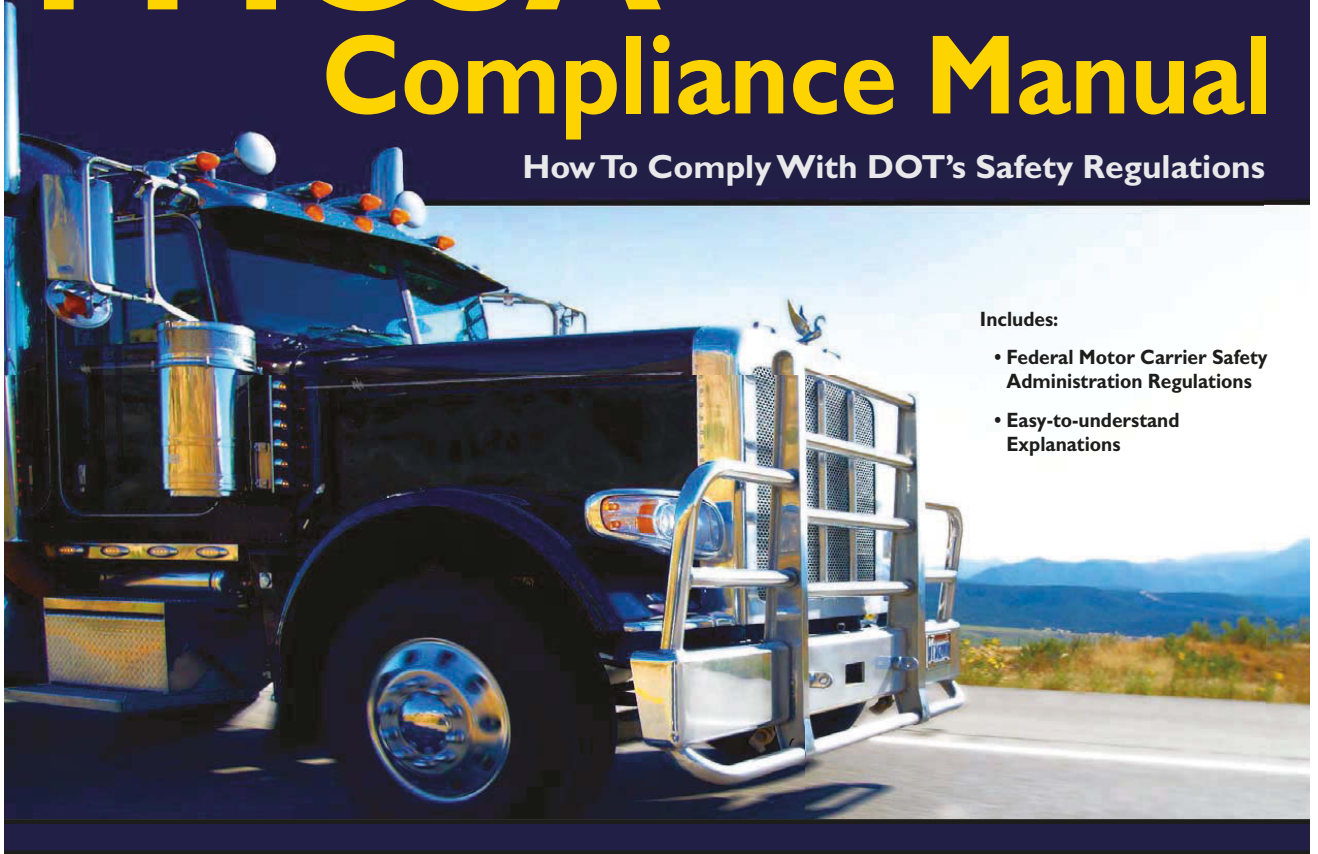


FMCSA Compliance Manual

How To Comply With DOT's Safety Regulations



Includes:

- Federal Motor Carrier Safety Administration Regulations
- Easy-to-understand Explanations

For All Commercial Motor Vehicles



J. J. Keller
& Associates, Inc.
Since 1953


J. J. Keller
& Associates, Inc.
Since 1953

This publication updates in
February/August

(37877)



FMCSA Compliance Manual

Copyright 2018

J. J. Keller & Associates, Inc.

3003 Breezewood Lane
P.O. Box 368
Neenah, Wisconsin 54957-0368
Phone: (800) 327-6868
Fax: (800) 727-7516
JJKeller.com

Library of Congress Catalog Card Number: 2013952590

ISBN: 978-1-61099-597-9

Canadian Goods and Services Tax (GST) Number: R123-317687

United States laws and regulations as published by the federal government are in the public domain. However:

- Keller's selection, compilation, and arrangement of the laws and regulations, along with Keller's original content is the copyrighted property of Keller, and is protected by Copyright Law.
- Copying this publication in whole or in part is a violation of Copyright Law, which can result in substantial financial penalties.
- If you wish to obtain permission to copy portions of this publication, contact your Keller sales representative for license information.

Your use of this publication acknowledges that it is compiled, prepared, selected and arranged by Keller through the expenditure of substantial time, effort and money and it constitutes valuable copyrighted property of Keller.

Printed in the U.S.A.

FMCSA Compliance Manual

Introduction

For more than a century, the U.S. government has taken an interest in making sure that the nation's transportation system operates in a safe and efficient manner. Since at least the 1930's, that interest has extended to include the transportation of goods and passengers by commercial motor vehicle (CMV) on public roadways. The U.S. Department of Transportation (DOT) is charged with ensuring that commercial trucks, buses, and other vehicles are operated safely, to prevent accidents, injuries, and fatalities.

