

## PART 390

### Federal Motor Carrier Safety Regulations: General

#### General Applicability (390.3)

The Federal Motor Carrier Safety Regulations (FMCSRs) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce.

Every employer shall be knowledgeable of and comply with all regulations contained in the FMCSRs which are applicable to that motor carrier's operations.

Every driver and employee shall be instructed regarding, and shall comply with, all applicable regulations contained in the FMCSRs.

All motor vehicle equipment and accessories required by the FMCSRs shall be maintained in compliance with all applicable performance and design criteria set forth in the FMCSRs.

#### General Applicability: Exceptions (390.3)

Unless specifically stated, the rules in the FMCSRs do not apply to:

- ▶ School bus operations as defined in 49 CFR section 390.5;
- ▶ Transportation provided by Federal, State, local governments, or an agency established under a compact between States that has been approved by the Congress of the United States;
- ▶ Occasional transportation of personal property by individuals not for compensation nor for commercial purposes;
- ▶ Transportation of human corpses or sick and injured people;
- ▶ The operation of fire trucks and rescue vehicles while involved in emergency and related operations;
- ▶ Transportation provided by commercial motor vehicles transporting between 9 and 15 passengers (including the driver), **not for direct compensation**, except for the requirements to file the Motor Carrier Identification Report (MCS-150), maintain an accident register, and mark the vehicles with the motor carrier identification number;

#### General Applicability: Carriers that Transport HMs in Intrastate Commerce (390.3)

Motor carriers that transport hazardous materials in intrastate commerce must comply with specific sections/parts of the FMCSRs as noted below:

- ▶ Subparts A (General) and E (Hazardous Materials Safety Permits) of 49 CFR Part 385 of the FMCSRs for carriers subject to the requirements Hazardous Materials Safety Permit concerning 49 CFR section 385.403 of the FMCSRs.
- ▶ Part 386 of 49 CFR, Rules of practice for motor carrier, broker, freight forwarder, and hazardous materials proceedings of the FMCSRs.
- ▶ Part 387 of 49 CFR, Minimum Levels of Financial Responsibility for Motor Carriers, to the extent provided in 387.3 of the FMCSRs.
- ▶ Section 390.19 of 49 CFR concerning Motor carrier identification report and 49 CFR section 390.21 concerning Marking of CMVs, for carriers subject to the Hazardous Materials Safety Permit requirements of 49 CFR section 385.403 of the FMCSRs.

## Definitions (390.5)

*Accident* is an occurrence involving a commercial motor vehicle operating on a public road that results in at least one of the following:

- A fatality;
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- Disabling damage to one or more motor vehicles, requiring the vehicle(s) to be towed or otherwise transported from the scene by a tow truck or other vehicle.

*Commercial Motor Vehicle* means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds (4,536 kg) or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- Is used in transporting a quantity of hazardous material requiring placarding.

**NOTE:** The general definition for commercial motor vehicle is noted above and in 49 CFR section 390.5. The above commercial motor vehicle definition refers to a vehicle used on highways, in interstate commerce, that meets at least one of the four above criteria. The regulations in 49 CFR Parts 390 through 396 apply to drivers of vehicles meeting the above definition.

Also, a different definition of “commercial motor vehicle” is used for 49 CFR Parts 382 and 383. These parts regulate the commercial driver’s license (CDL) (49 CFR Part 382) and alcohol and drug testing (49 CFR Part 383). This definition, as noted in 49 CFR section 383.5 and below, refers to a vehicle used in commerce, whether **interstate or intrastate** that meets one of the following criteria:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
- Has a gross vehicle weight rating of 26,001 or more pounds;
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of hazardous materials.

*Interstate commerce* means trade, traffic, or transportation in the United States—

- Between a place in a State and a place outside of such State (including a place outside of the United States);
- Between two places in a State through another State or a place outside of the United States; or
- Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.

*Intrastate commerce* means any trade, traffic, or transportation in any State which is not described in the term “interstate commerce.”

## Accident Register (390.15)

(See form on page 50)

For a period of three years after an accident (as defined above) occurs, motor carriers are required to maintain an accident register containing the following information:

- Date and place of accident
- Driver’s name
- Number of injuries and fatalities

Whether hazardous materials (other than fuel spilled from the fuel tanks of motor vehicle involved in the accident) were released. If the accident involves the release of hazardous materials cargo, see the hazmat incident reporting section of this guide for further requirements.

Motor carriers are also required to maintain copies of all accident reports required by State or other governmental entities or insurers for a period of three years after an accident occurs.



### Filing the MCS-150 Report (390.19)

The Motor Carrier Identification Report (MCS-150) is a one-page form that must be filed with the FMCSA by all motor carriers operating in interstate commerce. The MCS-150 report must be processed by the FMCSA before the motor carrier begins operations. After processing the MCS-150, FMCSA will issue the motor carrier a U.S. DOT number (identification number).

Certain carriers of hazardous materials must obtain an FMCSA Hazardous Materials Safety Permit. Carriers qualifying for this permit file the MCS-150B “Combined Motor Carrier Identification Report and HM Permit Application” in lieu of the MCS-150.

The below websites provide more information concerning filing the MCS-150 report and to electronically submit the MCS-150 form over the internet:

<http://www.fmcsa.dot.gov/about/other/faq/faqs.asp>

<http://www.fmcsa.dot.gov/registration-licensing/registration-licensing.htm>

If you do not have access to the internet, you can call FMCSA’s toll-free number at 1-800-832-5660 for assistance.

All motor carriers, except as provided in 49 CFR section 390.19(g) with reference to the Performance and Registration Information Systems Management (PRISM) program, are required to file a MCS-150 once every 24 months after beginning its operations. The schedule for updating the MCS-150 information is listed below:

U.S. DOT Number ending in:	Must file by last day of:
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
0	October

If the next-to-last digit of its U.S. DOT number is odd, the motor carrier shall file its update in every odd-numbered calendar year. If the next-to-last digit of the U.S. DOT number is even, the motor carrier shall file its update in every even-numbered calendar year.

### Vehicle Identification (390.21)

Every commercial motor vehicle operated by a motor carrier in interstate commerce must be marked, on BOTH sides of vehicle, with the following:

- The motor carrier’s name or trade name
- The motor carrier’s identification number, preceded by “US DOT”
- The size, shape and color markings must be in letters that contrast sharply in color with the background on which the letters are placed
- The lettering must be readily legible during daylight hours, from a distance of 50 feet

### Relief from Regulations During Emergencies (390.23)

Relief from Parts 390 – 399 of the FMCSRs may be granted during declared emergencies to any motor carrier who provides emergency assistance.



# PART 391

## Qualification of Drivers

### Applicability (391.1)

Persons who drive commercial motor vehicles are subject to minimum qualification as specified in 49 CFR Part 391. The rules in this part also establish minimum duties of motor carriers with respect to the qualifications of their drivers. As well, a motor carrier who employs himself/herself as a driver must comply with both the rules in this part that apply to motor carriers and the rules in this part that apply to drivers (i.e. owner operators with authority).

### General Exemptions (391.2)

#### ■ Farm custom operation

The rules in 49 CFR Part 391 do not apply to a driver who drives a commercial motor vehicle controlled and operated by a person engaged in custom-harvesting operations, as specified in 49 CFR section 391.2(a), if the commercial motor vehicle is used to—

- Transport farm machinery, supplies, or both, to or from a farm for custom harvesting operations on a farm; or
- Transport custom harvested crops to storage or market.

#### ■ Apiarian industries

The rules in 49 CFR Part 391 do not apply to a driver who is operating a commercial motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees as specified in 49 CFR section 391.2(b).

#### ■ Certain farm vehicle drivers

As specified in 49 CFR section 391.2(c), the rules in 49 CFR Part 391 do not apply to a farm vehicle driver except a farm vehicle driver who drives an articulated (combination) commercial motor vehicle as defined in 49 CFR section 390.5. (For limited exemptions for farm vehicle drivers of articulated commercial motor vehicles reference 49 CFR section 391.67.)

### Driver Requirements/Responsibilities (391.11 & 391.13)

A driver must meet the following requirements and responsibilities:

- Be at least 21 years of age;
- Speak and read English well enough to converse with the general public, understand highway traffic signals, respond to official questions, and be able to make legible entries on reports and records;
- Be able to drive the vehicle safely;
- Be in good health and physically able to perform all duties of a driver;
- Possess a valid medical certificate;
- Have only one valid commercial motor vehicle operator's license;
- Provide an employing motor carrier with a list of all motor vehicle violations or a signed statement that driver has not been convicted of any motor vehicle violations during the past 12 months. A disqualified driver must not be allowed to drive a commercial motor vehicle for any reason;
- Qualified to drive a CMV;
- Pass a driver's road test or equivalent; and,
- Know how to safely load and properly block, brace, and secure the cargo.

### Driver Qualification File Checklist (391.51)

Every motor carrier must have a qualification file for each regularly employed driver.

The file must include:

#### DRIVER'S APPLICATION FOR EMPLOYMENT (391.21)

A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment.

#### DRIVING RECORD FROM STATE AGENCY (INQUIRY) – 3 YEARS (391.23(a)(1) & (b))

The driver's driving record for the preceding three years.

### **DRIVER'S ROAD TEST CERTIFICATE (391.31) OR EQUIVALENT (391.33)**

A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to CFR section 391.33.

### **INQUIRY TO STATE AGENCIES FOR DRIVING RECORD (391.25(c)(1))**

Request driving record annually for each driver.

### **ANNUAL REVIEW OF DRIVING RECORD (391.25(c)(2))**

The motor carrier must annually review/certify the driving records for all drivers operating a commercial vehicle to determine whether or not they meet the minimum requirements for safe driving and have no disqualifying offenses pursuant to 49 CFR section 391.15. A note stating the results of this review shall be included in the Driver's Qualification File.

### **ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS (391.27)**

At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months.

**NOTE:** Drivers who have provided information required by 49 CFR section 383.31 need not repeat that information in this annual list of violations.

### **MEDICAL EXAMINER'S CERTIFICATE (391.43)**

The driver must pass a medical examination conducted by a licensed medical examiner as defined in 49 CFR section 390.5. A driver must be issued a Medical Examiner's Certificate, which must be carried at all times and must be renewed every two years unless the medical examiner specifies a date of less than two years on the certificate.

### ○ **SKILL PERFORMANCE EVALUATION (SPE) CERTIFICATE (391.49)**

If applicable, drivers with Impairment or amputation of a limb must maintain SPE certificate.

### ○ **ENTRY - LEVEL DRIVER TRAINING CERTIFICATE (380.509(b))**

### ○ **LONGER COMBINATION VEHICLE DRIVER TRAINING CERTIFICATE (380.401) OR CERTIFICATE OF GRANDFATHERING (if applicable) (380.111)**

### **Driver Investigation History File Checklist (391.53)**

Each motor carrier must maintain files relating to the investigation into the safety performance history of a new or perspective driver. This data must only be used for the hiring decision. This file must be maintained in a secure location with controlled access and must include:

### **INQUIRY TO PREVIOUS EMPLOYERS – 3 YEARS**

An investigation of the driver's:

- Employment record during the preceding three years. (49 CFR section 391.23(d)(1))
- Accident history during the preceding three years. (49 CFR section 391.23(d)(2))
- Alcohol and Control Substance testing records during the preceding three years. (49 CFR section 391.23(e))

### ○ **CONTROLLED SUBSTANCE AND ALCOHOL TESTING DRIVER RELEASE FORM IF APPLICABLE (391.53(b)(1))**

### ○ **NOTES OF RESPONSES RECEIVED FROM THE ABOVE INVESTIGATIONS (391.3(b)(2))**

## Examples of Physical Requirements (391.41)

- Has no loss of a foot, a leg, a hand, or an arm, or has been granted a skill performance evaluation certificate pursuant to 49 CFR section 391.49.
- Has no impairment of a hand or finger which interferes with prehension or power grasping or has been granted a skill performance evaluation certificate pursuant to 49 CFR section 391.49.
- Has no impairment of an arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a CMV or has been granted a skill performance evaluation certificate pursuant to 49 CFR section 391.49.
- Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control or has been issued a diabetic or vision exemption.
- Has no current clinical diagnosis or any disqualifying heart disease.
- Has no established medical history or clinical diagnosis of a respiratory dysfunction.
- Has no current clinical diagnosis of high blood pressure.
- Has no established medical history or clinical diagnosis of arthritis.
- Has no clinical diagnosis or clinical history of epilepsy.
- Has no mental, nervous, organic, or functional disease or psychiatric disorder.
- Has 20/40 vision or better with or without corrective lenses.
- Has distant binocular acuity of at least 20/40 in both eyes with or without corrective lenses.
- Has the ability to recognize the colors (red, green and amber) of traffic signals.
- Has hearing to perceive a forced whisper voiced equals to or greater than 5 feet with or without hearing aid or average hearing loss in the better ear equals or less than 40 dB.
- Has no history of drug use or any other substance identified in Schedule 1.
- Has no clinical diagnosis of alcoholism.



## Forms to Use

Shown on following pages and available at Web address as shown:

- 54**.....Driver Qualification File Checklist:  
<http://www.fmcsa.dot.gov/documents/eta/drqualif.pdf>
- 55-56**.....Application for Employment:  
<http://www.fmcsa.dot.gov/documents/eta/application.pdf>
- 57-61** .....Request for Information from Previous Employer:  
<http://www.fmcsa.dot.gov/documents/eta/requestforinfo.pdf>
- 62**.....3 Years' Inquiry to State Agency for Driver's Record: <http://www.fmcsa.dot.gov/documents/eta/inquirystateagency.pdf>
- 62**.....Annual Inquiry to State Agency for Driver's Record: <http://www.fmcsa.dot.gov/documents/eta/inquirystateagency.pdf>
- 63**.....Annual Review of Driving Record:  
<http://www.fmcsa.dot.gov/documents/eta/annualreview.pdf>
- 64**.....Driver's Certification of Violations:  
<http://www.fmcsa.dot.gov/documents/eta/drcertviolat.pdf>
- 65**.....Driver's Road Test Examination:  
<http://www.fmcsa.dot.gov/documents/eta/drrdtestexam3.pdf>
- 66-74**.....Medical Examination Report and Medical Examiner's Certificate:  
<http://www.fmcsa.dot.gov/documents/safetyprograms/Medical-Report.pdf>
- 75**.....Multiple-Employer Drivers:  
<http://www.fmcsa.dot.gov/documents/eta/multipleemployerdr.pdf>

# DRIVER QUALIFICATION FILE CHECKLIST

- Driver's Application For Employment  
(49 CFR 391.21)
  
- Inquiry To Previous Employers – 3 Years  
(49 CFR 391.23(A) (2) & (C))
  
- Inquiry To State Agencies – 3 Years  
(49 CFR 391.23(A) (1) & (B))
  
- Inquiry To State Agencies – Annual  
(49 CFR 391.25(A) & (C))
  
- Annual Review Of Driving Record  
(49 CFR 391.25)
  
- Annual Driver's Certification Of Violations  
(49 CFR 391.27)
  
- Driver's Road Test Certificate or Equivalent\*  
(49 CFR 391.31)
  
- Medical Examiner's Certificate\*  
(49 CFR 391.43)
  
- Multiple-Employer Drivers  
(49 CFR 391.63)

\*NOTE: DRIVERS MUST BE ISSUED COPIES OF THESE CERTIFICATES.  
DRIVERS NEED ONLY HAVE A COPY OF THE MEDICAL EXAMINER'S  
CERTIFICATE IN THEIR POSSESSION WHILE DRIVING

**APPLICATION FOR EMPLOYMENT**

COMPANY \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_  
 CITY, STATE AND ZIP CODE \_\_\_\_\_  
 NAME \_\_\_\_\_  
                     (FIRST)                                      (MIDDLE)                                      (Maiden Name, if any)                                      (LAST)  
 ADDRESS \_\_\_\_\_ HOW LONG? \_\_\_\_\_  
                     (STREET)                                      (CITY)                                      (STATE & ZIP CODE)  
 DATE OF BIRTH \_\_\_\_\_ SOCIAL SECURITY NO. \_\_\_\_\_ HIRE DATE \_\_\_\_\_  
 TELEPHONE NUMBER \_\_\_\_\_ E-MAIL ADDRESS \_\_\_\_\_

**PREVIOUS THREE YEARS RESIDENCY**

\_\_\_\_\_  
 (STREET)                                      (CITY)                                      (STATE & ZIP CODE)                                      # YEARS \_\_\_\_\_  
 \_\_\_\_\_  
 (STREET)                                      (CITY)                                      (STATE & ZIP CODE)                                      # YEARS \_\_\_\_\_  
 \_\_\_\_\_  
 (STREET)                                      (CITY)                                      (STATE & ZIP CODE)                                      # YEARS \_\_\_\_\_

**(ATTACH SHEET IF MORE SPACE IS NEEDED)****LICENSE INFORMATION**

Section 383.21 FMCSR states "No person who operates a commercial motor vehicle shall at any time have more than one driver's license". I certify that I do not have more than one motor vehicle license, the information for which is listed below.

STATE	LICENSE NO.	TYPE	EXPIRATION DATE

**DRIVING EXPERIENCE**

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES		APPROX. NO. OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK				
TRACTOR AND SEMI-TRAILER				
TRACTOR - TWO TRAILERS				
OTHER				

**ACCIDENT RECORD FOR PAST 3 YEARS OR MORE (ATTACH SHEET IF MORE SPACE IS NEEDED)**

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	NUMBER FATALITIES	NUMBER INJURIES	CHEMICAL SPILLS
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>

**TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS)**

DATE CONVICTED (month/year)	VIOLATION	STATE OF VIOLATION LOCATION	PENALTY (forfeited bond, collateral and/or points)

**(ATTACH SHEET IF MORE SPACE IS NEEDED)**

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If yes, explain \_\_\_\_\_
- B. Has any license, permit or privilege ever been suspended or revoked? YES \_\_\_\_\_ NO \_\_\_\_\_  
 If yes, explain \_\_\_\_\_

**EMPLOYMENT RECORD**  
(ATTACH SHEET IF MORE SPACE IS NEEDED)

Applicants that desire to drive in intrastate/interstate commerce must provide the following information on all employers during the previous three years. You must give the same information for all employers you have driven a commercial motor vehicle for the seven years prior to the initial three years (total of ten years employment record).

