



# Safety Insider®

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## Bob's Corner

Well, COVID – 19 still seems to linger and hampers the economy, and the trucking industry. With too many jobs and not enough workers to take them, or those who choose to stay at home, this has hampered businesses. There are few clients that have enough drivers, as recruiting seems to be an almost impossible task. But, retention should be the center of attention. Trucking is definitely the most essential business and in my opinion, will always be, especially with food delivery, medical supplies and other key products! My goodness, it is even hard to buy new vehicles, and used vehicles sell at a premium....yes, even tractors! What is this chip shortage thing anyway? How long will COVID affect us in trucking.

This newsletter is filled with information to guide you through the acquisitions and changes with TLC, the trends in transportation, and the current crisis affecting the trucking industry. It seems the FMCSA has taken a slight break with new regulations, except for the new ELDT regulation that becomes effective in February 2022 and is summarized in this newsletter. The FMCSA has the Clearing House now in full gear. Clients are now accumulated ELD's and Dash Cams, along with other and new innovative devices for driver behavior tracking.

Personal injury attorneys continue to track and blame the trucking industry. It is difficult to watch anything on TV where the "nuclear verdicts" are announced, yet we all know these are huge exceptions, since most accidents involving trucks are non-preventable by the driver. Distracted driving is the number one cause of accidents, and generally not because of the professional driver. Reminding drivers to be prepared, both mentally and physically, and take rest breaks even though not measured on ELDs like the past. Driver health is imperative when spending 11 hours driving and 14 hours on duty each day.

The key to safety is prevention. But this is so overused and often times not exercised. Don't ever tell your drivers to "be safe", as this is too generic. Instead, give them a simple tip like, maintain the six second following distance, check your mirrors every 3-5 seconds, do a thorough pre-trip (maybe focus on an area where there are numerous violations brakes, lights and tires), minimize distractions in the vehicle, hands free communication, use three points of contact, lift using your legs and not your back, etc. In other words, give them focus instead of generic.

When I got my B.S. Degree in Safety Management 40 year ago, in no way did I think I would stay in this profession for the rest of my life. I liked the diversity of different industries at first, but happy now to be focused in trucking....and I wouldn't change a thing! If I was in sales, I could measure success by how many widgets were sold. But in safety, could I measure the number of lives saved, disabling injuries prevented or even minor injuries prevented? I could guess, but would not be very accurate, as only God knows this answer. My point is that being proactive and exercising prevention is sometimes a thankless job, but really does work when you place your heart and soul into realizing that saving lives and preventing injuries is probably the most important focus you can have.

We continue to provide monthly Top Dog® Newsletters to our drivers. Please have them read these as one form of prevention and take the quiz. Only about one of four drivers completes the quiz even though we pay them \$20 and enter them into drawings for 10 quarterly \$250 awards. We award one grand prize each year of \$10,000. This year we presented David Dialing of Gallano Trucking of Rockford, IL with the winning prize.

Our safety team is now back on the road visiting clients again. We also have an online safety training system available to your company through TLC (Infiniti). If interested, let us know. We NEVER forget that Clients are our most valuable asset at TLC and drivers are your most valuable asset!

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## Trucking Industry Crisis?

The supply chain problems plaguing the economy have placed a spotlight on the health of a long overlooked – and sometimes derided – industry: Trucking! Unfortunately, the field has no easy fix; it will take sustained industry and government action to get trucking to the state the economy needs to prosper.

The trucking industry, though a vital piece of the national economy, was already facing headwinds before the pandemic and mainly due to an aging workforce. The average age of a long-haul professional truck driver in 2018 was 55 years old. The pandemic led many drivers to accelerate retirement plans, leaving trucking companies even more starved of drivers than they were previously. Chris Spear, president and chief executive of the American Trucking Association, believes that the shortfall has increased from 61,500 drivers before the pandemic to 80,000 today, and it seems many more than that. That is a lot of trucks sitting idle for the lack of drivers.

The industry had also struggled for years to meet the rising demand for drivers. Drivers were traditionally white men who never graduated from college. The demographic has been shrinking for decades, and neither women nor non-white workers have flocked to fill the gap! The industry's problems have been compounded by federal rules that prohibit people under 21 from driving interstate rigs. That means that young people who know that college is not right for them can't enter the field and must start other careers instead. The market is also filled with positions in typically blue collar fields that also have higher pay scales and home every night. It is also hard to get someone to switch gears once they have started acquiring other skill sets.

