



Department of Transportation (DOT) Regulations & Expectations

Graham Company & Sutphen
Captain Ballroom
3:00-3:30 PM



Overview

Introduction

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DOT Regulations & Compliance

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Federal Motor Carrier Safety Administration

1. Data Collected for Safety Management System (SMS)

- Roadside Inspections, Accidents, Traffic Stops, Audits

2. Data Collected in 7 BASIC Categories

- Unsafe Driving
- Crash Indicator- Not Public
- Hours of Service Compliance
- Vehicle Maintenance
- Controlled Substances and Alcohol
- Hazardous Materials Compliance- Not Public
- Driver Fitness

3. Safety Ratings Issued

- Satisfactory
- Conditional
- Unsatisfactory/Suspended



Effective January 2000

Understanding Exceptions

- 390.3(f) – Exception. Unless otherwise specifically provided, the rules in this subchapter do not apply to:
 - 390.3(f)(5) – The operation of fire trucks and rescue vehicles while involved in emergency and related operations.



Types of Inspections

1. Roadside Inspection
2. Administrative Audit



Required Documentation

- Driver Application
- Motor Vehicle Record (MVR)
- Annual List of Violations
- Annual Review of Driving Record
- Appropriate License (CDL)
- Sutphen's Entry-Level Driver Training
- Pre-Employment Drug Screen
- Background Check
- Medical Exam Certificate (Med Card)
- Education Materials Issued to Driver
- Drug and Alcohol Testing
- Hours of Service (HOS) Records



Driver Qualification Checklist

Top Regulation Fines for Non-Compliance

Violation	Average Fine	Top Fine	Type of Violation
Driver fails to complete log	\$9,162	\$137,060	Critical
Driver operates vehicle without physical exam	\$2,800	\$11,500	Critical
Carrier fails to keep a driver qualification file for each driver	\$1,236	\$2,130	Critical
Driver qualification file is missing a copy of medical certificate	\$1,577	\$2,670	Critical
Failing to implement a random drug & alcohol program	\$2,459	\$8,250	Acute
Failing to randomly test drivers for drugs	\$3,641	\$27,900	Critical

Source: <https://cdlconsultant.com/dot-violations-examples-fines/> ; <http://dot-safety.com/violations-and-fines>

The Bottom Line



Looking Forward...



Sutphen Driver Support & Compliance

1. Review & Define Driver Program - Guidelines, Policies, and Procedures

- Clearly Defined Guidelines, Policies, and Roles/Responsibilities
- Review Current Program, Documentation, and Requirements
- Identify Areas of Improvement & Develop a Plan

2. Train & Certify

- Dealer and Driver Trainings (Webinars and onsite)
- Driver and Demo Certifications

3. Leverage Resources

4. Maintain Compliance

- Affidavit
- Self-Audit/Checklist
- Audits



Next Steps & Questions

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Driver Qualification File Checklist

[49 CFR 391](#) explains the minimum requirements for commercial motor vehicle drivers. Motor carriers are required to maintain a [qualification file](#) for each of their drivers. The following checklist will help you ensure that each driver qualification file is complete.