**Must list the complete mailing address: street number and name, city, state and zip code.**

LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON. \_\_\_\_\_

Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employer? Yes  No

Was the previous job position designated as a safety sensitive function in any DOT regulated mode, subject to alcohol and controlled substances testing requirements as required by 49 CFR Part 40? Yes  No

SECOND LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON. \_\_\_\_\_

Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employer? Yes  No

Was the previous job position designated as a safety sensitive function in any DOT regulated mode, subject to alcohol and controlled substances testing requirements as required by 49 CFR Part 40? Yes  No

THIRD LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

ANY GAPS IN EMPLOYMENT AND/OR UNEMPLOYMENT MUST BE EXPLAINED. INCLUDE DATES (MONTH/YEAR) AND REASON. \_\_\_\_\_

Were you subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by the previous employer? Yes  No

Was the previous job position designated as a safety sensitive function in any DOT regulated mode, subject to alcohol and controlled substances testing requirements as required by 49 CFR Part 40? Yes  No

**TO BE READ AND SIGNED BY APPLICANT**

**I authorize you to make sure investigations and inquiries to my personal, employment, financial or medical history and other related matters as may be necessary in arriving at an employment decision. (Generally, inquiries regarding medical history will be made only if and after a conditional offer of employment has been extended.) I hereby release employers, schools, health care providers and other persons from all liability in responding to inquiries and releasing information in connection with my application.**

In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge. I understand, also, that I am required to abide by all rules and regulations of the Company.

"I understand that information I provide regarding current and/or previous employers may be used, and those employer(s) will be contacted, for the purpose of investigating my safety performance history as required by 49 CFR 391.23(d) and (e). I understand that I have the right to:

- Review information provided by current/previous employers;
- Have errors in the information corrected by previous employers and for those previous employers to re-send the corrected information to the prospective employer; and
- Have a rebuttal statement attached to the alleged erroneous information, if the previous employer(s) and I cannot agree on the accuracy of the information."

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

This certifies that I completed this application, and that all entries on it and information in it are true and complete to the best of my knowledge.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT'S SIGNATURE

Note: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.

## SAFETY PERFORMANCE HISTORY RECORDS REQUEST

PART 1:	TO BE COMPLETED BY PROSPECTIVE EMPLOYEE
I, (Print Name) _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 20px;"> <span>First</span> <span>M.I.</span> <span>Last</span> <span>Social Security Number</span> </div>	
Hereby authorize: _____ <div style="text-align: right; margin-right: 20px;">Date of Birth</div>	
Previous Employer: _____ Email: _____	
Street: _____ Telephone: _____	
City, State, Zip: _____ Fax No.: _____	
To release and forward the information requested by section 3 of this document concerning my Alcohol and Controlled Substances Testing records within the previous 3 years from _____ <div style="text-align: center;">(employment application date)</div>	
To: Prospective Employer: _____ Attention: _____ Telephone: _____ Street: _____ City, State, Zip: _____	
In compliance with §40.25(g) and 391.23(h), release of this information must be made in a written form that ensures confidentiality, such as fax, email, or letter.	
Prospective employer's fax number: _____	
Prospective employer's email address: _____	
_____ Applicant's Signature	
_____ Date	
This information is being requested in compliance with §40.25(g) and 391.23.	

PART 2:	TO BE COMPLETED BY PREVIOUS EMPLOYER
<b>ACCIDENT HISTORY</b>	
The applicant named above was employed by us. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Employed as _____ from (m/y) _____ to (m/y) _____	
1. Did he/she drive motor vehicle for you? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what type? Straight Truck <input type="checkbox"/> Tractor-Semitrailer <input type="checkbox"/> Bus <input type="checkbox"/> Cargo Tank <input type="checkbox"/> Doubles/Triples <input type="checkbox"/> Other (Specify) _____	
2. Reason for leaving your employ: Discharged <input type="checkbox"/> Resignation <input type="checkbox"/> Lay Off <input type="checkbox"/> Military Duty <input type="checkbox"/> If there is no safety performance history to report, check here <input type="checkbox"/> , sign below and return.	
<b>ACCIDENTS:</b> Complete the following for any accidents included on your accident register (§390.15(b)) that involved the applicant in the 3 years prior to the application date shown above, or check <input type="checkbox"/> here if there is no accident register data for this driver.	
Date	Location
# Injuries	# Fatalities
Hazmat Spill	
1. _____	_____
2. _____	_____
3. _____	_____
Please provide information concerning any other accidents involving the applicant that were reported to government agencies or insurers or retained under internal company policies: _____ _____ _____	
Any other remarks: _____ _____ _____	
Signature: _____	
Title: _____ Date: _____	

**PREVIOUS EMPLOYER – COMPLETE PAGE 2 PART 3**

<b>PART 3:</b>	<b>TO BE COMPLETED BY PREVIOUS EMPLOYER</b>
<b>DRUG AND ALCOHOL HISTORY</b>	
<p>If driver was not subject to Department of Transportation testing requirements while employed by this employer, please check here <input type="checkbox"/>, fill in the dates of employment from _____ to _____, complete bottom of Part 3, sign, and return.</p> <p>Driver was subject to Department of Transportation testing requirements from _____ to _____.</p> <ol style="list-style-type: none"> <li>1. Has this person had an alcohol test with the result of 0.04 or higher alcohol concentration? YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>2. Has this person tested positive or adulterated or substituted a test specimen for controlled substances? YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>3. Has this person refused to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test? YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>4. Has this person committed other violations of Subpart B of Part 382, or Part 40? YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>5. If this person has violated a DOT drug and alcohol regulation, did this person complete a SAP-prescribed rehabilitation program in your employ, including return-to-duty and follow-up tests? If yes, please send documentation back with this form. YES <input type="checkbox"/> NO <input type="checkbox"/></li> <li>6. For a driver who successfully completed a SAP's rehabilitation referral and remained in your employ, did this driver subsequently have an alcohol test result of 0.04 or greater, a verified positive drug test, or refuse to be tested? YES <input type="checkbox"/> NO <input type="checkbox"/></li> </ol> <p>In answering these questions, include any required DOT drug or alcohol testing information obtained from prior previous employers in the previous 3 years prior to the application date shown on page 1.</p> <p>Name: _____</p> <p>Company: _____</p> <p>Street: _____</p> <p>City, State, Zip: _____ Telephone: _____</p> <p>Part 3 Completed by (Signature): _____ Date: _____</p>	

<b>PART 4a:</b>	<b>TO BE COMPLETED BY PROSPECTIVE EMPLOYER</b>
<p>This form was (check one) <input type="checkbox"/> Faxed to previous employer <input type="checkbox"/> Mailed <input type="checkbox"/> Emailed <input type="checkbox"/> Other _____</p> <p>By: _____ Date: _____</p>	

<b>PART 4b:</b>	<b>TO BE COMPLETED BY PROSPECTIVE EMPLOYER</b>
<p>Complete below when information is obtained.</p> <p>Information received from: _____</p> <p>Recorded by: _____ Method: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Telephone</p> <p>Date: _____ <input type="checkbox"/> Other _____</p>	

**INSTRUCTIONS TO COMPLETE THE SAFETY PERFORMANCE HISTORY RECORDS REQUEST**

**PAGE 1 PART 1:** Prospective Employee

- Complete the information required in this section
- Sign and date
- Submit to the Prospective Employer

**PAGE 2 PART 4a:** Prospective Employer

- Complete the information
- Send to Previous Employer

**PAGE 1 PART 2:** Previous Employer

- Complete the information required in this section
- Sign and date
- Turn form over to complete SIDE 2 SECTION 3

**PAGE 2 PART 3:** Previous Employer

- Complete the information required in this section
- Sign and date
- Return to Prospective Employer

**PAGE 2 PART 4b:** Prospective Employer

- Record receipt of the information
- Retain the form



**SAFETY PERFORMANCE HISTORY INFORMATION  
DRIVER/APPLICANT REBUTTAL**

This rebuttal is made by the driver/applicant in compliance with the Department of Transportation regulations.

- §391.23(j)(3)** Drivers wishing to rebut information in records received pursuant to paragraph (i) of this section must send the rebuttal to the previous employer with instructions to include the rebuttal in that driver's safety performance history.
- §391.23(j)(4)** After October 29, 2004, within five business days of receiving a rebuttal from a driver, the previous employer must:
- (i) Forward a copy of the rebuttal to the prospective motor carrier employer;
  - (ii) Append the rebuttal to the driver's information in the carrier's appropriate file, to be included as part of the response for any subsequent investigating prospective employers for the duration of the three-year data retention requirements.

<b>PART 1:</b>	<b>COMPLETED BY THE DRIVER/APPLICANT</b>
----------------	--

<b>TO:</b>	Previous Employer: _____ Street/P.O. Box: _____ City, State, Zip: _____ Telephone: _____ Fax: _____
<b>FROM:</b>	Driver/Applicant: _____ Social Security # _____ Street: _____ City, State, Zip: _____ Telephone No.: _____
I have submitted this rebuttal to my previous employer requesting that it be attached to my Safety Performance History and provided to subsequent prospective employers.	
Reason for the rebuttal (attach documents as necessary): _____	
I request that this rebuttal be sent to the attached list of motor carriers.	
Driver/Applicant Signature: _____ Date: ____/____/____ M D Y	

<b>PART 2:</b>	<b>COMPLETED BY THE PREVIOUS EMPLOYER</b>
----------------	---

<b>Received by:</b>	
Signature: _____	Date: ____/____/____ M D Y

**COPY 1 PREVIOUS EMPLOYER**

**CORRECTION REQUEST  
OF  
ERRONEOUS SAFETY PERFORMANCE HISTORY INFORMATION**

This request is made by the driver/applicant in compliance with the Department of Transportation regulations, §391.23, investigations and inquiries, paragraphs (j)(1) and (2) as printed below.

**§391.23(j)(1)** Driver wishing to request correction of erroneous information in records received pursuant to paragraph (i) of this section must send the request for the correction to the previous employer that provided the records to the prospective employer.

**§391.23(j)(2)** After October 29, 2004, the previous employer must either correct and forward the information to the prospective motor carrier employer, or notify the driver within 15 days of receiving a driver's request to correct the data that it does not agree to correct the data. If the previous employer corrects and forwards the data as requested, that employer must also retain the corrected information as part of the driver's safety performance history record and provide it to subsequent prospective employers when requests for this information are received. If the previous employer corrects the data and forwards it to the prospective motor carrier employer, there is no need to notify the driver.

<b>PART 1:</b>	<b>COMPLETED BY THE DRIVER/APPLICANT</b>
<b>TO:</b>	Prospective Employer: _____ Street/P.O. Box: _____ City, State, Zip: _____ Telephone # _____
<b>FROM:</b>	Driver/Applicant: _____ Social Security/I.D. # _____ Street: _____ City, State, Zip: _____ Telephone # _____
I request correction of erroneous information in my Safety Performance History. Please forward to the following prospective employer: Company Name: _____ Attention: _____ Street: _____ City, State, Zip: _____	
Explanation of desired correction (attach documents as necessary) _____ _____	
Driver/Applicant Signature: _____ Date: ____/____/____ M D Y	
Driver: Retain <b>COPY 4 DRIVER RECORD</b> for your files, Submit copies 1, 2, and 3 to your previous employer.	

<b>PART 2:</b>	<b>COMPLETED BY THE PREVIOUS EMPLOYER</b>
<b>Disposition of the requested information:</b>	
<input type="checkbox"/> Information was corrected and forwarded to the prospective motor carrier employer.	
<input type="checkbox"/> The driver was notified on ____/____/____ that the previous employer does not agree to correct the data. <b>Return copy 3 to the driver.</b>	
<b>Information sent to:</b> Company Name: _____ Attention: _____ Street: _____ City, State, Zip: _____	
Comments: _____ _____	
<b>By:</b> _____ Release Date: ____/____/____ Signature/person providing information Telephone # M D Y	

<b>PART 3:</b>	<b>COMPLETED BY THE PROSPECTIVE MOTOR CARRIER EMPLOYER</b>
The corrected information was received on ____/____/____	
Prospective Employer: _____ Location: _____	
Received by: _____ Signature Title	

**COPY 1 PROSPECTIVE EMPLOYER**

**U.S. DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SAFETY PROGRAM  
INQUIRY TO STATE AGENCY FOR  
DRIVER'S RECORD  
391.23**

\_\_\_\_\_  
(Driver's Name)

\_\_\_\_\_  
(Driver's Operator's Lic. No.)

\_\_\_\_\_  
(Driver's Social Sec. No.)

Dear \_\_\_\_\_,

The above listed individual has made application with us for employment as a driver. Applicant has indicated that the above numbered operator's license or permit has been issued by your State to applicant and it is in good standing.

In accordance with Section 391.23(a)(1) and (b) of the Federal Motor Carrier Safety Regulations, we are required to make inquiry into the driving record during the preceding 3 years of every State in which an applicant-driver has held a motor vehicle operator's license or permit during those 3 years.

Therefore, please certify to us what the individual's driving record is for the preceding 3 years, or certify that no record exists if that be the case.

In the event that this inquiry does not satisfy your requirements for making such inquiries, please send us such forms of yours as are necessary for us to complete our inquiry into the driving record of this individual.

Respectfully yours,

\_\_\_\_\_  
Signature of individual making inquiry

\_\_\_\_\_  
(printed) Name of person making inquiry

\_\_\_\_\_  
Title of person making inquiry

\_\_\_\_\_  
Motor Carrier Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

**U.S. DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SAFETY PROGRAM  
ANNUAL REVIEW OF DRIVING RECORD  
391.25**

\_\_\_\_\_  
Name (Last,

First,

M.I.)

\_\_\_\_\_  
(Soc. Sec. No.)

This day I reviewed the driving record of the above named driver in accordance with 391.25 of the Federal Motor Carrier Safety Regulations. I considered any evidence that the driver has violated applicable provisions of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. I considered the driver's accident record and any evidence that he/she violated laws governing the operation of motor vehicles, and gave great weight to violations, such as speeding, reckless driving and operation while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public. Having done the above, I find that:

the driver meets the minimum requirements for safe driving, or

the driver is disqualified to drive a motor vehicle pursuant to 391.15

\_\_\_\_\_  
Date of Review

\_\_\_\_\_  
Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title

\_\_\_\_\_  
Date of Review

\_\_\_\_\_  
Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title

\_\_\_\_\_  
Date of Review

\_\_\_\_\_  
Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title



**cer tificA te of Driver's roAD test**

*Instructions:* If the road test is successfully completed, the person who gave it shall complete a certificate of the driver's road test. The original or copy of the certificate shall be retained in the employing motor carrier's driver qualification file of the person examined and a copy given to the person who was examined.  
(49 CFR 391.31(e)(f)(g))

**cer tificA tion of roAD test**

Driver's Name \_\_\_\_\_

Social Security Number \_\_\_\_\_

Operator's or Chauffeur's License Number \_\_\_\_\_

State \_\_\_\_\_

Type of Power Unit \_\_\_\_\_

Type of Trailer(s) \_\_\_\_\_

If passenger carrier, type of bus \_\_\_\_\_

This is to certify that the above-named driver was given a road test under my supervision on \_\_\_\_\_, 20\_\_\_\_, consisting of approximately \_\_\_\_\_ miles of driving.

It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of commercial motor vehicle listed above.

\_\_\_\_\_  
(Signature of Examiner)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Organization and Address of Examiner)

## Medical Examination Report FOR COMMERCIAL DRIVER FITNESS DETERMINATION

649-F (6045)

<b>1. DRIVER'S INFORMATION</b> <small>Driver completes this section</small>					
Driver's Name (Last, First, Middle)	Social Security No.	Birthdate M / D / Y	Age	Sex <input type="checkbox"/> M <input type="checkbox"/> F	New Certification Recertification <input type="checkbox"/> Follow-up <input type="checkbox"/>
Address	City, State, Zip Code	Work Tel: ( )	Driver License No.	License Class <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/> Other	Date of Exam
		Home Tel: ( )			State of Issue

<b>2. HEALTH HISTORY</b> <small>Driver completes this section, but medical examiner is encouraged to discuss with driver.</small>			
<table style="width: 100%;"> <tr> <td style="width: 50%;"> <p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Any illness or injury in the last 5 years?  <input type="checkbox"/> Head/Brain injuries, disorders or illnesses  <input type="checkbox"/> Seizures, epilepsy  <input type="checkbox"/> medication</p> <p>Eye disorders or impaired vision (except corrective lenses)  <input type="checkbox"/> Ear disorders, loss of hearing or balance  <input type="checkbox"/> Heart disease or heart attack, other cardiovascular condition  <input type="checkbox"/> medication</p> <p>Heart surgery (valve replacement/bypass, angioplasty, pacemaker) <input type="checkbox"/> medication  <input type="checkbox"/> High blood pressure  <input type="checkbox"/> Muscular disease  <input type="checkbox"/> Shortness of breath</p> </td> <td style="width: 50%;"> <p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Lung disease, emphysema, asthma, chronic bronchitis  <input type="checkbox"/> Kidney disease, dialysis  <input type="checkbox"/> Liver disease  <input type="checkbox"/> Digestive problems  <input type="checkbox"/> Diabetes or elevated blood sugar controlled by:  <input type="checkbox"/> diet  <input type="checkbox"/> pills  <input type="checkbox"/> insulin  <input type="checkbox"/> Nervous or psychiatric disorders, e.g., severe depression  <input type="checkbox"/> medication  <input type="checkbox"/> Loss of, or altered consciousness</p> </td> </tr> </table>	<p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Any illness or injury in the last 5 years?  <input type="checkbox"/> Head/Brain injuries, disorders or illnesses  <input type="checkbox"/> Seizures, epilepsy  <input type="checkbox"/> medication</p> <p>Eye disorders or impaired vision (except corrective lenses)  <input type="checkbox"/> Ear disorders, loss of hearing or balance  <input type="checkbox"/> Heart disease or heart attack, other cardiovascular condition  <input type="checkbox"/> medication</p> <p>Heart surgery (valve replacement/bypass, angioplasty, pacemaker) <input type="checkbox"/> medication  <input type="checkbox"/> High blood pressure  <input type="checkbox"/> Muscular disease  <input type="checkbox"/> Shortness of breath</p>	<p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Lung disease, emphysema, asthma, chronic bronchitis  <input type="checkbox"/> Kidney disease, dialysis  <input type="checkbox"/> Liver disease  <input type="checkbox"/> Digestive problems  <input type="checkbox"/> Diabetes or elevated blood sugar controlled by:  <input type="checkbox"/> diet  <input type="checkbox"/> pills  <input type="checkbox"/> insulin  <input type="checkbox"/> Nervous or psychiatric disorders, e.g., severe depression  <input type="checkbox"/> medication  <input type="checkbox"/> Loss of, or altered consciousness</p>	<p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Fainting, dizziness  <input type="checkbox"/> Sleep disorders, pauses in breathing while asleep, daytime sleepiness, loud snoring  <input type="checkbox"/> Stroke or paralysis  <input type="checkbox"/> Missing or impaired hand, arm, foot, leg, finger, toe  <input type="checkbox"/> Spinal injury or disease  <input type="checkbox"/> Chronic low back pain  <input type="checkbox"/> Regular, frequent alcohol use  <input type="checkbox"/> Narcotic or habit forming drug use</p>
<p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Any illness or injury in the last 5 years?  <input type="checkbox"/> Head/Brain injuries, disorders or illnesses  <input type="checkbox"/> Seizures, epilepsy  <input type="checkbox"/> medication</p> <p>Eye disorders or impaired vision (except corrective lenses)  <input type="checkbox"/> Ear disorders, loss of hearing or balance  <input type="checkbox"/> Heart disease or heart attack, other cardiovascular condition  <input type="checkbox"/> medication</p> <p>Heart surgery (valve replacement/bypass, angioplasty, pacemaker) <input type="checkbox"/> medication  <input type="checkbox"/> High blood pressure  <input type="checkbox"/> Muscular disease  <input type="checkbox"/> Shortness of breath</p>	<p><b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/></p> <p>Lung disease, emphysema, asthma, chronic bronchitis  <input type="checkbox"/> Kidney disease, dialysis  <input type="checkbox"/> Liver disease  <input type="checkbox"/> Digestive problems  <input type="checkbox"/> Diabetes or elevated blood sugar controlled by:  <input type="checkbox"/> diet  <input type="checkbox"/> pills  <input type="checkbox"/> insulin  <input type="checkbox"/> Nervous or psychiatric disorders, e.g., severe depression  <input type="checkbox"/> medication  <input type="checkbox"/> Loss of, or altered consciousness</p>		

For any YES answer, indicate onset date, diagnosis, treating physician's name and address, and any current limitation. List all medications (including over-the-counter medications) used regularly or recently.