The industry is aware of these challenges and is trying to address them. Darrel Harris, president of Yellow Corp., is spearheading a pilot program to recruit more non-white drivers from urban communities. "Drive for Diversity" will target Chicago-area job fairs to find new sources of workers and will expand to five other communities if it proves to be successful. Harris, the first black president of a major trucking company, is passionate about the initiative. As a man who never earned a college degree, he believes that others can follow his path from dock loader to president!

Those are all good efforts, but the government must support them if trucking is to fill its role in the economy. Spear believes that passing the bipartisan infrastructure bill will help with driver recruitment and retention. "Traffic bottlenecks cost over \$74 billion a year in lost productivity, and that added stress also induces many drivers to quit. Reducing congestion will reduce the time drivers are stuck in traffic, which will get goods to market faster and increase driver job satisfaction."

The infrastructure bill also includes another industry priority, the DRIVE-Safe Act. That bill, which has bipartisan support, would repeal the federal prohibition on 18-20 year-olds driving trucks between states. Adopting this proposal would immediately permit as many as 3,000 young people who are currently driving intrastate

routes to be trained to drive long haul routes that the country needs. This would make trucking more appealing to the young workers, potentially increasing the driving pool dramatically over time. But, it is amazing the high cost of attending a licensed certified truck driving school. Grants and financial aid by the government would also be good steps in the right direction!

The federal government could also make the driver shortage worse with the proposed vaccine mandate. The trucking industry overall opposes the measure, noting that long-haul drivers spend most of their working time alone in the cab and do not pose much risk to others. There is also the issue of how professional truckers operate, moving from place to place rather than reporting to one location every day. That makes it difficult and costly to implement the Biden administration's proposed testing alternative to vaccination. Even if a small percentage of drivers quit rather than comply with the mandate, a spike in resignations could snarl the nation's economy even further. Spear notes that Canada's recent vaccine mandate did not include truckers, tacitly recognizing these challenges.

Mobilizing the National Guard, as some in the administration have discussed, would also do little to alleviate the short-term supply chain problems. Driving large trucks and unloading shipping containers safely and efficiently are skills that require training. It is unlikely that there are many National Guardsmen with those skills who aren't already on the job. And since this article was introduced, let's not forget about the hundreds of large shipping containers off the coast of California that need to be unloaded and delivered across the USA. Shall we just consider Christmas in February 2022 and all go on extensive diets?

Little, if any of the above, will solve the country's supply chain problems overnight or will they even be resolved in a reasonable time? The fact is that consumer demand for goods is way up--unsurprisingly, since the government gave people hundreds of billions of dollars in stimulus checks that many didn't need, and billions of dollars of unemployment checks to people that could work but choose to stay home. Shall we just fall flat on our back as a nation and collect and spend rather than be responsible and work? This is an already creaking system that has been wrecked by a sudden influx of goods to move. The entire supply chain network can't expand to the capacity and workforce needed to meet the new demand overnight and maybe not even for years to come. Who knows?

The current crisis shows how much of this country relies on unheralded workers, much as the pandemic's onset exposed the essential work that nurses and grocery clerks perform. Trucking is every bit as crucial to our national health as those professions and deserves equal attention from policymakers at all levels.

## Top 8 Industry Trends in 2021

With growing competition in transportation, companies should begin to deploy new technologies and extensively improve the quality of their services to remain successful in business. In this review, we'll review the current trends in transportation and upcoming winning strategies that will lead the entire transport sphere in 2021 and beyond.

Shipping goods is a significant part of the economy in the USA and other countries. Truck transportation contributed to more than \$150 Billion to the US gross domestic product in 2016. FedEx is the leading freight transportation company and generated over \$60 million of revenue in the same year. Logistics companies are mostly focused on servicing an E-commerce market. Fred Smith, the founder of FedEx, forecasted this market to reach the value of \$2.4 trillion by 2018 with a 26% growth. We do not have these statistics, but believe the market expansion to be on track with this and grow even higher.