✓		Form/Inquiry/Note to Include	Must Retain Document For
	Ongoing Updates	Inquiry To State Agencies for Driving Record – Annual — 49 CFR 391.25 (a) and (c) Motor carriers must contact State agencies annually for an updated copy of each driver's MVR.	3 years from date of execution
		Review of Driving Record – Annual — 49 CFR 391.25 (c) (2) At least once every 12 months, the carrier must collect a current motor vehicle record (MVR) from the State issuing a driver's license, and review the MVR to determine whether the driver still meets the minimum requirements for safe driving, and to confirm they are not disqualified pursuant to 49 CFR 391.15. A note including the name of the person who performed this review and the date must be retained in the file with the MVR.	3 years from date of execution
		Driver's Certification of Violations – Annual — 49 CFR 391.27 At least once every 12 months, drivers must submit a list of all convicted violations of motor vehicle traffic laws and ordinances during the previous 12 months. Carrier must review this and compare it with the driver's annual MVR. Note: Drivers who have provided information required by 49 CFR 383.31 need not repeat information in this annual list of violations.	3 years from date of execution
		Medical Examination Report and Medical Examiner's Certificate — 49 CFR 391.43 All commercial drivers are required to pass a physical exam conducted by a licensed medical examiner at least once every 24 months. The carrier must retain a copy of this certificate. For CDL drivers; the carrier must retain a copy of the CDLIS motor vehicle record, which contains the examination information.	3 years from date of execution
		Employer note verifying that medical examiner is listed on National Registry of Certified Medical Examiners — Non-CDL drivers: 49 CFR 391.51(b)(9)(i) ; CDL drivers: 49 CFR 391.51(b)(9)(ii) A note must be included in the driver's qualification file to verify that the medical examiner is listed on the National Registry of Certified Medical Examiners .	3 years from date of execution
	Initial DQ File Documents	Driver's Application for Employment — 49 CFR 391.21 A driver must not drive a CMV unless an application for employment is completed and signed.	Life of employment + 3 years after termination
		Driver's Road Test Certificate or Equivalent* — 49 CFR 391.31(e) A person must not drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate.	Life of employment + 3 years after termination
		Inquiry to Previous Employers: Safety Performance History Records Request — 49 CFR 391.23(a)(1)and(b) Carriers must investigate the driver's employment record during the preceding three years. This investigation must be completed within 30 days of the date employment begins. Carrier must retain a record of the request and all response documentation.	Life of employment + 3 years after termination

Driver Qualification File Checklist

✓		Form/Inquiry/Note to Include	Must Retain Document For
	Initial DQ File Documents	Safety Performance History Records: Driver Correction or Rebuttal (if applicable) — 49 CFR 391.23(i)(2) and 49 CFR 391.23(i)(3) Carriers must maintain a record of both the request for a driver's safety performance history and any related documentation, for example if a driver documents that information in the history is inaccurate.	Life of employment + 3 years after termination
		Inquiry To State Agencies for 3-Year Driving Record — 49 CFR 391.23(a)(1)and(b) Carriers must contact State agencies for the driver's MVR for the past three years. Request must be made within 30 days of hire. MVR must be kept in the driver's personnel file, and updated annually. See "Review of Driving Record" entry above.	Life of employment + 3 years after termination
		Pre-Employment Drug and Alcohol Documents — 49 CFR 40.25(i) ; 49 CFR 382.301 Employers must ask potential employees if they have tested positive or refused to test, on any pre-employment drug or alcohol test within the past three years. If the potential employee admits to having a positive test or refused to test, that individual must not perform safety-sensitive functions until the successful completion of the return-to-duty process. Documentation demonstrating completion of return-to-duty process must be retained in the driver qualification file.	See Controlled Substances and Alcohol chapter for recordkeeping requirements.
		The following additional documents are only required for certain types of drivers, or in specific situations.	
		Entry-Level Driver Training Certificate — 49 CFR 380.509(b) All CDL drivers with less than one year experience must provide this certificate.	3 years from date of execution
		Longer Combination Vehicle (LCV) Driver Training Certificate — 49 CFR 380.401 A driver must not operate an LCV unless the driver can produce an LCV Driver Training Certificate or an LCV Driver Training Certificate of Grandfathering.	Life of employment + 3 years after termination
		Longer Combination Vehicle (LCV) Certificate of Grandfathering — 49 CFR 380.111	Life of employment + 3 years after termination
		Multiple-Employer Drivers — 49 CFR 391.63	Life of employment + 3 years after termination
		Skill Performance Evaluation Certificate — 49 CFR 391.49	3 years from date of execution

Driver Qualification File Checklist Documents

INTRODUCTION

[Driver Qualification File Checklist](#)

[Application for Employment](#)

[Request for Information from Previous Employer](#)

[Inquiry to State Agency for Driver's Record](#)

[Annual Review of Driving Record](#)

[Driver's Certification of Violations](#)

[Driver's Road Test Examination](#)

[Medical Examination Report and Medical Examiner's Certificate](#)

[Multiple-Employer Drivers](#)