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I certify that the above information is complete and true. I understand that inaccurate, false or missing information may invalidate the examination and my Medical Examiner's Certificate.

Driver's Signature \_\_\_\_\_ Date \_\_\_\_\_

**Medical Examiner's Comments on Health History** (The medical examiner must review and discuss with the driver any "yes" answers and potential hazards of medications, including over-the-counter medications, while driving. This discussion must be documented below. )

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**TESTING (Medical Examiner completes Section 3 through 7)** Name: Last, First, Middle,

**3. VISION**

**Standard: At least 20/40 acuity (Snellen) in each eye with or without correction. At least 70 degrees peripheral in horizontal meridian measured in each eye. The use of corrective lenses should be noted on the Medical Examiner's Certificate.**

**INSTRUCTIONS:** When other than the Snellen chart is used, give test results in Snellen-comparable values. In recording distance vision, use 20 feet as normal. Report visual acuity as a ratio with 20 as numerator and the smallest type read at 20 feet as denominator. If the applicant wears corrective lenses, these should be worn while visual acuity is being tested. If the driver habitually wears contact lenses, or intends to do so while driving, sufficient evidence of good tolerance and adaptation to their use must be obvious. **Monocular drivers are not qualified.**

**Numerical readings must be provided.**

ACUITY	UNCORRECTED	CORRECTED	HORIZONTAL FIELD OF VISION
Right Eye	20/	20/	Right Eye <input type="radio"/>
Left Eye	20/	20/	Left Eye <input type="radio"/>
Both Eyes	20/	20/	

Applicant can recognize and distinguish among traffic control signals and devices showing standard red, green, and amber colors?  Yes  No

Applicant meets visual acuity requirement only when wearing:  Corrective Lenses

Monocular Vision:  Yes  No

Complete next line only if vision testing is done by an ophthalmologist or optometrist

Date of Examination \_\_\_\_\_ Name of Ophthalmologist or Optometrist (print) \_\_\_\_\_ Tel. No. \_\_\_\_\_ License No./ State of Issue \_\_\_\_\_ Signature \_\_\_\_\_

**4. HEARING**

**Standard: a) Must first perceive forced whispered voice  $\geq$  5 ft., with or without hearing aid, or b) average hearing loss in better ear  $\leq$  40 dB**  
 Check if hearing aid used for tests.  Check if hearing aid required to meet standard.

**INSTRUCTIONS:** To convert audiometric test results from ISO to ANSI, -14 dB from ISO for 500Hz, -10dB for 1,000 Hz, -8.5 dB for 2000 Hz. To average, add the readings for 3 frequencies tested and divide by 3.

**Numerical readings must be recorded.**

a) Record distance from individual at which forced whispered voice can first be heard. Right ear \ Feet Left ear \ Feet

Right Ear		Left Ear	
500 Hz	1000 Hz	2000 Hz	500 Hz
Average:		Average:	

b) If audiometer is used, record hearing loss in decibels. (acc. to ANSI Z24.5-1951)

**5. BLOOD PRESSURE/PULSE RATE**

**Numerical readings must be recorded. Medical Examiner should take at least two readings to confirm BP.**

Blood Pressure	Systolic	Diastolic
----------------	----------	-----------

Driver qualified if  $\leq$ 140/90.

Pulse Rate:  Regular  Irregular

Record Pulse Rate: \_\_\_\_\_

Reading	Category	Expiration Date	Recertification
140-159/90-99	Stage 1	1 year	1 year if $\leq$ 140/90. One-time certificate for 3 months if 141-159/91-99.
160-179/100-109	Stage 2	One-time certificate for 3 months.	1 year from date of exam if $\leq$ 140/90
$\geq$ 180/110	Stage 3	6 months from date of exam if $\leq$ 140/90	6 months if $\leq$ 140/90

**6. LABORATORY AND OTHER TEST FINDINGS**

**Numerical readings must be recorded.**

URINE SPECIMEN	SP. GR.	PROTEIN	BLOOD	SUGAR
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Urinalysis is required. Protein, blood or sugar in the urine may be an indication for further testing to rule out any underlying medical problem. Other Testing (Describe and record) \_\_\_\_\_

**7. PHYSICAL EXAMINATION** Height: \_\_\_\_\_ (in.) Weight: \_\_\_\_\_ (lbs.)

Name: Last, \_\_\_\_\_ First, \_\_\_\_\_ Middle, \_\_\_\_\_

The presence of a certain condition may not necessarily disqualify a driver, particularly if the condition is controlled adequately, is not likely to worsen or is readily amenable to treatment. Even if a condition does not disqualify a driver, the medical examiner may consider deferring the driver temporarily. Also, the driver should be advised to take the necessary steps to correct the condition as soon as possible particularly if the condition, if neglected, could result in more serious illness that might affect driving.

Check YES if there are any abnormalities. Check NO if the body system is normal. Discuss any YES answers in detail in the space below, and indicate whether it would affect the driver's ability to operate a commercial motor vehicle safely. Enter applicable item number before each comment. If organic disease is present, note that it has been compensated for. See *Instructions to the Medical Examiner* for guidance.

YES*	NO	BODY SYSTEM	CHECK FOR:	YES*	NO
		<b>BODY SYSTEM</b> 1. General Appearance	<b>CHECK FOR:</b> Marked overweight, tremor, signs of alcoholism, problem drinking, or drug abuse.		
		2. Eyes	Pupillary equality, reaction to light, accommodation, ocular motility, ocular muscle imbalance, extraocular movement, nystagmus, exophthalmos. Ask about retinopathy, cataracts, aphakia, glaucoma, macular degeneration and refer to a specialist if appropriate.		
		3. Ears	Scarring of tympanic membrane, occlusion of external canal, perforated eardrums.		
		4. Mouth and Throat	Irremediable deformities likely to interfere with breathing or swallowing.		
		5. Heart	Murmurs, extra sounds, enlarged heart, pacemaker, implantable defibrillator.		
		6. Lungs and chest, not including breast examination	Abnormal chest wall expansion, abnormal respiratory rate, abnormal breath sounds including wheezes or alveolar rales, impaired respiratory function, cyanosis. Abnormal findings on physical exam may require further testing such as pulmonary tests and/ or xray of chest.		
		7. Abdomen and Viscera	Enlarged liver, enlarged spleen, masses, bruits, hernia, significant abdominal wall muscle weakness.		
		8. Vascular System	Abnormal pulse and amplitude, carotid or arterial bruits, varicose veins.		
		9. Genito-urinary System	Hernias.		
		10. Extremities- Limb impaired. Driver may be subject to SPE certificate if otherwise qualified.	Loss or impairment of leg, foot, toe, arm, hand, finger, Perceptible limp, deformities, atrophy, weakness, paralysis, clubbing, edema, hypotonia. Insufficient grasp and prehension in upper limb to maintain steering wheel grip. Insufficient mobility and strength in lower limb to operate pedals properly.		
		11. Spine, other musculoskeletal	Previous surgery, deformities, limitation of motion, tenderness.		
		12. Neurological	Impaired equilibrium, coordination or speech pattern; asymmetric deep tendon reflexes, sensory or positional abnormalities, abnormal patellar and Babinski's reflexes, ataxia.		

**\*COMMENTS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Note certification status here. See Instructions to the Medical Examiner for guidance.**

- Meets standards in 49 CFR 391.41; qualifies for 2 year certificate
- Does not meet standards
- Meets standards, but periodic monitoring required due to  
 Driver qualified only for:  3 months  6 months  1 year  Other

Temporarily disqualified due to (condition or medication): \_\_\_\_\_  
 Return to medical examiner's office for follow up on \_\_\_\_\_

- Wearing corrective lenses
- Wearing hearing aid
- Accompanied by a \_\_\_\_\_ waiver/ exemption. Driver must present exemption at time of certification.
- Skill Performance Evaluation (SPE) Certificate
- Driving within an exempt intracity zone (See 49 CFR 391.62)
- Qualified by operation of 49 CFR 391.64

Medical Examiner's signature \_\_\_\_\_  
 Medical Examiner's name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

**If meets standards, complete a Medical Examiner's Certificate as stated in 49 CFR 391.43(h).** (Driver must carry certificate when operating a commercial vehicle.)

## 49 CFR 391.41 Physical Qualifications for Drivers

### THE DRIVER'S ROLE

Responsibilities, work schedules, physical and emotional demands, and lifestyles among commercial drivers vary by the type of driving that they do. Some of the main types of drivers include the following: turn around or short relay (drivers return to their home base each evening); long relay (drivers drive 9-11 hours and then have at least a 10-hour off-duty period), straight through haul (cross country drivers); and team drivers (drivers share the driving by alternating their 5-hour driving periods and 5-hour rest periods.)

The following factors may be involved in a driver's performance of duties: abrupt schedule changes and rotating work schedules, which may result in irregular sleep patterns and a driver beginning a trip in a fatigued condition; long hours; extended time away from family and friends, which may result in lack of social support; tight pickup and delivery schedules, with irregularity in work, rest, and eating patterns, adverse road, weather and traffic conditions, which may cause delays and lead to hurriedly loading or unloading cargo in order to compensate for the lost time; and environmental conditions such as excessive vibration, noise, and extremes in temperature. Transporting passengers or hazardous materials may add to the demands on the commercial driver.

There may be duties in addition to the driving task for which a driver is responsible and needs to be fit. Some of these responsibilities are: coupling and uncoupling trailer(s) from the tractor, loading and unloading trailer(s) (sometimes a driver may lift a heavy load or unload as much as 50,000 lbs. of freight after sitting for a long period of time without any stretching period); inspecting the operating condition of tractor and/or trailer(s) before, during and after delivery of cargo; lifting, installing, and removing heavy tire chains; and, lifting heavy tarpaulins to cover open top trailers. The above tasks demand agility, the ability to bend and stoop, the ability to maintain a crouching position to inspect the underside of the vehicle, frequent entering and exiting of the cab, and the ability to climb ladders on the tractor and/or trailer(s).

In addition, a driver must have the perceptual skills to monitor a sometimes complex driving situation, the judgment skills to make quick decisions, when necessary, and the manipulative skills to control an oversize steering wheel, shift gears using a manual transmission, and maneuver a vehicle in crowded areas.

### \$391.45 PHYSICAL QUALIFICATIONS FOR DRIVERS

(a) A person shall not drive a commercial motor vehicle unless he is physically qualified to do so and, except as provided in §391.67, has on his person the original, or a photographic copy, of a medical examiner's certificate that he is physically qualified to drive a commercial motor vehicle.

(b) A person is physically qualified to drive a motor vehicle if that person:

(1) Has no loss of a foot, a leg, a hand, or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate (formerly Limb Waiver Program) pursuant to §391.49.

(2) Has no impairment of: (i) A hand or finger which interferes with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or has been granted a SPE Certificate pursuant to §391.49.

(3) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control;

(4) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.

(5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a commercial motor vehicle safely.

(6) Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a commercial motor vehicle safely.

(7) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a commercial motor vehicle safely.

(8) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a commercial motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a commercial motor vehicle safely;

(10) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green and amber;

(11) First perceives a forced whispered voice in the better ear not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without a hearing device when the audiometric device is calibrated to the American National Standard (formerly ASA Standard) Z24.5-1951;

(12) (i) Does not use a controlled substance identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or any other habit-forming drug. (ii) Exception: A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who: (A) Is familiar with the driver's medical history and assigned duties; and (B) Has advised the driver that the prescribed substance or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle; and (13) Has no current clinical diagnosis of alcoholism.

## INSTRUCTIONS TO THE MEDICAL EXAMINER

### General Information

The purpose of this examination is to determine a driver's physical qualification to operate a commercial motor vehicle (CMV) in interstate commerce according to the requirements in 49 CFR 391.41-49. Therefore, the medical examiner must be knowledgeable of these requirements and guidelines developed by the FMCSA to assist the medical examiner in making the qualification determination. The medical examiner should be familiar with the driver's responsibilities and work environment and is referred to the section on the form, **The Driver's Role**.

In addition to reviewing the **Health History** section with the driver and conducting the physical examination, the medical examiner should discuss common prescriptions and over-the-counter medications relative to the side effects and hazards of these medications while driving. Educate the driver to read warning labels on all medications. History of certain conditions may be cause for rejection, particularly if required by regulation, or may indicate the need for additional laboratory tests or more stringent examination perhaps by a medical specialist. These decisions are usually made by the medical examiner in light of the driver's job responsibilities, work schedule and potential for the conditions to render the driver unsafe.

Medical conditions should be recorded even if they are not cause for denial, and they should be discussed with the driver to encourage appropriate remedial care. This advice is especially needed when a condition, if neglected, could develop into a serious illness that could affect driving.

If the medical examiner determines that the driver is fit to drive and is also able to perform non-driving responsibilities as may be required, the medical examiner signs the medical certificate which the driver must carry with his/her license. The certificate must be dated. **Under current regulations, the certificate is valid for two years, unless the driver has a medical condition that does not prohibit driving but does require more frequent monitoring.** In such situations, the medical certificate should be issued for a shorter length of time. The physical examination should be done carefully and at least as complete as is indicated by the attached form. Contact the FMCSA at (202) 366-1790 for further information (a vision exemption, qualifying drivers under 49 CFR 391.64, etc.).

### Interpretation of Medical Standards

Since the issuance of the regulations for physical qualifications of commercial drivers, the Federal Motor Carrier Safety Administration (FMCSA) has published recommendations called Advisory Criteria to help medical examiners in determining whether a driver meets the physical qualifications for commercial driving. These recommendations have been condensed to provide information to medical examiners that (1) is directly relevant to the physical examination and (2) is not already included in the medical examination form. The specific regulation is printed in italics and it's reference by section is highlighted.

### Federal Motor Carrier Safety Regulations -Advisory Criteria-

#### Loss of Limb: §391.41(b)(1)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no loss of a foot, leg, hand or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate pursuant to Section 391.49.*

#### Limb Impairment: §391.41(b)(2)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no impairment of: (i) A hand or finger which interferes with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or (iii) Any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or (iv) Has been granted a Skill Performance Evaluation (SPE) Certificate pursuant to Section 391.49.*

A person who suffers loss of a foot, leg, hand or arm or whose limb impairment in any way interferes with the safe performance of normal tasks associated with operating a commercial motor vehicle is subject to the Skill Performance Evaluation Certification Program pursuant to section 391.49, assuming the person is otherwise qualified.

With the advancement of technology, medical aids and equipment modifications have been developed to compensate for certain disabilities. The SPE Certification Program (formerly the Limb Waiver Program) was designed to allow persons with the loss of a foot or limb or with functional impairment to qualify under the Federal Motor Carrier Safety Regulations (FMCSRs) by use of prosthetic devices or equipment modifications which enable them to safely operate a commercial motor vehicle. Since there are no medical aids equivalent to the original body or limb, certain risks are still present, and thus restrictions may be included on individual SPE certificates when a State Director for the FMCSA determines they are necessary to be consistent with safety and public interest.

If the driver is found otherwise medically qualified (391.41(b)(3) through (13)), the medical examiner must check on the medical certificate that the driver is qualified only if accompanied by a SPE certificate. The driver and the employing motor carrier are subject to appropriate penalty if the driver operates a motor vehicle in interstate or foreign commerce without a current SPE certificate for his/her physical disability.

#### Diabetes §391.41(b)(3)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.*

Diabetes mellitus is a disease which, on occasion, can result in a loss of consciousness or disorientation in time and space. Individuals who require insulin for control have conditions which can get out of control by the use of too much or too little insulin, or food intake not consistent with the insulin dosage. Incapacitation may occur from symptoms of hyperglycemic or hypoglycemic reactions (drowsiness, semiconsciousness, diabetic coma or insulin shock).

The administration of insulin is, within itself, a complicated process requiring insulin, syringe, needle, alcohol sponge and a sterile technique. Factors related to long-haul commercial motor vehicle operations, such as fatigue, lack of sleep, poor diet, emotional conditions, stress, and concomitant illness, compound the dangers. The FMCSA has consistently held that a diabetic who uses insulin for control does not meet the minimum physical requirements of the FMCSRs.

Hypoglycemic drugs, taken orally, are sometimes prescribed for diabetic individuals to help stimulate natural body production of insulin. If the condition can be controlled by the use of oral medication and diet, then an individual may be qualified under the present rule. CMV drivers who do not meet the Federal diabetes standard may call (202) 366-1790 for an application for a diabetes exemption.