The key to the success in transportation is offering the most cost effective, flexible and efficient services. That is why shipping companies should turn towards the most recent trends and follow the strategies that will help outpace the other market players. Let's review the Top 8 Industry Trends:

### Trend #1 Cloud-Based Systems Adoption

The platforms in 2021 are cloud-based systems adoption since the platforms in the cloud force a software-as-a-service (SaaS) model that opens unlimited opportunities for companies' scalability digital resources usage. It allows reaching higher profitability and exceeding the common returns of on-premises systems capabilities.

### Trend #2 Integrated, Frictionless Travel

The necessity to make travel more smooth and hassle-free is mostly manifested through the rise of mobility-as-a-service (MaaS). This would involve optimization of the infrastructure, creation of mobility hubs for multimodal transportation, building platforms for ticketless travel and introduction of innovations in micro mobility and last mile connections.

### Trend #3 Visibility and Anti-Theft GPS

E-Commerce, retail and logistic companies are now focused on increased visibility and thus tracking technologies adoption for increased traceability are major driving trends. Anti-theft GPS is a means to receive near real-time locations for entire fleets and separate items in transit. Security protocols also help to avoid losses.

### Trend #4 Self-Driving Trucks

The technology for self-driving trucks is still being perfected and has to overcome certain obstacles such as driverless software to make it able to efficiently operate on urban roads with heavy traffic. However, when this will happen we do not know but should prepare for upcoming technology changes within the industry and start to equip trucks with self-navigating management systems that learn from real (and safe) drivers.

### Trend #5 Regulation Compliance

It is more correct to say that regulatory compliance is a must rather than a trend. Transportation companies must stay up-to-date on recent requirements and regulations adopted by local, state or federal agencies.

### Trend #6 Blockchain in Logistics

This is transformative technology in distribution and transportation. This simply is technology to ensure the accuracy of performance history records. When a truck is sold for the second time and more, it helps to ensure information is trustworthy. Another perspective is capacity monitoring. Cost of a load depends on cargo volume and calculation of shipping costs. Storing this information in a block chain-based system with a smart contract will allow self-executing payments on the base of the amount of space taken by weight.

### Trend #7 Address Delivery

The growth of E-commerce businesses leads to a rising demand for address deliveries. Proving better service means being more competitive. Heavy trucking businesses should consider adding a fleet of small vehicles to conquer a bigger piece of this market. We call it optimization of the last mile delivery.

### Trend #8 Drone Delivery

Within a last mile delivery is a focus among both retailers and transportation companies where some already deliver packages to companies and people by drones. In 2016 when Amazon first delivered an order by drone, many thought this would not work. But Amazon's new program called Prime Air initially implied that a customer would get their package in 30 minutes. This system is not out of the question by Amazon's success and various companies are now investing in drone delivery to increase cost-effectiveness and positive customer experience. Will you company consider this in the future?

## Retain Drivers by Encouraging Health

Driver retention continues to be a long-standing issue in the trucking industry. According to the American Transportation Research Institute (ATRI), driver shortage and driver retention are the top two current concerns for motor carriers. That being said, keeping drivers on the road is critical, and so the industry can't afford to lose CDL drivers to the DOT Recertification Physical.

Every two years, drivers are required to take a physical examination to ensure both their own safety and the safety of others on the roads. Truck driving is a physically and mentally demanding job, and understandably so, the driver lifestyle can take a toll on one's health. However, when failing their exam puts them out of a job and contributes to the driver shortage problem, it's not something to take lightly.

The most common conditions that disqualify drivers from re-certification are high blood pressure (must remain 140/90 or below) and high blood sugar (must have a normal reading of 80-120). These conditions are mostly caused by having too much salt, sodium, and/or glucose in your body. Avoiding disqualification and improving health doesn't take a lot; simply staying hydrated and exercising daily are easy ways to ensure passing the re-certification.

Motor carriers can encourage their drivers to stay healthy and pass their DOT exam with these helpful tips:

- Replace one soda per day with water
- Walk a mile a day; 33 laps around your truck = 1 mile
- Add one high fiber food to your diet per day
- Eliminate one high sodium food from your diet per day
- Avoid coffee and cigarettes
- Rest well and meditate to reduce stress and anxiety

By encouraging a healthy lifestyle, not only do you help drivers remain physically fit, but also improve their mental well-being. Showing that their health and safety is important helps with employee satisfaction and overall retention.

