. Suspended for non-safety-related reason and in the state of driver's license issuance
391.15A-NSOUT	Driving a CMV while disqualified. Suspended for a non-safety-related reason and outside the state of driver's license issuance
391.15A-SIN	Driving a CMV while disqualified. Suspended for safety-related or unknown reason and in the state of driver's license issuance
391.15A-SOUT	Driving a CMV while disqualified. Suspended for a safety-related or unknown reason and outside the driver's license state of issuance
391.41(a)	Driver not in possession of medical certificate
391.41A-F	Operating a property-carrying vehicle without possessing a valid medical certificate
391.41A-FPC	Operating a property-carrying vehicle without possessing a valid medical certificate after being previously cited
391.41A-P	Operating a passenger-carrying vehicle without possessing a valid medical certificate
391.43(h)	Improper medical examiner's certificate form
391.45(b)	Expired medical examiner's certificate
391.49(j)	No valid medical waiver in driver's possession
398.3(b)	Driver not physically qualified
398.3(b)(8)	No doctor's certificate in possession
392.4(a)	Driver uses or is in possession of drugs
392.5(a)	Possession/use/under influence alcohol-4hrs prior to duty
392.5(a)(3)	Driver in possession of intoxicating beverage while on duty or driving
392.5(c)(2)	Violating OOS order pursuant to 392.5(a)/(b)