(See Conference Report on Diabetic Disorders and Commercial Drivers and Insulin-Using Commercial Motor Vehicle Drivers at:  
<http://www.fmcsa.dot.gov/rulestregs/medreports.htm>)

#### Cardiovascular Condition

##### §391.41(b)(4)

**A person is physically qualified to drive a commercial motor vehicle if that person:**

*Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive cardiac failure.*

The term "has no current clinical diagnosis of" is specifically designed to encompass: "a clinical diagnosis of" (1) a current cardiovascular condition, or (2) a cardiovascular condition which has not fully stabilized regardless of the time limit. The term "known to be

(See Conference on Pulmonary/Respiratory Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>

**Hypertension §391.41(b)(6)**

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no current clinical diagnosis of high blood pressure likely to interfere with ability to operate a commercial motor vehicle safely.*

Hypertension alone is unlikely to cause sudden collapse; however, the likelihood increases when target organ damage, particularly cerebral vascular disease, is present. This regulatory criteria is based on FMCSA's Cardiovascular Advisory Guidelines for the Examination of CMV Drivers, which used the Sixth Report of the Joint National Committee on Detection, Evaluation, and Treatment of High Blood Pressure (1997).

Stage 1 hypertension corresponds to a systolic BP of 140-159 mmHg and/or a diastolic BP of 90-99 mmHg. The driver with a BP in this range is at low risk for hypertension-related acute incapacitation and may be medically certified to drive for a one-year period. Certification examinations should be done annually thereafter and should be at or less than 140/90. If less than 160/100, certification may be extended one time for 3 months.

A blood pressure of 160-179 systolic and/or 100-109 diastolic is considered Stage 2 hypertension, and the driver is not necessarily unqualified during evaluation and institution of treatment. The driver is given a one time certification of three months to reduce his or her blood pressure to less than or equal to 140/90. A blood pressure in this range is an absolute indication for anti-hypertensive drug therapy. Provided treatment is well tolerated and the driver demonstrates a BP value of 140/90 or less, he or she may be certified for one year from date of the initial exam. The driver is certified annually thereafter.

A blood pressure at or greater than 180 (systolic) and 110 (diastolic) is considered Stage 3, high risk for an acute BP-related event. The driver may not be qualified, even temporarily, until reduced to 140/90 or less and treatment is well tolerated. The driver may be certified for 6 months and biannually (every 6 months) thereafter if at recheck BP is 140/90 or less.

Annual recertification is recommended if the medical examiner does not know the severity of hypertension prior to treatment.

An elevated blood pressure finding should be confirmed by at least two subsequent measurements on different days.

Treatment includes nonpharmacologic and pharmacologic modalities as well as counseling to reduce other risk factors. Most antihypertensive medications also have side effects, the importance of which must be judged on an individual basis. Individuals must be alerted to the hazards of these medications while driving. Side effects of somnolence or syncope are particularly undesirable in commercial drivers.

Secondary hypertension is based on the above stages. Evaluation is warranted if patient is persistently hypertensive

accompanied by" is designed to include a clinical diagnosis of a cardiovascular disease (1) which is accompanied by symptoms of syncope, dyspnea, collapse or congestive cardiac failure; and/or (2) which is likely to cause syncope, dyspnea, collapse or congestive cardiac failure.

It is the intent of the FMCSRs to render unqualified, a driver who has a current cardiovascular disease which is accompanied by and/or likely to cause symptoms of syncope, dyspnea, collapse, or congestive cardiac failure. However, the subjective decision of whether the nature and severity of an individual's condition will likely cause symptoms of cardiovascular insufficiency is on an individual basis and qualification rests with the medical examiner and the motor carrier. In those cases where there is an occurrence of cardiovascular insufficiency (myocardial infarction, thrombosis, etc.), it is suggested before a driver is certified that he or she have a normal resting and stress electrocardiogram (ECG), no residual complications and no physical limitations, and is taking no medication likely to interfere with safe driving.

Coronary artery bypass surgery and pacemaker implantation are remedial procedures and thus, not unqualifying. Implantable cardioverter defibrillators are disqualifying due to risk of syncope. Coumadin is a medical treatment which can improve the health and safety of the driver and should not, by its use, medically disqualify the commercial driver. The emphasis should be on the underlying medical condition(s) which require treatment and the general health of the driver. The FMCSA should be contacted at (202) 366-1790 for additional recommendations regarding the physical qualification of drivers on coumadin.

(See Cardiovascular Advisory Panel Guidelines for the Medical Examination of Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

**Respiratory Dysfunction §391.41(b)(5)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with ability to control and drive a commercial motor vehicle safely.*

Since a driver must be alert at all times, any change in his or her mental state is in direct conflict with highway safety. Even the slightest impairment in respiratory function under emergency conditions (when greater oxygen supply is necessary for performance) may be detrimental to safe driving.

There are many conditions that interfere with oxygen exchange and may result in incapacitation, including emphysema, chronic asthma, carcinoma, tuberculosis, chronic bronchitis and sleep apnea. If the medical examiner detects a respiratory dysfunction, that in any way is likely to interfere with the driver's ability to safely control and drive a commercial motor vehicle, the driver must be referred to a specialist for further evaluation and therapy. Anticoagulation therapy for deep vein thrombosis and/or pulmonary thromboembolism is not unqualifying once optimum dose is achieved, provided lower extremity venous examinations remain normal and the treating physician gives a favorable recommendation.

on maximal or near-maximal doses of 2-3 pharmacologic agents. Some causes of secondary hypertension may be amenable to surgical intervention or specific pharmacologic disease.

(See Cardiovascular Advisory Panel Guidelines for the Medical Examination of Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

**Rheumatic, Arthritic, Orthopedic, Muscular, Neuromuscular or Vascular Disease §391.41(b)(7)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease which interferes with the ability to control and operate a commercial motor vehicle safely.*

Certain diseases are known to have acute episodes of transient muscle weakness, poor muscular coordination (ataxia), abnormal sensations (paresthesia), decreased muscular tone (hypotonia), visual disturbances and pain which may be suddenly incapacitating. With each recurring episode, these symptoms may become more pronounced and remain for longer periods of time. Other diseases have more insidious onsets and display symptoms of muscle wasting (atrophy), swelling and paresthesia which may not suddenly incapacitate a person but may restrict his/her movements and eventually interfere with the ability to safely operate a motor vehicle. In many instances these diseases are degenerative in nature or may result in deterioration of the involved area.

Once the individual has been diagnosed as having a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease, then he/she has an established history of that disease. The physician, when examining an individual, should consider the following: (1) the nature and severity of the individual's condition (such as sensory loss or loss of strength); (2) the degree of limitation present (such as range of motion); (3) the likelihood of progressive limitation (not always present initially but may manifest itself over time); and (4) the likelihood of sudden incapacitation. If severe functional impairment exists, the driver does not qualify. In cases where more frequent monitoring is required, a certificate for a shorter period of time may be issued. (See Conference on Neurological Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

### Epilepsy

#### \$391.41(b)(8)

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle.*

Epilepsy is a chronic functional disease characterized by seizures or episodes that occur without warning, resulting in loss of voluntary control which may lead to loss of consciousness and/or seizures. Therefore, the following drivers cannot be qualified: (1) a driver who has a medical history of epilepsy; (2) a driver who has a current clinical diagnosis of epilepsy; or (3) a driver who is taking antiseizure medication.

If an individual has had a sudden episode of a nonepileptic seizure or loss of consciousness of unknown cause which did not require antiseizure medication, the decision as to whether that person's condition will likely cause loss of consciousness or loss of ability to control a motor vehicle is made on an individual basis by the medical examiner in consultation with the treating physician. Before certification is considered, it is suggested that a 6 month waiting period elapse from the time of the episode. Following the waiting period, it is suggested that the individual have a complete neurological examination. If the results of the examination are negative and antiseizure medication is not required, then the driver may be qualified.

In those individual cases where a driver has a seizure or an episode of loss of consciousness that resulted from a known medical condition (e.g., drug reaction, high temperature, acute infectious disease, dehydration or acute metabolic disturbance), certification should be deferred until the driver has fully recovered from that condition and has no existing residual complications, and not taking antiseizure medication.

Drivers with a history of epilepsy/seizures off antiseizure medication **and** seizure-free for 10 years may be qualified to drive a CMV in interstate commerce. Interstate drivers with a history of a single unprovoked seizure may be qualified to drive a CMV in interstate commerce if seizure-free **and** off antiseizure medication for a 5-year period or more.

(See Conference on Neurological Disorders and Commercial Drivers at:

<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

### Mental Disorders

#### \$391.41(b)(9)

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no mental, nervous, organic or functional disease or psychiatric disorder likely to interfere with ability to drive a motor vehicle safely.*

Emotional or adjustment problems contribute directly to an individual's level of memory, reasoning, attention, and judgment. These problems often underlie physical disorders. A variety of functional disorders can cause drowsiness, dizziness, confusion, weakness or paralysis that may lead to incoordination, inattention, loss of functional control and susceptibility to accidents while driving. Physical fatigue, headache, impaired coordination, recurring physical ailments and chronic "gagging" pain may be present to such a degree that certification for commercial driving is inadvisable. Somatic and psychosomatic complaints should be thoroughly examined when determining an individual's overall fitness to drive. Disorders of a periodically incapacitating nature, even in the early stages of development, may warrant disqualification.

Many bus and truck drivers have documented that "nervous trouble" related to neurotic, personality, or emotional or adjustment problems is responsible for a significant fraction of their preventable accidents. The degree to which an individual is able to appreciate, evaluate and adequately respond to environmental strain and emotional stress is critical when assessing an individual's mental alertness and flexibility to cope with the stresses of commercial motor vehicle driving.

When examining the driver, it should be kept in mind that individuals who live under chronic emotional upsets may have deeply ingrained maladaptive or erratic behavior patterns.

Excessively antagonistic, instinctive, impulsive, openly aggressive, paranoid or severely depressed behavior greatly interfere with the driver's ability to drive safely. Those individuals who are highly susceptible to frequent states of emotional instability (schizophrenia, affective psychoses, paranoia, anxiety or depressive neuroses) may warrant disqualification. Careful consideration should be given to the side effects and interactions of medications in the overall qualification determination. See Psychiatric Conference Report for specific recommendations on the use of medications and potential hazards for driving.

(See Conference on Psychiatric Disorders and Commercial Drivers at:

<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

### Vision

#### \$391.41(b)(10)

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has distant visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.*

The term "ability to recognize the colors of" is interpreted to mean if a person can recognize and distinguish among traffic control signals and devices showing standard red, green and amber, he or she meets the minimum standard, even though he or she may have some type of color perception deficiency. If certain color perception tests are administered, (such as Ishihara, Pseudoisochromatic, Yarn) and doubtful findings are discovered, a controlled test using signal red, green and amber may be employed to determine the driver's ability to recognize these colors.

Contact lenses are permissible if there is sufficient evidence to indicate that the driver has good tolerance and is well adapted to their use. Use of a contact lens in one eye for distance visual acuity and another lens in the other eye for near vision is not acceptable, nor telescopic lenses acceptable for the driving of commercial motor vehicles.

If an individual meets the criteria by the use of glasses or contact lenses, the following statement shall appear on the Medical Examiner's Certificate: "Qualified only if wearing corrective lenses."

CMV drivers who do not meet the Federal vision standard may call (202) 366-1790 for an application for a vision exemption.

(See Visual Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

### Hearing

#### \$391.41(b)(11)

A person is physically qualified to drive a commercial motor vehicle if that person:

*First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ADA Standard) Z24.5-1951.*

Since the prescribed standard under the FMCSRs is the American Standards Association (ANSI), it may be necessary to convert the audiometric results from the ISO standard to the ANSI standard. Instructions are included on the Medical Examination report form.

If an individual meets the criteria by using a hearing aid, the driver must wear that hearing aid and have it in operation at all times while driving. Also, the driver must be in possession of a spare power source for the hearing aid.

For the whispered voice test, the individual should be stationed at least 5 feet from the examiner with the ear being tested turned toward the examiner. The other ear is covered. Using the breath which remains after a normal expiration, the examiner whispers words or random numbers such as 66, 18,

23, etc. The examiner should not use only sibilants (s sounding materials). The opposite ear should be tested in the same manner. If the individual fails the whispered voice test, the audiometric test should be administered.

If an individual meets the criteria by the use of a hearing aid, the following statement must appear on the Medical Examiner's Certificate "Qualified only when wearing a hearing aid."  
(See Hearing Disorders and Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medports.htm>)

#### **Drug Use**

##### **§391.41(b)(12)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Does not use a controlled substance identified in 21 CFR 1308.11.*

*Schedule I, an amphetamine, a narcotic, or any other habit-forming drug. Exception: A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who is familiar with the driver's medical history and assigned duties; and has advised the driver that the prescribed substance or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle.*

This exception does not apply to methadone. The intent of the medical certification process is to medically evaluate a driver to ensure that the driver has no medical condition which interferes with the safe performance of driving tasks on a public road. If a driver uses a Schedule I drug or other substance, an amphetamine, a narcotic, or any other habit-forming drug, it may be cause for the driver to be found medically unqualified.

Motor carriers are encouraged to obtain a practitioner's written statement about the effects on transportation safety of the use of a particular drug.

A test for controlled substances is not required as part of this biennial certification process. The FMCSA or the driver's employer should be contacted directly for information on controlled substances and alcohol testing under Part 382 of the FMCSRs.

The term "uses" is designed to encompass instances of prohibited drug use determined by a physician through established medical means. This may or may not involve body fluid testing. If body fluid testing takes place, positive test results should be confirmed by a second test of greater specificity. The term "habit-forming" is intended to include any drug or medication generally recognized as capable of becoming habitual, and which may impair the user's ability to operate a commercial motor vehicle safely.

The driver is medically unqualified for the duration of the prohibited drug(s) use and until a second examination shows the driver is free from the prohibited drug(s) use. Recertification may involve a substance abuse evaluation, the successful completion of a drug rehabilitation program, and a negative drug test result. Additionally, given that the certification period is normally two years, the examiner has the option to certify for a period of less than 2 years if this examiner determines more frequent monitoring is required.

(See Conference on Neurological Disorders and Commercial Drivers and Conference on Psychiatric Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medports.htm>)

#### **Alcoholism**

##### **§391.41(b)(13)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no current clinical diagnosis of alcoholism.*

The term "current clinical diagnosis of" is specifically designed to encompass a current alcoholic illness or those instances where the individual's physical condition has not fully stabilized, regardless of the time element. If an individual shows signs of having an alcohol-use problem, he or she should be referred to a specialist. After counseling and/or treatment, he or she may be considered for certification.

### MEDICAL EXAMINER'S CERTIFICATE

I certify that I have examined \_\_\_\_\_ in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties, I find this person is qualified; and, if applicable, only when:

- wearing corrective lenses
- driving within an exempt intracity zone (49 CFR 391.62)
- wearing hearing aid
- accompanied by a Skill Performance Evaluation Certificate (SPE)
- accompanied by a \_\_\_\_\_ waiver exemption
- Qualified by operation of 49 CFR 391.64

The information I have provided regarding this physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.

SIGNATURE OF MEDICAL EXAMINER	TELEPHONE	DATE
MEDICAL EXAMINER'S NAME (PRINT)	<input type="checkbox"/> MD <input type="checkbox"/> DO <input type="checkbox"/> Physician Assistant	<input type="checkbox"/> Chiropractor <input type="checkbox"/> Advanced Practice Nurse
MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO./ISSUING STATE		
SIGNATURE OF DRIVER	DRIVER'S LICENSE NO.	
ADDRESS OF DRIVER		STATE
MEDICAL CERTIFICATE EXPIRATION DATE		

## MULTIPLE-EMPLOYER DRIVERS

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in 49 CFR 390.5), the motor carrier shall comply with all requirements of Part 391, except the carrier need not—

- (1) Require the person to furnish an application for employment (391.21);
- (2) Make an inquiry into the person's driving record during the preceding three years to the appropriate State agency(s) and an investigation of the person's employment record during the preceding three years (391.23);
- (3) Perform annual review of the person's driving record (391.25); or
- (4) Require the person to furnish a record of violations or a certificate (391.27).

The checklist below may be helpful to ensure that required documents are obtained.

### DRIVER QUALIFICATION FILE CHECKLIST

Name \_\_\_\_\_

Social Security Number \_\_\_\_\_

Driver's License Number \_\_\_\_\_

Type of License \_\_\_\_\_ State \_\_\_\_\_

In addition to the above information, copies of the following must be obtained.

- Medical Examiner's Certificate
- Road Test (or equivalent)
- Certificate of Road Test
- Controlled Substances Test

## Diabetes and Vision Exemptions (Part 381, Subpart C)

An individual may apply for an exemption from the diabetes, 49 CFR section 391.41(b)(3), and vision standard, 49 CFR 391.41(b)(10). If you do not currently meet the diabetes and/or the vision standard and are unable to obtain a medical card, you may be an eligible candidate.

See link for exemption packages:

<http://www.fmcsa.dot.gov/rules-regulations/topics/medical/exemptions.htm>

## Skill Performance Evaluation (SPE) Certificate Program for Drivers with Missing or Impaired Arms, Hands, Fingers, Legs or Feet (391.49)

Drivers with physical impairments which affect their ability to safely operate CMVs according to their medical examiners, or with missing limbs (e.g., a hand or finger, an arm, foot or leg), are required to obtain SPE certificates.

SPE certificate application packets can be downloaded from the below site, or obtained by contacting FMCSA's Service Center (below) which is responsible for the territory in which the driver is a legal resident.