## Entry-Level Driver Training (ELDT)

FMCSA's Entry Level Driver Training (ELDT) regulations set the baseline for training requirements for entry-level drivers. This includes those applying to:

- Obtain a Class A or Class B CDL for the first time;
- Upgrade an existing Class B CDL to a Class A CDL; or
- Obtain a school bus (S), passenger (P) or hazardous materials (H) endorsement for the first time.

The ELDT regulations are not retroactive; the entry-level driver training requirements do not apply to individuals holding a valid CDL or an S, P or H endorsement issued prior to February 7, 2022.

If an applicant who obtains a CLP prior to February 7, 2022, obtains a CDL before the CLP or renewed CLP expires, the applicant is not subject to the ELDT requirements.

Any individual who meets one of the exceptions for taking a skills test in 49 CFR Part 383 is also exempt from the ELDT requirements.

### About the Training Provider Registry

Once operational, the FMCSA Training Provider Registry will retain a record of which CDL applicants have completed the new training and certification process outlined in the Entry-Level Driver Training (ELDT) regulations.

For more information about the ELDT regulations and the Training Provider registry, visit <https://tpr.fmcsa.dot.gov>.

The ELDT regulations and the Training Provider Registry were mandated under the Moving Ahead for Progress in the 21st Century Act (MAP-21). The ELDT final rule was based, in part, on consensus recommendations from the Agency's Entry-Level Driver Training Advisory Committee (ELDTAC), a negotiated rulemaking committee that held a series of meetings in 2015.

## Benefits Webinar

Monique Parent (Benefits Director) and Eric Lynn (Chief Commercial Officer) hosted a webinar on how a truly robust benefits plan can help differentiate you in acquiring and retaining talent. Some of the topics of the conversation included:

- The marketplace is changing. What is out there for you to choose from?
- What elements of a benefits program are the most relevant and sought after today?
- Benefits can be expensive. What's the cost though of not having a benefits program?
- How labor intensive is the administration of the a benefits program?
- Can I charge more for someone who is unvaccinated?
- And much more....

The recording can be accessed here:

<https://transcripts.gotomeeting.com/#/s/3a6899a6891dfddd53362f8d46c1dd7dce5fba1cbc9a0773e7eb89f2d5d1448e>

## TLC is Growing!

Over the course of the last year TLC's ownership team has been active in the acquisition arena. With the recent acquisitions of Kymberly Group ([www.kymberlygroup.com](http://www.kymberlygroup.com)) and American Payroll & Benefits ([www.americanpayrollandbenefits.com](http://www.americanpayrollandbenefits.com)) we are pleased to report that a total of 57,000+ employees and 2,500 clients now reside within our family of companies. Each company is being run independently, however, all of us are committed to a focused collaborative attitude of ensuring each of our clients receive the highest level of customer service possible. Why does this matter to you? Not only have we expanded our competency across multiple industry arenas, but even more importantly at this scale we are able to offer additional products, services and geographic coverage than ever before. As we grow through we are committed to remaining local in feel and to never lose the intimacy we strive to have with you, our client. Understanding your business and even more importantly enabling you to grow and remain in compliance will never leave our cross hairs. Thank you for your continued patronage as we continue on our journey to evolve into an even better partner.

## File Sharing for Clients & Employees

Introducing a new secure document upload for clients and employees on [www.tlchrconnect.com](http://www.tlchrconnect.com).

For **clients**, *Virtual File Cabinet* provides a means to upload files directly to your employees, or shared with TLC Companies.

Four different security options exist:

- **All Employees** – visible to all your employees who log into [www.TLCHRConnect.com](http://www.TLCHRConnect.com). Restricted to logins who are employed or expressly affiliated with your company
- **Shared only with TLC Companies** – visible only to you and the TLC visible only to you and the TLC department with whom you are sending the file (sales, benefits, payroll, etc.)
- **One Specific Employee** – visible to you and the logged in em/employee. This document will show up for the logged in employee under *My TLC:My Files*
- **Restricted to 'Employee Files' secured menu** – visible to all client-level users who have access to the Employee Files menu

For **employees**, *My Files* has a new option to upload documents directly to their personnel profile. Employees can upload a direct deposit authorization form, copy of their driver's license or a photo of their medical card to keep their DOT profile compliant. Any document uploaded by employees is visible to all client-level users who have access to the *Employee Files* menu.