New Driver Application Package: <http://www.fmcsa.dot.gov/documents/safetyprograms/spe-certificate-package.pdf>

Renewal Package: <http://www.fmcsa.dot.gov/documents/safetyprograms/spe-certificate-renew-package.pdf>

For questions regarding the SPE certificate application packets and/or medical requirements, please contact:

Location	Address	Territory Included
Eastern Service Center	802 Cromwell Park Drive, Suite N Glen Burnie, MD 21061 Phone: (443) 703-2240	CT, DC, DE, MA, MD, ME, NJ, NH, NY, PA, PR, RI, VA, VT, WV
Midwestern Service Center	19900 Governors Drive, Suite 210 Olympia Fields, IL 60461 Phone: (708) 283-3577 • FAX: (708) 283-3579	IA, IL, IN, KS, MI, MO, MN, NE, OH, WI
Southern Service Center	1800 Century Boulevard, N.E., Suite 1700 Atlanta, GA 30345-3220 Phone: (404) 327-7371 • FAX: (404) 327-7359	AL, AR, FL, GA, KY, LA, MS, NC, OK, SC, TN, TX
Western Service Center	1800 Century Boulevard, N.E., Suite 1700 Atlanta, GA 30345-3220 Phone: (404) 327-7370 • FAX: (404) 327-7359 (SPE inquiries for Western States are handled by the Southern Service Center)	American Samoa, AK, AZ, CA, CO, Guam, HI, ID, Mariana Islands, MT, ND, NM, NV, OR, SD, UT, WA, WY

## Limited Exemptions (391.61-391.69)

391.61	Drivers who were regularly employed before January 1, 1971
391.62	Limited exemptions for intra-city zone drivers
391.63	Multiple-employer drivers
391.64	Grandfathering for certain drivers participating in vision and diabetes waiver study programs
391.65	Drivers furnished by other motor carriers
391.67	Farm vehicle drivers of articulated commercial motor vehicles
391.68	Private motor carrier of passengers (nonbusiness)
391.69	Private motor carrier of passengers (business)

## Disqualifying Offenses (391.15)

A driver is disqualified from operating a commercial motor vehicle (CMV) on public highways for the following offenses:

- Revocation, suspension, or withdrawal of an operator's license.
- Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle:
  - Driving a CMV while under the influence of alcohol.
  - Driving a CMV while under the influence of a disqualifying drug or other controlled substance.
  - Transporting or possessing a disqualifying drug or controlled substance.
  - Leaving the scene of an accident that involves a CMV.
  - Using a CMV to commit a felony.
  - Using a CMV to violate an Out-of-Service Order.

## Disqualifying Offense Penalties (391.15)

- A first offender is disqualified for one year following conviction or forfeiture (6 months for possession of a controlled substance).
- For a second offense within three years, a driver is disqualified for three years.

## Additional Requirements

*For additional requirements see:*

Part 380 – Entry-Level Driver Training and Longer Combination Vehicle Driver Training  
(page 11)

Part 382 – Controlled Substance and Alcohol Use and Testing (page 15)

Part 383 – Commercial Driver's License Standards (page 21)





## PART 392

### Driving of Motor Vehicles

#### Applicability (392.2)

Every commercial motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher standard of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Regulation must be complied with.

#### Illness or Fatigue (392.3)

No driver is permitted to operate a motor vehicle when their ability and/or alertness is impaired by fatigue, illness, or any other cause that makes it unsafe to begin (or continue) to drive the vehicle.

#### Drugs (392.4)

No driver may be on duty and possess, be under the influence of, or use:

- Any 21 CFR section 1308.11 Schedule I substance
- Any amphetamine or formulation of an amphetamine (including pep pills and bennies)
- Narcotics or derivatives
- Any other substance that makes driving unsafe

**NOTE:** Schedule I can be retrieved at <http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi>

#### Alcohol (392.5)

A driver is forbidden to consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving. A driver is forbidden to possess any alcoholic beverage while on duty, or while driving, unless it is a manifested part of the shipment.

#### Safe Loading (392.9)

No one may drive or require anyone to drive a commercial motor vehicle unless the cargo is properly distributed and adequately secured.

#### Operating Authority (392.9a)

A motor vehicle may not be operated without the required registration or operated beyond the scope of its registration.

Information on the application process for obtaining operating authority may be obtained at [http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguidedetails.asp?rule\\_toc=735&section\\_toc=735](http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguidedetails.asp?rule_toc=735&section_toc=735)

Who must register for operating authority.

- U.S. and Canada-domiciled Motor Carriers
  - All for-hire motor carriers that want to operate in interstate transportation of regulated property, household goods, and passengers, and all brokers and freight forwarders of property and household goods
- Mexico-domiciled Motor Carriers
  - All carriers of private operations (except private motor carriers of passengers)
  - All for-hire carriers that want to operate in foreign transportation of property (exempt & regulated), household goods and passengers

The web sites below provide information concerning the operating authority application process:

<http://www.fmcsa.dot.gov/about/other/faq/faqs.asp>

<http://www.fmcsa.dot.gov/registration-licensing/online-registration/onlineregdescription.htm>

If you do not have access to the internet, you can call FMCSA's toll-free number at 1-800-832-5660 for assistance.

### **Railroad Crossing/Stopping (392.10)**

Motor vehicles transporting certain types and quantities of hazardous materials, as specified in 49 CFR section 392.10(a)(2) through (a)(6), and most vehicles transporting passengers are forbidden to cross railroad tracks without first stopping, listening, and looking both ways. Additionally, the driver must not shift gears while crossing the track.

### **Seat Belts (392.16)**

A driver must not drive a commercial motor vehicle before correctly restraining himself or herself with seat belt assembly.

### **Emergency Signals for Stopped Vehicles (392.22(a))**

If a vehicle is stopped on a highway or shoulder, the driver must activate the vehicle's hazard warning flashers immediately. The driver must leave the flashers on until warning devices are activated. The flashers must again be used while the warning devices are being picked up before the vehicle moves on.

### **Placement of Warning Devices (392.22(b))**

The warning devices must be placed as follows (except where special rules apply – see 49 CFR section 392.22(b)(2)):

- ▶ One warning device must be placed on the traffic side of the vehicle, within ten feet, in the direction of approaching traffic.
- ▶ A second device must be placed facing the direction of approaching traffic approximately 100 feet away and in the center of the lane or shoulder where the vehicle is stopped.
- ▶ The third device must be placed about 100 feet away from the stopped vehicle, in the direction away from approaching traffic.

### **Radar Detectors (392.71)**

Radar detectors shall not be used by a driver in a commercial motor vehicle or operate a commercial motor vehicle that is equipped with or contains a radar detector.

Motor carriers shall not require or permit a driver to violate the radar detector provisions.



## PART 393

### Parts and Accessories Necessary for Safe Operation

#### Applicability (393.1)

49 CFR Part 393 establishes the minimum standards for commercial motor vehicles as defined in 49 CFR section 390.5. Only motor vehicles (as defined in section 390.5) and combinations of motor vehicles which meet the definition of a commercial motor vehicle are subject to the requirements of this part. All requirements that refer to motor vehicles with a GVWR below 10,001 pounds (4,536 kg) are applicable only when the motor vehicle or combination of motor vehicles meets the definition of a commercial motor vehicle.

Every employer and employee shall comply and be knowledgeable of the requirements and specifications of 49 CFR Part 393. No employer shall operate a commercial motor vehicle, or cause or permit it to be operated, unless it is equipped in accordance with the requirements and specifications of 49 CFR Part 393.

#### Additional Equipment and Accessories (393.3)

Every commercial motor vehicle must be equipped with certain standard equipment. Additional equipment or accessories are permitted only if these items do not decrease the operational safety of the vehicle.

#### Lamps Operable (393.9)

All required lamps must be capable of being operated at all times.

#### Lighting Devices and Reflectors (393.11)

49 CFR section 393.11 specifies the required color, position, and types of lamps and reflectors for commercial motor vehicles. All lamps and reflectors for commercial motor vehicles manufactured after December 25, 1968 must meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 (49 CFR 571.108) in effect on the date of manufacture. Lamps and reflectors on commercial motor vehicles manufactured on or prior to December 25, 1968 must meet either the

requirements of 49 CFR Part 393 or of FMVSS No. 108 that were in effect on the date of manufacture.

#### Retroreflective Sheeting and Reflex Reflectors (393.13)

Certain trailers manufactured on or after December 1, 1993, must have retroreflective sheeting or additional reflex reflectors to make them more visible to other motorists at night and under other conditions of reduced visibility. Trailers manufactured before December 1, 1993, must be retrofitted with retroreflective sheeting or additional reflectors.

#### Requirements for Lamps Other Than Head Lamps (393.25)

*Mounting.* All lamps must be permanently and securely mounted on a permanent part of the vehicle. The exceptions are temporary lamps on motor vehicles being transported in driveaway-towaway operations and temporary electric lamps on projecting loads. Temporary lamps must be securely attached.

*Stop lamps.* All stop lamps on a commercial motor vehicle must activate when the service brakes are applied.

#### Required Brake Systems (393.40)

Each commercial motor vehicle must meet the applicable service, parking, and emergency brake system requirements as provided in 49 CFR section 393.40.

#### Brakes Required on All Wheels (393.42)

Every commercial motor vehicle must be equipped with brakes acting on all wheels, with the following exceptions:

- ▶ Trucks and truck tractors with three or more axles, manufactured before July 25, 1980, are not required to have steering axle brakes. However, these vehicles must meet the requirements of 49 CFR section 393.52.

- Vehicles being towed in a driveaway-towaway operation are not required to have operative brakes provided the combination of vehicles meet the requirements of 49 CFR section 393.52. This exception is not applicable to:
  - Any motor vehicle towed by means of a tow-bar when another motor vehicle is full-mounted on the towed vehicle; or
  - Any combination of motor vehicles utilizing three or more saddle-mounts.
- Any semitrailer or pole trailer (laden or unladen) with a gross weight of 3,000 pounds or less, provided the axle weight of the towed vehicle does not exceed 40 percent of the sum of the axle weights of the towing vehicle.
- Any full trailer or four-wheel pole trailer (laden or unladen) with a gross weight of 3,000 pounds or less, provided the sum of the axle weights of the towed vehicle does not exceed 40 percent of the sum of the axle weights of the towing vehicle.
- A three-axle dolly on the steering axle which is steered by a co-driver.
- Loaded housemoving dollies, specialized trailers and dollies used to transport industrial furnaces, reactors, and similar motor vehicles, provided the speed at which the combination of vehicles will be operated does not exceed 20 mph and brakes on the combination of vehicles are capable of stopping the combination within 40 feet from the speed at which the vehicle is being operated or 20 mph, whichever is less.

### **Breakaway and Emergency Braking (393.43)**

Every truck or truck tractor equipped with air brakes, when used to tow other vehicles equipped with air brakes, must be capable of activating (manually and automatically) the emergency features of the trailer brakes. The brakes must apply automatically when the towing vehicle air supply pressure is between 20 and 45 psi. The manual control must be operable by the driver from the driver's seat, with seat belt in use. These requirements do not apply to vehicles in driveaway-towaway operations.

Every trailer is required to be equipped with brakes that apply automatically if the trailer breaks away from the towing vehicle. The brakes must remain in the applied position for at least 15 minutes. These requirements do not apply to vehicles in driveaway-towaway operations.

### **Brake Tubing and Hose (393.45)**

Safe and reliable operation of a vehicle's brakes depends upon adequate protection of the tubing and hoses from mechanical and other damage.

All brake tubing and hoses, brake hose assemblies, and brake hose end fittings must meet the applicable requirements of FMVSS No. 106 (49 CFR section 571.106).

- Length and flexibility must accommodate all normal motions of the parts to which the hose is attached.
- Protection against mechanical damage must include protection against chafing, kinking, and mechanical damage.
- Protection from high temperature must include protection from or location away from exhaust pipes and other sources of high temperatures.

### **Brake Actuators, Slack Adjusters, Linings/Pads, and Drums/Rotors (393.47)**

Brake components must be constructed, installed and maintained to prevent excessive fading and grabbing. The means of attachment and physical characteristics must provide for safe and reliable stopping of the commercial motor vehicle.

The effective length of the slack adjuster on each end of an axle must be the same.

### **Brakes to be Operative (393.48)**

All brakes with which a commercial motor vehicle is equipped must be operable at all times.

Section 393.48(c) of 49 CFR provides an exception to the requirement that brakes be operable at all times. This exception covers disabled vehicles being towed and vehicles towed in a driveaway-towaway operation.

The driveway-towaway exception in 49 CFR section 393.48(c) is contingent upon the conditions outlined in 49 CFR section 393.42(b)(2). Towed vehicles must have brakes as may be necessary to ensure compliance with the performance requirements of 49 CFR section 393.52. A motor vehicle towed by means of a tow-bar when any other vehicle is full-mounted on the towed vehicle, or any combination of motor vehicles utilizing 3 or more saddle-mounts, would not be covered under the exception found at 49 CFR section 393.48(c).

With regard to the disabled-vehicle provision of 49 CFR section 393.48(c)(1), the combination vehicle would have to meet the applicable performance requirements of 49 CFR section 393.52.

### Brake Warning Devices (393.51)

Buses, trucks, and truck tractors must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. This signal requirement covers hydraulic brake systems, air brake systems, vacuum brake systems, and hydraulic brakes applied or assisted by air or vacuum.

The brake warning device rules concerning (1) air brakes, (2) vacuum brakes, and (3) hydraulic brakes applied or assisted by air or vacuum of 49 CFR 391.51 do not apply to property carrying commercial motor vehicles which have less than three axles and (1) were manufactured before July 1, 1973, and (2) have a manufacturer's gross vehicle weight rating less than 10,001 pounds (4,536 kg).

### Automatic Brake Adjusters and Brake Adjustment Indicators (393.53)

- Each commercial motor vehicle manufactured on or after October 20, 1993, and equipped with a hydraulic brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 105.
- Each commercial motor vehicle manufactured on or after October 20, 1994, and equipped with an air brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 121.
- Air-braked vehicles manufactured on or after October 20, 1994, and equipped with an external automatic adjustment mechanism, must be equipped with an automatic

brake adjustment indicator that meets the requirements of FMVSS No. 121.

### Antilock Brake Systems (393.55)

Certain commercial motor vehicles are required to be equipped with antilock braking systems that meet the requirements of FMVSS No. 105 (49 CFR 571.105) concerning hydraulic brake systems, and FMVSS No. 121 (49 CFR 571.121) concerning air brake systems. The rules apply to:

- Truck tractors manufactured on or after March 1, 1997;
- Air-braked single-unit trucks, buses, and trailers (including converter dollies) manufactured on or after March 1, 1998; and
- Hydraulic-braked trucks and buses manufactured on or after March 1, 1999.

### Windshield Condition (393.60)

A vehicle's windshield must be free of discoloration and cracks in the area extending from the top of the steering wheel to within two inches of the top of the windshield.

### Fuel Systems (393.65)

Fuel systems used for the operation of commercial motor vehicles and of auxiliary equipment installed on or used in connection with commercial motor vehicles must meet the following requirements.

Each fuel system must be located so that:

- No part of the system extends beyond the widest part of the vehicle.
- No part of a fuel tank is forward of the front axle or a power unit.
- Fuel lines do not extend between a towed vehicle and the towing unit while the combination is in motion.
- No part of the fuel system of a bus manufactured on or after January 1, 1973, is located within or above the passenger compartment.

### Coupling Devices (393.70 and 393.71)

Sections 393.70 and 393.71 of 49 CFR provide requirements for the attachment and location of the fifth wheel and requirements for the towing of full trailers. In addition, requirements for saddle mount operations are provided.

## REFLECTIVE TAPE FOR TRAILERS

On March 31, 1999, the Federal DOT issued a rule which requires trailers over 10,000 lbs. and 80 inches wide or more to be retrofitted with reflective tape (Ref. 393.13).

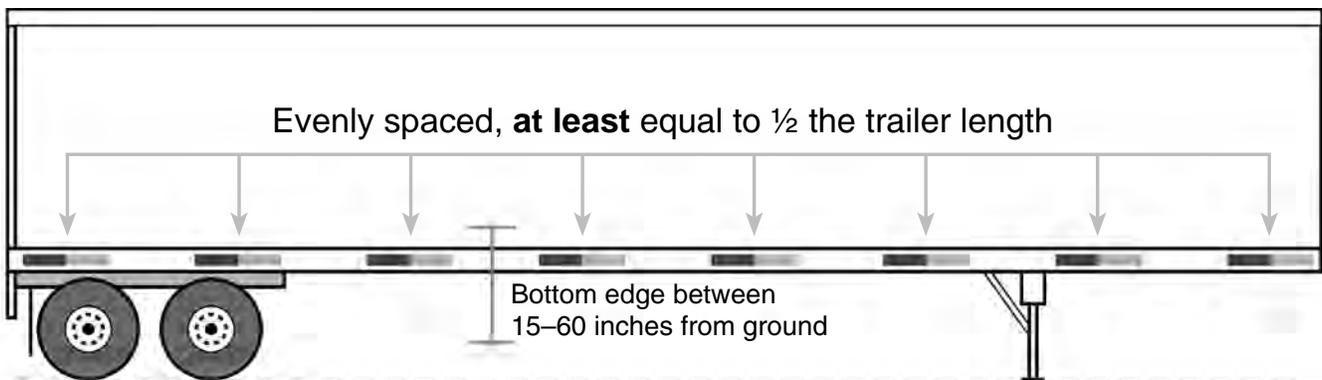
Trailers built on or after December 1, 1993, must already have reflective tape when built; that tape must be maintained in the same manner as when the trailer was new.

Trailers built before December 1, 1993, must be retrofitted with tape meeting the same color and reflection requirements.

White 12" inverted "L" along the top rear (with modifications for flat-beds and tankers).

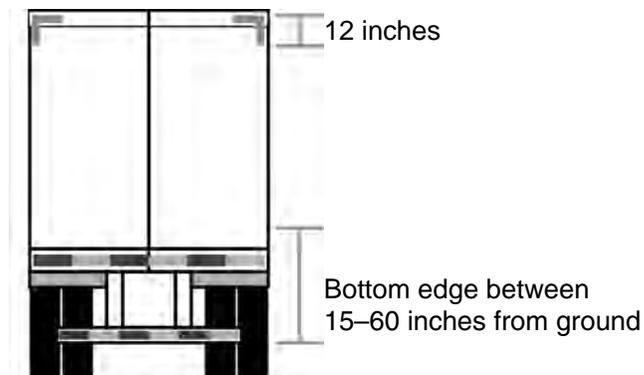
Alternating red and white on lower rear and along the sides evenly spaced and covering at least half the length of the trailer:

- 14 feet on a 28-foot trailer
- 20 feet on a 40-foot trailer
- 24 feet on a 48-foot trailer
- 26½ feet on a 53-foot trailer



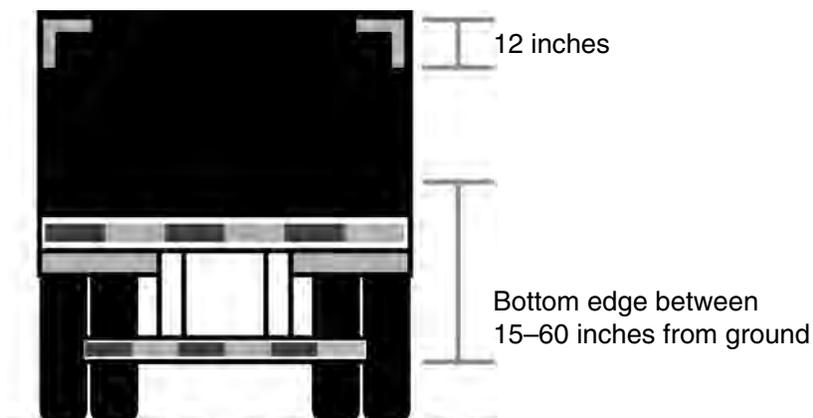
For box trailers, the rear reflective tape must be as shown:

- Full-width across the rear-end protection (“ICC bumper”)
- Full-width across the lower rear cargo area
- Two 12" inverted “L” near the top rear corners



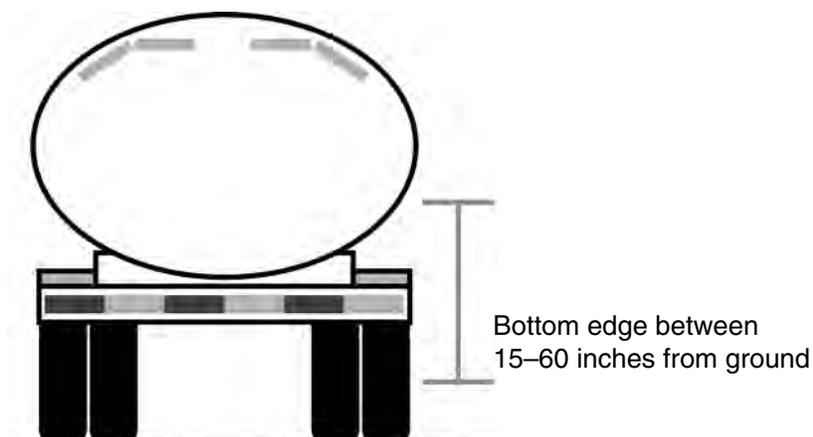
For flat-bed trailers, the rear tape must be has shown:

- Full-width across the rear-end protection (“ICC bumper”)
- Full-width across the lower rear cargo area
- Two 12" inverted “L” near the top rear header board



For tanker trailers, the rear tape must be has shown:

- Full-width across the rear-end protection
- Four 12" white strips near the top rear



Trailers must be in compliance by June 1, 2001.

Trailers with tape colors other than red and white must be retrofitted by June 1, 2009.



### Tires (393.75)

Tires used on commercial motor vehicles must meet specific safety rules. No tire that is in use on a commercial motor vehicle may have any of the following defects:

- Body ply or belt material exposed through the tread or sidewall
- Tread or sidewall separation
- Audible leak (or flat)
- A cut exposing the ply or belt material
- A tread groove pattern depth of less than  $\frac{4}{32}$  of an inch (front tires) or  $\frac{2}{32}$  of an inch (other tires)
- regrooved tires on front wheels of trucks or truck tractors which have a load carrying capacity equal to or greater than 4,920 pounds (2,232 kg)
- Regrooved, recapped, or retreaded tires on the front wheels of buses are prohibited

## Sleeper Berths (393.76)

Sleeper berths must meet minimum dimensions. A sleeper berth must not be installed on a trailer and must be located in or adjacent to the cab. An exit door at least 18" high by 36" wide must lead directly into the cab. Section 393.76 of 49 CFR contains special provisions for sleeper berths installed before 1975. Sleeper berths must be equipped with adequate sheets and blankets, and a mattress and springs or innerspring mattress. They must be adequately ventilated, and located so as to protect occupants against exhaust heat and fumes and fuel leaks. A mandatory restraint system must withstand at least 6,000 lbs. of force applied toward the front of the vehicle.

## Exhaust Systems (393.83)

Exhaust systems must meet the following requirements:

- The exhaust system and discharge must be located where it is not likely to burn or damage the electrical wiring, the fuel supply, nor any combustible part of the vehicle.
- The discharge from the exhaust system must not be located immediately below the fuel tank or the fuel tank filler pipe.
- The exhaust system may not be temporarily repaired with patch or wrap material.
- The exhaust pipe and mufflers must be securely fastened to the vehicle.
- The exhaust system may not leak or discharge at any point forward of or directly below the driver or sleeper compartment.

For trucks and truck tractors, the exhaust system must discharge at a location to the rear of the cab, or above and near the rear of the cab.

For a bus powered by a *gasoline* engine, the exhaust pipe must discharge at a point no farther forward than six inches forward of the rearmost part of the bus.

For a bus powered by *diesel or other fuel* (not gasoline), the exhaust pipe must discharge either:

- At a point no farther forward than 15 inches forward of the rearmost part of the bus, or
- To the rear of all doors or windows designed to be open (not including emergency exits).

## Rear End Protection (393.86)

Every commercial motor vehicle must be equipped with either bumpers or other devices that prevent the under ride of another vehicle. Tractors, pole trailers, and driveaway-towaway vehicles are exempt. Certain trailers manufactured on or after January 26, 1998 must have rear impact guards that meet FMVSS Nos. 223 & 224.

## Seat Belts (393.93)

Commercial motor vehicle must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in the FMVSS.

## Emergency Equipment (393.95)

Commercial motor vehicles must carry the following emergency equipment:

- Fire extinguisher (not required for driveaway-towaway operations)
- Spare fuses
- Warning devices for stopped vehicles

## Fire Extinguisher (393.95)

Fire extinguishers must be securely mounted and readily accessible for use. Each extinguisher must have a gauge or other indicator that shows whether the extinguisher is fully charged, and a label showing its Underwriters' Laboratories (UL) rating.

The fire extinguisher(s) must meet one of the following standards:

- One extinguisher with a UL rating of 5 B:C or more;
- Two extinguishers each with a UL rating of 4 B:C or more; or
- One extinguisher with a UL rating of 10 B:C or more, if the vehicle is transporting placardable quantities of hazardous material.

## Cargo Securement (393.100 – 393.136)

Each commercial motor vehicle must, when transporting cargo on public roads, be loaded and equipped, with the cargo secured, in accordance with Subpart I of 49 CFR section 393 to prevent the cargo from leaking, spilling, blowing, or falling from the motor vehicle.

Cargo is required to be loaded and secured so that it will not shift or fall off the vehicle. The cargo securement regulations include minimum strength requirements for securement devices and requirements for protection against longitudinal and lateral movement of the cargo. Rules for securing specific types of commodities are included.

The requirements for securing specific types of commodities cover logs, dressed lumber or similar building products, metal coils, paper rolls, concrete pipe, intermodal containers, automobiles, light trucks, vans, heavy vehicles, equipment and machinery, flattened or crushed vehicles, roll-on/roll-off or hook lift containers, and large boulders.

### Frames (393.201)

The frame or chassis of each commercial motor vehicle shall not be cracked, loose, sagging or broken. Parts and accessories shall not be welded to the frame or chassis of a commercial motor vehicle except in accordance with the vehicle manufacturer's recommendations. Any welded repair of the frame must also be in accordance with the vehicle manufacturer's recommendations.

### Cab and Body Components (393.203)

The cab compartment doors or door parts used as an entrance or exit shall not be missing or broken. Doors shall not sag so that they cannot be properly opened or closed. No door shall be wired shut or otherwise secured in the closed position so that it cannot be readily opened.

### Wheels (393.205)

Wheels and rims shall not be cracked or broken. Stud or bolt holes on the wheels shall not be elongated (out of round). Nuts or bolts shall not be missing or loose.

## Suspension Systems (393.207)

Suspension systems are required to be structurally sound and in safe working order, including the following:

- ▶ Axles must be in proper alignment, and no positioning part can be cracked, broken, loose, or missing.
- ▶ Adjustable axles must have locking pins in place.
- ▶ Leaf springs must not be cracked, broken, missing, or shifted out of position.
- ▶ Coil springs must not be cracked or broken.
- ▶ Torsion bars must not be cracked or broken.
- ▶ Air suspensions must support the vehicle in a level position and must not leak.
- ▶ Air suspension exhaust controls must not have the capability to exhaust air from the suspension system of one axle of a two-axle air suspension trailer unless the controls are either located on the trailer, or the power unit and trailer combination are not capable of traveling at a speed greater than 10 miles per hour while the air is exhausted from the suspension system. This paragraph shall not be construed to prohibit.
  - Devices that could exhaust air from both axle systems simultaneously; or
  - Lift axles on multi-axle units.

## Steering Wheel Systems (393.209)

Steering system must be in proper working order, which includes the following:

- ▶ Steering wheel must be properly secured and no cracked or missing spokes.
- ▶ Steering wheel lash must meet the requirements of 49 CFR section 393.209.
- ▶ Steering column must be securely fastened.
- ▶ Steering system must not have worn or welded universal joints and ball and socket joints; loose or missing mounting bolts or cracks in the steering gear box or mounting brackets; or a loose pitman arm on the steering gear output shaft.
- ▶ Power steering unit must not have loose or broken parts; frayed, cracked, or slipping belts; leaks; or insufficient fluid in reservoir.

## PART 395

### Hours of Service of Drivers

#### Applicability (395.1)

The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (o) of 49 CFR section 395.1.

#### ■ Short-haul provision (395.1(e))

##### 100 Air-Mile Radius Exemption (395.1(e)(1))

A driver is exempt from maintaining the driver's daily log requirements of 49 CFR section 395.8 if all of the following is true:

- The driver operates within a 100 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within 12 consecutive hours.
- Each 12 hours on duty are separated by at least 10 consecutive hours of off duty for property-carrying drivers or 8 consecutive hours off duty for passenger-carrying drivers.
- The driver does not exceed a maximum of 11 hours driving time following 10 consecutive hours off duty for property-carrying drivers, or 10 hours driving time following 8 consecutive hours off duty for passenger-carrying drivers.
- The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show:
  - The total number of hours the driver is on duty each day
  - The time the driver reports for duty each day
  - The time the driver is released from duty each day
  - The total time for the preceding seven days for first-time or intermittent drivers

#### Operators of Property-Carrying Commercial Motor Vehicles Not Requiring a Commercial Driver's License (CDL). (395.1(E)(2))

A driver is exempt from maintaining the driver's daily log requirements of section 395.8 if all the following are true:

- The driver operates a property-carrying commercial motor vehicle (CMV) which does not require a CDL for operation.
- The driver operates within a 150 air-mile radius of the normal work reporting location.
- The driver returns to the normal work reporting location at the end of each duty tour.
- The driver has at least 10 consecutive hours off duty separating each on-duty period.
- The driver does not exceed a maximum of 11 hours driving time following 10 consecutive hours off duty.
- The driver does not exceed a maximum of 14 hours after coming on duty 5 days a week of any period of 7 consecutive days or after the 16th hour after coming on duty 2 days a week of any period of 7 consecutive days.
- The driver does not drive after having been on duty for 60 hours in 7 days or 70 hours in 8 days.
- The 7 or 8 day period may end with the beginning of any off-duty period of 34 or more consecutive hours.
- The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show:
  - The total number of hours the driver is on duty each day
  - The time the driver reports for duty each day
  - The time the driver is released from duty each day
  - The total time for the preceding seven days for first-time or intermittent drivers

Drivers who use the above-described short-haul provision are not eligible to use the 100 air-mile provision in 49 CFR section 395.1(e), sleeper berth provision in 49 CFR section 395.1(g), or the current 16-hour exception in 49 CFR section 395.1(o).

### Sleeper Berth Provision (395.1(G))

CMV drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.

### Property-Carrying Operation (395.3)

#### 11-hour rule

Drivers are allowed to drive for 11 hours following 10 consecutive hours off duty.

#### 14-hour rule

A motor carrier cannot permit or require a driver to drive after the 14th hour after coming on duty following 10 consecutive hours off duty.

#### 16-hour exception

An exception, commonly called the short-haul exception, is available to drivers who normally return to their work reporting location. A property-carrying CMV driver may extend the 14-hour on-duty period by 2 additional hours once every 7 days if he or she:

- Has been released from duty at their normal work reporting location for the previous 5 duty tours;
- Is released from duty at his or her normal work reporting location within 16 hours after coming on duty following 10 consecutive hours off duty; and
- Has not taken this exemption within the previous 6 days, except following a 34-hour restart of a 7/8-day period.

#### 60 and 70-hour rules

A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days, or
- 70 hours on duty in 8 consecutive days, and
- An off duty period of 34 or more consecutive hours may restart a driver's 7 or 8 consecutive day period as long as the driver has not exceeded 60 or 70 hours on duty.

**NOTE:** If a driver of a property-carrying vehicle works more than one job of any kind, that time must also be included as On-Duty Time.

### Passenger-Carrying Operations (395.5)

#### 10-hour rule

Drivers are allowed to drive for 10 hours following 8 consecutive hours off duty.

#### 15-hour rule

A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off duty.

#### 60 and 70-hour rules

A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week).
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week).

**NOTE:** If a driver of a passenger-carrying vehicle works more than one job of any kind, that time must also be included as On-Duty Time.

### Driver's Record of Duty Status (395.8)

Every driver shall prepare a record of duty status (driver's daily log) in his or her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption or drivers of property-carrying CMVs who do not require a CDL for operation and who operate within a 150-air-mile radius of their normal work reporting location.

Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.

Every driver must keep his/her activities current by showing each change in duty status. The time zone used on a driver's daily log should be the time standard of that driver's home terminal.

## Submitting/Retaining Duty Status Log (395.8(I)-(K))

The driver must submit the original log sheet to the employing carrier within 13 days after completion. When a motor carrier uses a driver initially or intermittently, that carrier must obtain from its driver a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he or she was last relieved of duty. Records of duty status must be maintained, with all supporting documents, for a minimum of six months.

## Driver Off Duty Authorization (395.8)

A driver may log meal breaks as Off Duty instead of On Duty not driving with a permission letter from the motor carrier if:

- The vehicle is parked in a safe and secure place that is not obstructing traffic;
- The meal break is at least 30 minutes but no more than an hour; and
- While off duty, the driver is relieved of vehicle and cargo responsibility; and
- If the driver is free to leave the premises on which the vehicle is parked to pursue other activities as long as the ability to safely operate the vehicle is not impaired as required by Part 392, "Driving of Vehicles, of the Federal Motor Carrier Safety Regulations.

## Drivers Declared Out Of Service (395.13)

No driver shall drive after being on duty in excess of the maximum periods permitted.

No motor carrier shall require or permit a driver who has been declared out of service to operate a CMV until the driver may lawfully do so.

## Automatic On-Board Recording Devices (395.15)

Alternatively, motor carriers may require a driver to use an *automatic on-board recording device* to record duty status. The driver must still have in his/her possession records of duty status in automated or written form, for the previous seven consecutive days. All hard copies of the driver's record of duty status must be signed by the driver.



## HOURS OF SERVICE RECORD FOR FIRST TIME OR INTERMITTENT DRIVERS

Instructions: When using a driver for the first time or intermittently, a signed statement must be obtained, giving the total time on duty (driving and on duty) during the immediate preceding seven days and the time at which the driver was last relieved from duty prior to beginning work.

Name (Print) \_\_\_\_\_  
First
Middle
Last

DAY	TOTAL TIME ON DUTY
1	_____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____

\_\_\_\_\_

TOTAL \_\_\_\_\_

I hereby certify that the information contained herein is true to the best of my knowledge and belief, and that my last period of release from duty was from

\_\_\_\_\_ to \_\_\_\_\_  
(Hour/Date)
(Hour/Date)

Signature \_\_\_\_\_ DATE \_\_\_\_\_

# LETTER OF OFF-DUTY AUTHORIZATION

This letter authorizes our driver \_\_\_\_\_  
to be Off-Duty during meal and other routine stops.

The purpose of the Federal Department of Transportation Hours of Service Regulations (Part 395) is to keep tired drivers from operating vehicles. Under certain circumstances, however, it appears that enroute stops for meals or other routine purposes may serve to lessen a driver's fatigue.

Therefore, this letter is authorization for you to record your meal or other routine stops on your logs as Off-Duty, rather than On-Duty Not Driving as would normally be the case. However, this may be done only under all of the following circumstances.

1. Your vehicle must be parked in a safe and secure manner so as to prevent obstruction of traffic and theft or damage to the vehicle and cargo.
2. The off-duty period must be no less than 30 minutes and no longer than 60 minutes.
3. During the off-duty period, you are relieved from responsibility from your vehicle and cargo.
4. During the off-duty period, you are free to leave the premises on which your vehicle is parked and to pursue activities of your choosing, as long as your ability to safely operate your vehicle is not impaired as required by part 392, "Driving of Vehicles", of the Federal Motor Carrier Safety Regulations.

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Driver Supervisor

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Date

U.S. DEPARTMENT OF TRANSPORTATION

# DRIVER'S TIME RECORD

(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - Submit to carrier within 13 days  
DUPLICATE - Driver retains possession for eight days

(MONTH) (DAY) (YEAR)

(TOTAL MILES DRIVING TODAY)

VEHICLE NUMBERS - (SHOW EACH UNIT)

I certify these entries are true and correct:

(NAME OF CARRIER OR CARRIERS)

(DRIVER'S SIGNATURE IN FULL)

(MAIN OFFICE ADDRESS)

(NAME OF CO-DRIVER)

	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	19	11	
<b>1: OFF DUTY</b>																								
<b>2: SLEEPER BERTH</b>																								
<b>3: DRIVING</b>																								
<b>4: ON DUTY (NOT DRIVING)</b>																								
<b>REMARKS</b>																								

Pro or Shipping No. \_\_\_\_\_

## SUMMARY OF HOURS WORKED AND HOURS AVAILABLE

This summary page may be used either separately or in conjunction with the Redi Recap section on the face of each record of duty status to assist the driver in computing his or her time. Entries should be made each day even though driver may not work on a particular day or days. The record of "Total On Duty Hours, under heading PREVIOUS MONTH'S REFERENCE representing the last 7 days previous month" right side of this page may be used to assist in computing the hours at the beginning of each month. These figures are necessary when using this page only or when recording hours of service on each record of duty status.

DATE	Hours Worked Today	Total Hours Last 6 Days	Total Hours Last 7 Days	Eligible Hours Tomorrow	PREVIOUS MONTH'S REFERENCE		
1					Date	Record of Duty Status No.	Total On Duty Hours
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							

**DRIVER'S TIME RECORD**

Driver's Name (print) \_\_\_\_\_ Employee No. \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVER'S DAILY LOG" IF THE FOLLOWING APPLIES:

- Operates within 100 air-mile radius of headquarters.
- Returns to headquarters and is released from work within 12 consecutive hours.
- At least 8 consecutive hours off duty separate each 12 hours of duty.