Contact your Client Account Manager for details and to get started today!

## 2021 ACA Reporting (1094/1095)

### Is Your Company Subject to ACA?

If your company, or control group of companies, employed an average of 50 or more Full Time equivalent employees during 2020, then you're an "Applicable Large Employer" (ALE) in 2021. An ALE is obligated under the Affordable Care Act (ACA) to offer an affordable, minimum levels of health coverage to employees and to report on this coverage with Forms 1094/1095-C to the IRS and to employees in January 2022.

### TLC is Requesting ACA Plan Data Now

TLC provides a Form 1094/1095-C preparation service, and the TLC Benefits Department is in the process of reaching out by email to clients who have used this service in the past, or clients we have identified that are, or may be, ALEs. If you need this service for 2021 reporting, it is critical that TLC Benefits receives your plan data no later than December 1st. One exception: if your group participated in the TLC Aetna medical plan for all of 2021, we already have your plan data. It's important to note that if you had control group companies or any employees during 2020-2021 not processed through TLC (i.e. TLC does not have record of), we may not identify your company as a potential ALE. If you have any questions about this service or the cost, or if we have not reached out to you and you're in need of ACA reporting services, please call TLC Benefits by November 15th to get started—at 877-248-8360, or [tlcbenefitsaca@tlccompanies.com](mailto:tlcbenefitsaca@tlccompanies.com).

## 2022 Benefits Open Enrollment Has Begun

### 2022 Benefit Options

Open Enrollment has started for 2022 TLC Benefits—employees will be receiving information via mail and online. We also mailed you an update in October. There are no changes in 2022 to the MetLife or TransAmerica benefits or rates—this includes Dental, Vision, Flex Spending Accounts, Life, Disability, Accident, Critical Illness, Hospital Indemnity, and Legal plans (may vary per worksite).

### TLC Aetna Group Medical

If your group participates in the TLC Aetna medical plan, your renewal and updates were sent to you in October. If you do not participate in the TLC Aetna medical plan, you have at least 10 FT employees, and you're interested in a no-obligation quote for group medical, please contact TLC Benefits at 800-825-3832 or [tlcbenefits@tlccompanies.com](mailto:tlcbenefits@tlccompanies.com). Minimum participation and contribution requirements apply.

### Employee Enrollment Options

Employees have access to an online enrollment portal available 24/7 ([tlc.enroll1st.com](http://tlc.enroll1st.com)), as well as a call center with live agents Monday through Friday 8am to 7pm EST (866-629-4531). Both portal and call center are available through the Dec. 8th open enrollment deadline, as well as year-round for new hires to enroll as they become eligible.

### No Personal ID Cards for Dental and Vision Plans

MetLife does not issue Personalized ID cards for Dental or Vision. Providers verify coverage with the member's SSN and do not need an ID card. The best access to coverage information for enrolled employees – including digital ID cards if desired – is via MetLife's MyBenefits portal ([mybenefits.metlife.com](http://mybenefits.metlife.com), search for sponsoring employer name TLC Companies). For additional questions or details, please have employees contact TLC Benefits at 800-825-3832 or [tlcbenefits@tlccompanies.com](mailto:tlcbenefits@tlccompanies.com).

# COVID Sick Pay Ended 09/30/21

The Emergency Paid Sick and Family Leave and the offsetting employer payroll tax credit expired on 9/30/2021. The paid leave and tax credit, which were introduced by the Families First Coronavirus Response Act (FFCRA) in April 2020, were extended on a voluntary basis for employers in the first 9 months of 2021. In the last year and a half, TLC has processed over \$1.5 million in emergency sick pay wages and employer payroll tax credits for clients. If you had any employees who were out for COVID-related reasons through September 2021, we can still process the sick pay and payroll tax credit retroactively for a limited time. If you have any questions about this, please call the TLC Corporate Benefits Dept at 877-248-8360; ask for Monique (ext. 7054) or Kathy (ext. 7061). Or email us at [TLCbenefits@TLCcompanies.com](mailto:TLCbenefits@TLCcompanies.com).

Note that certain state or local laws may have different requirements, which employers must also consider when determining their obligation to provide paid sick leave. See <https://www.dol.gov/agencies/whd/state/contacts> for information about leave laws in your state.