**INTERMITTENT DRIVERS**

Shall complete this form for 7 days preceding any day driving is performed.

This includes the preceding month.

Date	Start Time "All Duty"	End Time "All Duty"	Total Hours	Driving Hours	Truck Number	Headquarters
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

To be prepared monthly by each DOT-certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off." Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manger of Administration.

# PART 396

## Inspection, Repair, and Maintenance

### Applicability (396.1)

Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with inspection or maintenance of commercial motor vehicles must comply and be knowledgeable of these rules.

### General Requirements (396.3)

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control.

### Recordkeeping Requirements (396.3)

Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Identifying information, including company number, make, serial number, year, and tire size
- A schedule of inspections to be performed, including type and due date
- Inspection, repair, and maintenance records
- Records of tests conducted on buses with push-out windows, emergency doors, and marking lights

These records must be retained for one year at the location where the vehicle is garaged and maintained for six months after the vehicle leaves the carrier's control (e.g., sale, trade-in, scrap).

### Roadside Inspection Reports (396.9)

Any driver who receives a roadside inspection report must deliver it to the motor carrier.

### Certification of Roadside Inspection Reports (396.9)

An official of the motor carrier is to examine the roadside inspection report and ensure that any violations or defects noted on the report are corrected. Within 15 days after the inspection, the carrier must sign the completed roadside inspection report to certify that all violations have been corrected and

then return it to the indicated address. A copy must be retained for 12 months from the date of inspection.

### Post-Trip Inspection Report (396.11)

Every carrier must require its drivers to prepare a daily written post-trip inspection report at the end of each driving day. Every driver is responsible for preparing such a report for each vehicle driven. This report must cover *at least* the following parts and accessories:

- Service brakes (including trailer brake connections)
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rearview mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

The report must list any condition that the driver either found or had reported to him/her that would affect safety of operation or cause a breakdown. If no defect or deficiency is reported or found, the report should state this. The driver must sign the report in all cases.

Before dispatching the vehicle again, a carrier shall ensure that a certification has been made as to any defect or deficiency, that they have been corrected, or state those deficiencies that do not require immediate correction. Carriers must keep the original post-trip inspection report and the certification of repairs for at least three months from the date of preparation.

### Driver Inspection (396.13)

Before starting out, the driver must be satisfied that the motor vehicle is in safe operating condition. If the last vehicle inspection report notes any deficiencies, the driver must review and sign to acknowledge that necessary repairs have been completed.

## Periodic Inspection (396.17)

Every commercial vehicle, including each segment of a combination vehicle requires periodic inspection that must be performed at least once every 12 months. At a minimum, inspections must include all items listed in the Minimum Periodic Inspection Standards, Appendix G to Subchapter B. Carriers may perform required annual inspections themselves. The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.

Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on the vehicle.

## Inspector Qualification (396.19)

Motor carriers must ensure that persons performing annual inspections are qualified. Inspectors must:

- Understand the inspection standards of Part 393 and Appendix G;
- Be able to identify defective components; and
- Have knowledge and proficiency in methods, procedures, and tools.

## Inspector Training or Experience (396.19)

Inspectors may have gained experience or training by:

- Completing a State or Federal training program, or earning a State or Canadian Province qualifying certificate in commercial motor vehicle safety inspections.
- A combination of other training or experience totaling at least a year.

## Evidence of Qualifications (396.19)

Motor carriers must retain evidence of an inspector's qualifications until one year after the inspector ceases to perform inspections for the carrier.

## Equivalent to Periodic Inspection (396.23)

The motor carrier may meet periodic inspection requirements through:

- State or other jurisdiction's roadside inspection program;
- Self-inspection by qualified employee; or
- Third party inspection by qualified individual.

## Qualifications for Brake Inspectors (396.25)

The motor carrier is responsible for ensuring that all inspections, maintenance, repairs, and service to brakes of commercial motor vehicles comply with these regulations. The carrier must ensure that the employees responsible for brake inspection, maintenance, service, or repairs meet minimum brake inspector qualifications.

The brake inspector must:

- Understand and be able to perform the brake service and inspection;
- Know the methods, procedures, tools and equipment needed; and
- Be qualified to perform brake service or inspection by training and/or experience.

## Qualifying Brake Training or Experience (396.25)

Qualifying brake training or experience includes successful completion of:

- A State, Canadian Province, Federal agency, or union training program;
- A State-approved training program;
- Training that led to attainment of a State or Canadian Province qualifying certificate to perform assigned brake service or inspection tasks, including passage of CDL air brake test in the case of a brake inspection; or
- One year of brake-related training, experience, or combination of both.

## Maintaining Evidence of Brake Inspector Qualifications (396.25)

Motor carriers must maintain evidence of brake inspector qualification at the principal place of business or the location where the inspector works. Evidence must be retained for the period during which the brake inspector is employed in that capacity, and for one year thereafter.



## Forms to Use

Shown on following pages and available at Web address as shown:

- |  |   |
|--|---|
| <p><b>100</b>.....Inspection Items: (combined)<br/>Differences in the Levels of Inspection:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/part_396form4.pdf">http://www.fmcsa.dot.gov/documents/forms/part_396form4.pdf</a></p> <p><b>101</b>.....Annual Vehicle Inspection Report:<br/><a href="http://www.fmcsa.dot.gov/forms/print/irm.htm">http://www.fmcsa.dot.gov/forms/print/irm.htm</a></p> <p><b>102</b>.....Drivers Vehicle Inspection Report:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form1.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form1.pdf</a></p> <p><b>103</b>.....Vehicle Service Status Report:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form2.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form2.pdf</a></p> <p><b>104, 105</b> ..North American Standard Inspection Procedure:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form3.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form3.pdf</a></p> | <p><b>106</b>.....Inspection, Repair and Maintenance Record:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form5.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form5.pdf</a></p> <p><b>107</b>.....Inspector Qualifications:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form7.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form7.pdf</a></p> <p><b>108</b>.....Brake Inspectors Qualifications:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form8.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form8.pdf</a></p> <p><b>109</b>.....Bus Emergency Exits Inspection:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form9.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form9.pdf</a></p> <p><b>110</b>.....On Guard:<br/><a href="http://www.fmcsa.dot.gov/documents/forms/sec396_form10.pdf">http://www.fmcsa.dot.gov/documents/forms/sec396_form10.pdf</a></p> |
|--|---|

## DIFFERENCES IN THE LEVELS OF INSPECTION

Inspection Items	Level I	Level II*	Level III	Level IV	Level V**
1. Driver's License	✓	✓	✓		
2. Medical examiner's certificate and waiver (if applicable)	✓	✓	✓		
3. Alcohol and drugs	✓	✓	✓		
4. Driver's log (hours-of-service and duty status)	✓	✓	✓		
5. Seatbelt system	✓	✓	✓		✓
6. Periodic inspection documentation	✓	✓	✓		✓
7. Brake system	✓	✓			✓
8. Coupling devices	✓	✓			✓
9. Exhaust system	✓	✓			✓
10. Frame	✓	✓			✓
11. Fuel system	✓	✓			✓
12. Brake, head, tail lamps, turn signals, and lamps on projecting loads	✓	✓			✓
13. Safe loading of cargo	✓	✓			✓
14. Steering mechanism	✓	✓			✓
15. Suspension	✓	✓			✓
16. Tires	✓	✓			✓
17. Wheels, rims and hubs	✓	✓			✓
18. Van and open-top trailer bodies	✓	✓			✓
19. Windshield wipers	✓	✓			✓
20. Emergency exits (for buses)	✓	✓			✓
21. Hazardous materials requirements (if applicable)	✓	✓	✓		✓
22. One-time special inspection of a particular item				✓	
CVSA decal issued for "Pass" inspection (no violations/defects found in items 7-20)	✓				✓

### Notes:

\* Level II inspections only include those items that can be inspected without physically getting under the vehicle

\*\* Level V inspections are conducted without a driver present

# Annual Vehicle Inspection Report

Vehicle History Record	
Report Number	FLEET UNIT NUMBER
DATE	

MOTOR CARRIER OPERATOR	INSPECTOR'S NAME (PRINT OR TYPE)
ADDRESS	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input type="checkbox"/> YES
CITY, STATE, ZIP CODE	VEHICLE IDENTIFICATION (✓) AND COMPLETE <input type="checkbox"/> LIC. PLATE NO. <input type="checkbox"/> VIN <input type="checkbox"/> OTHER
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

## VEHICLE COMPONENTS INSPECTED

ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE
<b>1. BRAKE SYSTEM</b>				<b>7. STEERING MECHANISM</b>			
a. Service Brakes				a. Steering Wheel Free Play			
b. Parking Brake System				b. Steering Column			
c. Brake Drums or Rotors				c. Front axle beam and ALL steering components other than steering column			
d. Brake Hose				d. Steering Gear Box			
e. Brake Tubing				e. Pitman Arm			
f. Low Pressure Warning Device				f. Power Steering			
g. Tractor Protection Valve				g. Ball and Socket Joints			
h. Air Compressor				h. Tie Rods and Drag Links			
i. Electric Brakes				i. Nuts			
j. Hydraulic Brakes				j. Steering System			
k. Vacuum Systems				<b>8. SUSPENSION</b>			
<b>2. COUPLING DEVICES</b>				a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.			
a. Fifth Wheels				b. Spring Assembly			
b. Pintle Hooks				c. Torque, Radius, or Tracking Components			
c. Drawbar/Towbar Eye				<b>9. FRAME</b>			
d. Drawbar/Towbar Tongue				a. Frame Members			
e. Safety Devices				b. Tire and Wheel Clearance			
f. Saddle-Mounts				c. Adjustable Axle Assemblies (Sliding Subframes)			
<b>3. EXHAUST SYSTEM</b>				<b>10. TIRES</b>			
a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.				a. Tires on any steering axle of a power unit.			
b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2), or (3).				b. All other tires.			
c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.				<b>11. WHEELS AND RIMS</b>			
<b>4. FUEL SYSTEM</b>				a. Lock or Side Ring			
a. Visible leak				b. Wheels and Rims			
b. Fuel tank filler cap missing				c. Fasteners			
c. Fuel tank securely attached				d. Welds			
<b>5. LIGHTING DEVICES</b>				<b>12. WINDSHIELD GLAZING</b>			
All lighting devices and reflectors required by Section 393 shall be operable.				Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions).			
<b>6. SAFE LOADING</b>				<b>13. WINDSHIELD WIPERS</b>			
a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.			
b. Protection against shifting cargo				List any other condition which may prevent safe operation of this vehicle.			
				_____			
				_____			

Instructions: Mark column entries to verify inspection:    X OK,    X NEEDS REPAIR,    NA IF ITEMS DO NOT APPLY,    REPAIRED DATE.  
 CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.

# Driver's Vehicle Inspection Report

Check ANY Defective Item and Give Details under "Remarks."

DATE: \_\_\_\_\_

TRUCK/TRACTOR NO. \_\_\_\_\_

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Air Compressor    | <input type="checkbox"/> Horn              | <input type="checkbox"/> Springs           |
| <input type="checkbox"/> Air Lines         | <input type="checkbox"/> Lights            | <input type="checkbox"/> Starter           |
| <input type="checkbox"/> Battery           | Head – Stop                                | <input type="checkbox"/> Steering          |
| <input type="checkbox"/> Brake Accessories | Tail – Dash                                | <input type="checkbox"/> Tachograph        |
| <input type="checkbox"/> Brakes            | Turn Indicators                            | <input type="checkbox"/> Tires             |
| <input type="checkbox"/> Carburetor        | <input type="checkbox"/> Mirrors           | <input type="checkbox"/> Transmission      |
| <input type="checkbox"/> Clutch            | <input type="checkbox"/> Muffler           | <input type="checkbox"/> Wheels            |
| <input type="checkbox"/> Defroster         | <input type="checkbox"/> Oil Pressure      | <input type="checkbox"/> Windows           |
| <input type="checkbox"/> Drive Line        | <input type="checkbox"/> On-Board Recorder | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Engine            | <input type="checkbox"/> Radiator          | <input type="checkbox"/> Other             |
| <input type="checkbox"/> Fifth Wheel       | <input type="checkbox"/> Rear End          |  |
| <input type="checkbox"/> Front Axle        | <input type="checkbox"/> Reflectors        |  |
| <input type="checkbox"/> Fuel Tanks        | <input type="checkbox"/> Safety Equipment  |  |
| <input type="checkbox"/> Heater            | Fire Extinguisher                          |  |
|  | Flags – Flares – Fuses                     |  |
|  | Spare Bulbs & Fuses                        |  |
|  | Spare Seal Beam                            |  |

TRAILER(S) NO (S). \_\_\_\_\_

- |  |                                       |                                    |
|--|---------------------------------------|------------------------------------|
| <input type="checkbox"/> Brake Connections   | <input type="checkbox"/> Hitch        | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Brakes              | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tires     |
| <input type="checkbox"/> Coupling Chains     | <input type="checkbox"/> Lights – All | <input type="checkbox"/> Wheels    |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Roof         | <input type="checkbox"/> Other     |
| <input type="checkbox"/> Doors               | <input type="checkbox"/> Springs      |                                    |

Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- Condition of the above vehicle is satisfactory

Driver's Signature \_\_\_\_\_

- Above Defects Corrected

- Above Defects Need NOT Be Corrected For Safe Operation Of Vehicle

Mechanic's Signature \_\_\_\_\_ Date \_\_\_\_\_

Driver's Signature \_\_\_\_\_ Date \_\_\_\_\_

# Vehicle Service Due Status Report

## VEHICLE IDENTIFICATION

MAKE

SERIAL NUMBER

YEAR

TIRE SIZE

COMPANY NUMBER/OTHER I.D.

OWNER, IF LEASED

DATE OF INSPECTION	TYPE OF INSPECTION	MILEAGE AT TIME OF INSPECTION	DATE NEXT INSPECTION DUE	MILEAGE TYPE OF INSPECTION DUE	INSPECTION DUE

## NORTH AMERICAN STANDARD INSPECTION PROCEDURE

### 1. PREPARE THE VEHICLE AND DRIVER

Instruct the driver to remain at the controls, and turn the engine off. (Allow cool down time for turbo-charged engines.) Place chock blocks in position beginning on the driver's side, one in front, and one behind the driver axle tires or between the axles, and advise the driver that the wheels have been chocked.

Have the driver place the transmission in neutral and release all brakes.

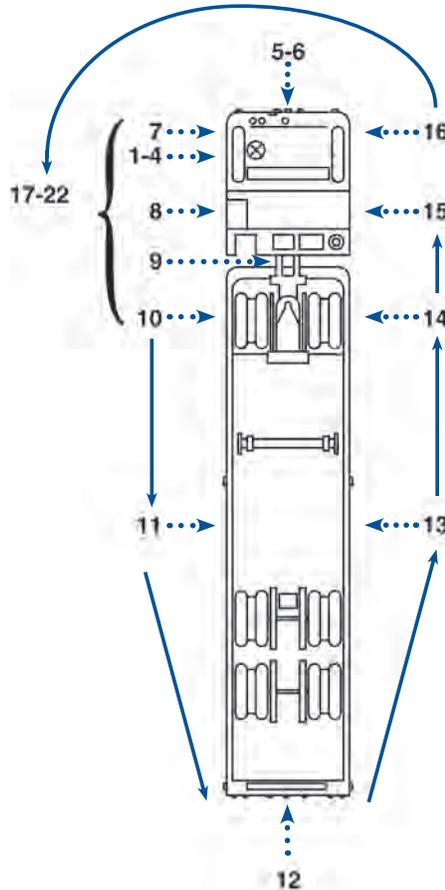
Advise the driver in the use of hand signals. (Lamps and brakes.)

### 2. CHECK DRIVER'S REQUIREMENTS

- **DRIVER LICENSE (391.11)**  
Check for expiration date, birth date, status check.
- **MEDICAL CERTIFICATE (391.41)**  
Check for expiration date, corrective lenses, hearing aid, signatures. Canadian driver license services as medical certificate.
- **MEDICAL WAIVER (if applicable) (391.49)**  
Check for expiration date, and make sure form is completed. Note the stated physical limitations.
- **RECORD OF DUTY STATUS (395.8) (395.3)**  
Updated to last change of duty status, today's date, legible handwriting, past 7 days recorded, mileage, driving time, on duty time, vehicle numbers, carrier name, signature.  
"Remarks" section may include locations of duty status change, unusual circumstances that delay the trip, and shipping document numbers or the name of the shipper. Check for written authorization for interactive electronic recording devices, if applicable.
- **DRIVER VEHICLE INSPECTION REPORT (396.11)**  
Check for I.D. number of vehicle(s) inspected, record of defects found (if any), and signatures.
- **SHIPPING PAPERS/BILL OF LADING**  
Check for listings of hazardous materials indicated by the first entry, an "X" in the H.M. column, or a contrasting color. Papers must be within arm's reach and visible.
- **SEAT BELT (392.16)**  
Check for condition and usage
- **ALCOHOL AND DRUGS (392.4) (392.5)**  
Check for violations

### 3. CHECK FOR PRESENCE OF HAZARDOUS MATERIALS

- **PLACARDS**  
Check for the presence of placards, but use caution even if none are posted.
- **LEAKS, SPILLS, UNSECURE CARGO**  
When hazardous materials are present, be **ESPECIALLY** careful with leaks, spills, or unsecure cargo.
- **MARKINGS**  
Cargo tanks and portable tanks will display markings on an orange panel or placard. They indicate the I.D. number of the hazardous materials. There are exceptions to this rule.
- **LABELS**  
When containers are visible, labels will identify the hazardous materials. There are exceptions to this rule.



### 4. INSIDE CAB

- **STEERING LASH**  
Measure amount of steering lash and compare with Out-of-Service Criteria.
- **STEERING COLUMN**  
Check for unsecure attachment.

### 5. FRONT OF TRACTOR

- **HEAD LAMPS, TURN SIGNALS, EMERGENCY FLASHERS (393.25)**  
Check for improper color and operation.
- **WINDSHIELD WIPERS (393.78)**  
Check for improper operation. Two wipers are required unless one can clean the driver's field of vision.
- **WINDSHIELD (393.60)**  
Check for cracks or other damage. Check for decals or stickers in field of vision.