## Mobile Carriers are Sunsetting 3G

Mobile carriers are shutting down their 3G networks to make room for more advanced network services, including 5G. As a result, many older cell phones and other mobile devices will be unable to use data services.

Once a 3G network is no longer supported, it is highly unlikely that any ELDs that rely on that network will be able to meet the minimum requirements established by the ELD Technical Specifications, including recording all required data elements and transferring ELD output files.

Therefore, any ELD that requires 3G cellular connectivity to perform its functionality will no longer be in compliance with the technical specifications in the ELD rule after the 3G network it relies on is sunset. When in an area that does not support 3G, a 3G device will register a malfunction. In accordance with 49 CFR 395.34, the carrier has 8 days to get the malfunction resolved, in this case by replacement, unless an extension is granted.

The announced sunset dates are below.\* These are dates for completing the shutdowns. **Mobile carriers are planning to retire parts of their networks sooner.**

- AT&T 3G: February 22, 2022
- Sprint 3G (T-Mobile): March 31, 2022
- Sprint LTE (T-Mobile): June 30, 2022
- T-Mobile 3G: July 1, 2022
- Verizon 3G: December 31, 2022

\*Subject to change. Contact your mobile carrier for up-to-date information.

Note: Many other carriers, such as Cricket, Boost, Straight Talk, and several Lifeline mobile service providers, utilize the AT&T, Verizon and T-Mobile networks.

### Confirm whether your ELD relies on a 3G network

If you are unsure if your ELD relies on a 3G network, contact your ELD provider. If your ELD does not rely on 3G, and meets all minimum requirements, no further action is needed.

### Ask your provider for their upgrade or replacement plan

If your ELD relies on a 3G network, ask your ELD provider about their plan for upgrading or replacing your device to one that will be supported after the 3G sunset, and complete the necessary actions as soon as possible.

The earliest announced sunset completion date is February 22, 2022. See all announced dates listed above and plan accordingly to avoid service disruptions and compliance issues. FMCSA strongly encourages motor carriers to take the above actions as soon as possible to avoid compliance issues, as portions of carrier 3G networks will be unsupported in advance of the announced sunset dates.

For more information visit [ELD@dot.gov](mailto:ELD@dot.gov).

## Compliance Posters

The following states that have updated their 2022 compliance posters.

States	
Arizona	Missouri
California	Montana
Colorado	New Jersey
Connecticut	New Mexico
Delaware	New York
District of Columbia	Ohio
Illinois	Oregon
Maine	Rhode Island
Michigan	Vermont
Minnesota	Washington

There are several states that have locality updates as well: Arizona, California, Colorado, Florida, Maine, New Mexico and Washington.

Please contact Khalil Yasin at [kyasin@tlccompanies](mailto:kyasin@tlccompanies) for updated posters.

## Behind the Scenes @ TLC

### Online Safety Training

TLC has a relationship with Vertical Alliance for online driver safety training. Over 850 videos are online, updated periodically and accessible to drivers. The website also contains many other resources and documents. These videos are typically 4-8 minutes in length, but also include a test to help drivers to learn and to document the training. This is a comprehensive learning system that can also be used to defend drivers and your company in the event of serious accidents and associated liability. Let us know and we can review this in more detail with you on our visits or anytime by phone or email.

### Sales Anniversary

Please join us in congratulating Steven Thorn on 17 years in the Sales Department at TLC.

Steve's left an indelible imprint on not only the past, but continues to help mold an even brighter future. Thank you for your contributions, Steve.

### CDL Legal

DOT regulations have never been more restrictive than they are today. As a result, more tickets and fines are being issued. In addition, drivers are difficult to recruit and retain. Protect your drivers against the violations that could affect their CDL and your company's CSA Status.

Because of this, TLC offers the most comprehensive CDL Legal plan for drivers. Some of the key benefits are the following:

- 95% success rate defending moving and non-moving violations
- Timely citation claim reports to our clients
- CSA challenges through Data Q
- Use local attorneys and pay in advance
- Driver discounts and roadside assistance
- New Benefit - Carrier Guard - a Fleet Safety Dashboard that tracks and monitors all violations. Available free of charge with five or more drivers enrolled with CDL Legal

To learn more, please go to [www.cdlegal.com/TLC](http://www.cdlegal.com/TLC) for more information and for easy driver sign-up.