### 6. STEERING AXLE

**INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE, AND TO LISTEN FOR YOUR INSTRUCTIONS.**

- **STEERING SYSTEM (BOTH SIDES) (393.209)**  
Check for loose, worn, bent, damaged or missing parts. Instruct the driver to rock the steering wheel, and check key components: front axle beam, gear box, pitman arm, drag link, tie rod, tie rod ends.
- **FRONT SUSPENSION (BOTH SIDES) (393.207)**  
Check for indications of misaligned, shifted, or cracked springs, loosened shackles, missing bolts, springhangers unsecure at frame, and cracked or loose U-bolts. Also, check for

unsecure axle positioning parts and signs of axle misalignment.

- **FRONT BRAKES (BOTH SIDES) (393.48)**  
Check for missing, nonfunctioning, loose, contaminated, or cracked parts on the brake system, such as brake drum, shoes, rotors, pads, linings, brake chamber, chamber mounting push rods, slack adjusters.  
Check for "S" cam flip over. Be alert for audible air leaks around brake components and lines.  
With the brakes released, mark the brake chamber push rod at a point where the push rod exits the brake chamber. Mark the push rods on both sides at this time; all push rods will be measured in ITEM 10.
- **FRONT AXLE**  
Check for cracks, welds, and obvious misalignment.
- **FRAME and FRAME ASSEMBLY**  
Check for cracks, or any defect that may lead to the collapse of the frame.

### 7. LEFT FRONT SIDE OF TRACTOR (393.205)

- **LEFT FRONT WHEEL & RIM**  
Check for cracks, unseated locking rings, broken or missing lugs, studs or clamps. Bent or cracked rims, "bleeding" rust stains, loose or damaged lug nuts and elongated stud holes.
- **LEFT FRONT TIRE (393.75)**  
Check for improper inflation, serious cuts, bulges.  
Check tread wear and measure major tread groove depth.  
Inspect sidewall for defects.  
Check for exposed fabric or cord.  
Radial and bias tires should not be mixed on the steering axle.

### 8. LEFT SADDLE TANK AREA

- **LEFT FUEL TANK(S) (393.65)**  
Check for unsecure mounting, leaks, or other damage. Verify that the fuel cross-over line is secure. Check for unsecure cap(s).  
Check ground below tank for signs of leaking fuel.
- **TRACTOR FRAME (393.201)**  
Check frame rails and cross members on the tractor just behind the cab, looking for cracks, bends, or excessive corrosion.
- **EXHAUST SYSTEM (393.83)**  
Check for unsecure mounting, leaks (under the cab), exhaust contacted by fuel or air lines or electrical wires.

### 9. TRAILER FRONT

- **AIR & ELECTRICAL LINES (393.28)**  
Lines between tractor and trailer should be suspended and free of tangles and crimps. They should have sufficient slack to allow the vehicle to turn. Inspect line connections for proper seating. Listen for audible air leaks.
- **FRONT END PROTECTION (393.106)**  
Check for height requirements. (Note exceptions.)

### 10. LEFT REAR TRACTOR AREA (393.205)

- **WHEELS, RIMS & TIRES**  
Inspect as described in ITEM 7.  
Check inside tire of dual for inflation and general condition.  
Tires should be evenly matched (same

circumference) on dual wheels. Without placing yourself between the tires on tandem axles, check for debris between the tires.

- **LOWER FIFTH WHEEL (393.70)**  
Check for unsecure mounting to the frame or any missing or damaged parts. Check for any visible space between the upper and lower fifth wheel plates. Verify that the locking jaws are around the shank and not the head of the kingpin. Verify that the release lever is sealed properly, and that the safety latch is engaged.
- **UPPER FIFTH WHEEL (393.70)**  
Check for any damage to the weight bearing plate and its supports on the trailer. Check kingpin condition.
- **SLIDING FIFTH WHEEL**  
Check for proper engagement of locking mechanism (teeth fully engaged on rail). Check for worn or missing parts, making sure that the position does not allow the tractor frame rails to contact the landing gear during turns.

**INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.**

- **SUSPENSION (BOTH SIDES) (393.207)**  
Inspect as described in ITEM 6. Check for deflated or leading air suspension systems.
- **BRAKES (BOTH SIDES) (393.48)**  
Inspect brakes as described in ITEM 6. With brakes released, mark the push rods.

#### 11. LEFT SIDE OF TRAILER

- **FRAME AND BODY (393.20, 393.203)**  
Check for cracks and any indication leading to collapse of the frame.
- **CARGO SECUREMENT (393.100)**  
Check for improper blocking or bracing, and unsecure chains or straps. Verify end gates are secured in stake pockets. Check tarp or canvas.
- **WHEELS, RIMS, & TIRES (393.205)**  
Inspect as described in ITEM 7.
- **SLIDING TANDEM (393.70)**  
Check for misalignment and position. Look for damaged, worn, or missing parts. Check locking mechanism; teeth of locking mechanism must fully mesh with those of the rail secured to the frame.

**INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.**

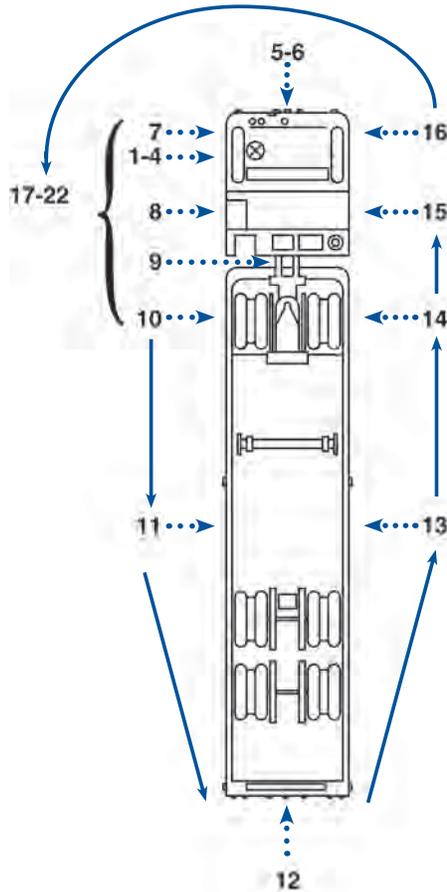
- **SUSPENSION (BOTH SIDES) (393.207)**  
Inspect as described in ITEM 6
- **BRAKES (BOTH SIDES) (393.48)**  
Inspect as described in ITEM 6. With brakes released, mark push rods.

#### 12. REAR OF TRAILER

- **TAIL, STOP & TURN LAMPS & EMERGENCY FLASHERS (393.11)**  
Check for improper color and operation.
- **CARGO SECUREMENT (393.100)**  
Inspect as described in ITEM 11. Also check tailboard security. Verify end gates are secured in stake pockets, and rear doors are closed. Check both sides of trailer to insure protection of cargo from shifting or falling.

#### 13. RIGHT SIDE OF TRAILER

- CHECK ALL ITEMS AS ON LEFT SIDE.



#### 14. RIGHT REAR TRACTOR AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

#### 15. RIGHT SADDLE TANK AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

#### 16. RIGHT FRONT SIDE OF TRACTOR

- CHECK ALL ITEMS AS ON LEFT SIDE.

#### 17. BRAKE ADJUSTMENT CHECK

**INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.**

- **MEASURE PUSH ROD TRAVEL (ALL BRAKES) (393.48)**  
While the brakes are applied, move around the vehicle and measure the distance of push rod travel at each chamber. Write down each push rod measurement, and compare them to the Out-of-Service Criteria for the appropriate size and type of brake chamber. Again, listen for leaks as you move around the vehicle.

#### 18. FIFTH WHEEL MOVEMENT CHECK (393.70)

- **USE CAUTION**  
If conducted improperly, this method of checking for fifth wheel movement can result in serious damage to the vehicle. Use caution and instruct the driver carefully.
- **PREPARE THE VEHICLE AND DRIVER**  
Have the driver put the vehicle in gear, release the service brakes, and apply the trailer brakes. Remove the wheel chocks and have the driver start the vehicle. Carefully explain the procedure to the driver. Tell the driver to GENTLY rock the tractor as you watch the fifth wheel.

- **CONDUCT THE PROCEDURE**  
As the tractor rocks, watch for movement between the mounting components and frame, pivot pin and bracket, and the upper and lower fifth wheel halves.

#### 19. AIR LOSS RATE (393.50)

- **WHEN TO CONDUCT THE TEST**  
If you heard an air leak at any point in the inspection, you should now check the vehicle's air loss rate.
- **CONDUCT THE PROCEDURE**  
Have the driver run the engine at idle, then apply and hold the service brake. Observe the air reservoir pressure gauge on the dash. Have driver pump the pressure down to 80 psi. Compressors do not activate until system pressure drops below a certain level. At about 80 lbs most compressors should be operating. Air pressure should be maintained or increase. A drop in pressure indicates a serious air leak in the brake system, and the vehicle should be placed out of service.

#### 20. LOW AIR PRESSURE WARNING DEVICE (393.51)

- **TEST THE WARNING DEVICE**  
Instruct the driver to pump the air down until the low air pressure warning device activates. Observe the gauges on the dash. The low air pressure warning must activate at a minimum of 1/2 the compressor governor cut out pressure, approximately 55 psi.

#### 21. TRACTOR PROTECTION VALVE

This procedure will test both the tractor protection valve and the trailer emergency brakes.

- **CONDUCT THE TEST**  
Instruct the driver to release the emergency brakes by pushing in the dash valves. Break the supply emergency line at the hose couplers between the tractor and the trailer. When the line is disconnected, a blast of air will be noticed. At this point, the emergency brakes on the trailer should set up.
- **OBSERVE THE DASH GAUGE**  
Air will leak from the tractor side of the line until the pressure in the tractor's system drops to the 20-45 psi range. At that point, the air loss should stop, isolating the tractor air system. A loss of air in the tractor system below the 20-45 psi range indicates a malfunctioning tractor protection valve. If the trailer brakes do not set up when the line is disconnected, there is a problem with the trailer emergency brakes.

#### 22. COMPLETE THE INSPECTION

- **COMPLETE PAPER WORK**  
Complete inspection forms and other paperwork, as required.
- **CONCLUDE WITH THE DRIVER**  
Explain any violations or warnings to the driver. Take appropriate enforcement action, if necessary.
- **APPLY C.V.S.A. DECAL**  
Apply a C.V.S.A. decal on all vehicles that qualify.

# Inspection, Repair & Maintenance Record

## VEHICLE IDENTIFICATION

\_\_\_\_\_  
MAKE

\_\_\_\_\_  
SERIAL NUMBER

\_\_\_\_\_  
YEAR

\_\_\_\_\_  
TIRE SIZE

\_\_\_\_\_  
COMPANY NUMBER/OTHER I.D.

\_\_\_\_\_  
OWNER, IF LEASED

DATE	OPERATION PERFORMED, INSPECTION AND/OR REPAIR

# INSPECTOR QUALIFICATIONS

## Certification — 49 CFR — Part 396.19

Motor carriers are responsible for ensuring that individual(s) performing an annual inspection under 396.19 are qualified as follows:

- Understands the inspection criteria set forth in Part 393 and Appendix G and can identify defective components
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment used when performing an inspection
- Is capable of performing an inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):
  - I.  Successfully completed a State or Federal training program or has certificate from a State or Canadian Province which qualifies the person to perform commercial vehicle safety inspections. Specify:  
\_\_\_\_\_

or

- II.  Have a combination of training or experience totaling at least one year as follows (check all that apply):
  - A.  Participation in a truck manufacturer-sponsored training program or similar commercial training program designed to train students in truck operation and maintenance. Where and Date:  
\_\_\_\_\_
  - B.  \_\_\_\_ (years) experience as a mechanic or inspector in a motor carrier maintenance program. Name and Date:  
\_\_\_\_\_
  - C.  \_\_\_\_ (years) experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:  
\_\_\_\_\_
  - D.  \_\_\_\_ (years) experience as a commercial vehicle inspector for a State, Provincial, or Federal Government. Where and Dates:  
\_\_\_\_\_

**I certify the above information is true and accurate to the best of my knowledge.**

**Employee** \_\_\_\_\_  
Signature of Mechanic/Inspector
Date

**Motor Carrier/Company** \_\_\_\_\_  
Signature of Employer/Supervisor
Date

Evidence of Inspector Qualifications are on file at:  
\_\_\_\_\_

# BRAKE INSPECTOR QUALIFICATIONS

Certification — 49 CFR — Part 396.25

“Brake Inspector” means any employee of a motor carrier who is responsible for ensuring all brake inspections, maintenance, service, or repairs to any commercial motor vehicle, subject to the motor carrier’s control, meet the applicable Federal standards.

No motor carrier shall require or permit any employee who does not meet minimum brake inspector qualifications to be responsible for the inspection, maintenance, service or repairs of any brakes on its commercial motor vehicles.

## Minimum Qualifications

- Understands and can perform brake service and inspection
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment necessary to perform brake service and inspection
- Is capable of performing brake service or inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):

- I.  Has successfully completed an apprenticeship program sponsored or approved by a State, Canadian Province, a Federal agency or labor union, or has a certificate from a State or Canadian Province which qualifies the person to perform brake service or inspections. Specify:

\_\_\_\_\_

or

- II.  Has brake-related training or experience or a combination thereof totaling at least one year as follows (check all that apply):
  - A.  Participation in a brake maintenance or inspection training program sponsored by a brake or vehicle manufacturer or similar commercial training program. Where and Date:  
\_\_\_\_\_
  - B.  \_\_\_\_ (years) experience performing brake maintenance or inspection in a motor carrier maintenance program. Name and Date:  
\_\_\_\_\_
  - C.  \_\_\_\_ (years) experience performing brake maintenance or inspection at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:  
\_\_\_\_\_

**I certify the above information is true and accurate to the best of my knowledge.**

**Employee** \_\_\_\_\_  
Signature of Mechanic/Inspector Date

**Motor Carrier/Company** \_\_\_\_\_  
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:

\_\_\_\_\_

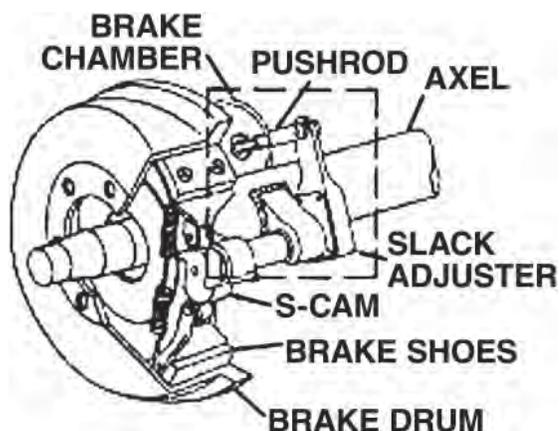
# Bus Emergency Exits Inspection

<b>VEHICLE IDENTIFICATION</b>	
MAKE	SERIAL NUMBER
YEAR	TIRE SIZE
COMPANY NUMBER/OTHER I.D.	OWNER, IF LEASED

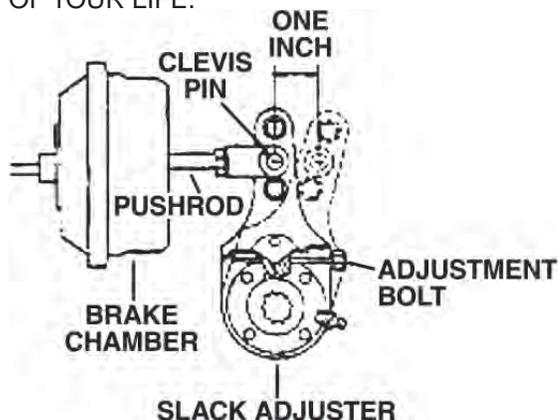
	Dates – Inspection Due Every 90 Days										
<b>CHECK PUSHOUT WINDOWS</b>											
<b>EMERGENCY DOORS</b>											
<b>EMERGENCY DOOR LIGHTS</b>											

## WITHIN AN INCH OF YOUR LIFE

IF BRAKE SLACK EXCEEDS ONE INCH, YOU COULD BE DRIVING A "KILLER TRUCK."



THIS IS THE MOST IMPORTANT INCH OF YOUR LIFE.



BRAKES SHOULD BE CHECKED BEFORE EACH TRIP AND MORE FREQUENTLY IN HILLY AREAS.

# On Guard



U.S. Department of Transportation

**TRUCKERS!** Poorly adjusted brakes could cost you time and money with out-of-service violations, jeopardize your safety and that of others due to impaired stopping ability, and even cost you your life. The only way to be sure that your vehicle's brakes are properly adjusted is to physically check each wheel on a regular schedule. It is difficult for you to sense, simply from pedal feel, that your brakes are out of adjustment. Under normal braking conditions, your brakes may respond satisfactorily, but under a *hard* or *panic* stop you may find that you are unable to stop in time.

### HOW TO CHECK

Before checking or making adjustments, be sure that your vehicle is parked on a level surface with the wheels blocked, spring brakes released, and the engine shut off. The following measurements are for *Type 30 air chamber brakes only*. For other types, check with your mechanic, supervisor, or manufacturer.

**One person method:** (1) Pull the chamber pushrod to its limit by hand or by prying with a short pry bar. (2) Measure from the clevis pin to the chamber face at both full retraction and at full extension. The difference between these measurements is the pushrod travel or slack. One-half inch is correct, and the *MAXIMUM ALLOWABLE TRAVEL IS ONE INCH* (one-person method).

**Two-person method:** Make the same measurements described in the one-person method, but with brakes fully applied and with brakes released. Because of the considerable stretching and bending of various parts when using the two-person method, the *MAXIMUM ALLOWABLE TRAVEL IS TWO INCHES* for Type 30 air chamber brakes.

### HOW TO ADJUST

Brake adjustment, or "taking up the slack," is done by first making sure the brakes are released, then turning the adjusting bolt on the slack adjuster arm: (1) Depress the spring locking sleeve with a wrench. (2) Tighten the bolt until solid resistance is met. This indicates that the brake linings are touching the drum.

**NOTE:** Most adjusting bolts require a normal clockwise turn to "set up" the brakes, but some require a counter-clockwise turn. Be alert for any outward movement of the chamber pushrod and slack adjuster arm while the adjustment bolt is being turned. This movement means you are turning in the wrong direction.

(3) Restore running clearance by backing off the adjustment between one-quarter and one-half a turn. Re-check the pushrod travel. Proper adjustment leaves one-half an inch. (4) Check each brake drum or rotor for excessive heat soon after the brakes have been adjusted. An extra-hot brake drum means that you have adjusted the brakes too tightly.

For both this type and other types of brake systems, always check with the manufacturer for proper maintenance and adjustment procedures. If you are not comfortable with these procedures, ask your mechanic or supervisor.