Since 2000, responsibility for overseeing the regulation of commercial vehicles has fallen to the Federal Motor Carrier Safety Administration (FMCSA). The FMCSA's primary mission is to prevent CMV-related fatalities and injuries. This is accomplished in part by enforcing federal laws and regulations, and particularly the Federal Motor Carrier Safety Regulations (FMCSRs). The *FMCSA Compliance Manual* is designed to help companies and individuals comply with a majority of the FMCSRs as they relate to safe vehicle operations.

Revision bars, like the one shown to the left of this paragraph, are used to show where significant changes were made on updated pages. A revision bar to the left of text on a page indicates that text was updated when the page was last replaced. The date on the bottom of the page tells you when the revised page was issued. Twice-yearly updates are provided through an available update service.

This manual is divided into six major sections, each focusing on a different compliance topic. Within each section are plain-English "Easy Explanations," the FMCSRs and official interpretations that apply to that topic, and any other pertinent reference materials. Each major section of the manual is designed to stand alone, so in some cases information is repeated or restated when it applies to multiple topics. Section I, *Fundamentals*, sets the stage for understanding the FMCSRs and how they apply. The sections that follow address personnel issues, hours of service, vehicle compliance, driving-related regulations, enforcement programs, and penalties that can result from non-compliance.

Due to the constantly changing nature of government regulations, it is impossible to guarantee absolute accuracy of the material contained herein. The Publisher and Editors, therefore, cannot assume any responsibility for omissions, errors, misprinting, or ambiguity contained within this publication and shall not be held liable in any degree for any loss or injury caused by such omission, error, misprinting or ambiguity presented in this publication.

This publication is designed to provide reasonably accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the Publisher is not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert assistance is required, the services of a competent professional person should be sought.

The Editors & Publisher
J. J. Keller & Associates, Inc.

FMCSA Compliance Manual

Published & Printed by

J. J. Keller & Associates, Inc.

3003 Breezewood Lane, P.O. Box 368

Neenah, Wisconsin 54957-0368

Phone: (800) 327-6868

Fax: (800) 727-7516

JJKeller.com

EDITORIAL

vice president of editorial & consulting services	STEVEN G. MURRAY
director of editorial resources	PAUL V. ARNOLD
project editor	DAREN B. HANSEN
contributing editor	BETTY J. B. WEILAND
regulatory consultant – transportation management	THOMAS E. BRAY
sr. editor – transportation management	MARK G. SCHEDLER
sr. editor – hazardous materials transportation	THOMAS J. ZIEBELL
editor – hazardous materials transportation	MICHAEL L. ATKINSON
editor – transportation safety	KATHY L. CLOSE
editor – transportation management	RICHARD J. MALCHOW
editor – transportation operations	HEATHER L. NESS
editor – transportation management	ROBERT J. ROSE
editor – transportation safety	JILL M. SCHULTZ
sr. metator/xml analyst	MARY K. FLANAGAN

PUBLISHING GROUP

chairman	ROBERT L. KELLER
vice chairman & treasurer	JAMES J. KELLER
president & ceo	MARNE L. KELLER-KRIKAVA
evp & chief operating officer	RUSTIN R. KELLER
chief financial officer	DANA S. GILMAN
sr. director of product development	CAROL A. O'HERN
sr. product development manager	JENNIFER M. JUNG
sr. product development specialist	SUZANNE IHRIG
product development specialist	JOSLYN B. SIEWERT
director of manufacturing	TODD J. LUEKE
sr. electronic publishing & prepress manager	GERALD L. SABATKE

The Editorial Staff is available to provide information generally associated with this publication to a normal and reasonable extent, and at the option of, and as a courtesy of, the Publisher.

FMCSA Compliance Manual

Table of Contents

FUNDAMENTALS

- General
- Insurance

PERSONNEL

- Driver Qualifications
- CDL Program
- Drugs & Alcohol

HOURS OF SERVICE

- Limits
- Recordkeeping

VEHICLES

- Required Equipment
- Inspection & Maintenance

CMV DRIVING

- Driving Rules
- Accidents
- Hazardous Materials

ENFORCEMENT

- CSA, Audits, & Ratings
- Proceedings & Penalties

SUBJECT INDEX

FMCSA Compliance Manual

Index to Regulations

Part 40	.Drugs & Alcohol-13
Part 325	.Required Equipment-26
Part 350	.CSA, Audits, & Ratings-15
Part 355	.CSA, Audits, & Ratings-28
Part 380	.Driver Qualifications-39
Part 381	.General-15
Part 382	.Drugs & Alcohol-127
Part 383	.CDL Program-8
Part 384	.CDL Program-51
Part 385	.CSA, Audits, & Ratings-31
Part 386	.Proceedings & Penalties-7
Part 387	.Insurance-4
Part 388	.General-20
Part 389	.General-22
Part 390	.General-27
Part 391	.Driver Qualifications-48
Part 392	.Driving Rules-9
Part 393	.Required Equipment-35
Part 395	.Recordkeeping-16C
Part 396	.Inspection & Maintenance-24
Part 397	.Hazardous Materials-9
Part 398	.Driving Rules-16
Part 399	.Required Equipment-100
Appendix B	.Proceedings & Penalties-33
Appendix F	.Driver Qualifications-87
Appendix G	.Inspection & Maintenance-34

Personnel

Driver Qualifications

Easy Explanations

A critical factor affecting highway safety is the competency of those placed behind the wheel. When that wheel controls a very large, very expensive piece of equipment transporting multiple passengers or valuable cargo, the risk of the driver being unqualified is compounded exponentially.



Today's high operating costs don't allow much margin for loss, and a single accident — even with insurance coverage — can result in huge losses across the organization. Statistics tell us that competent, qualified drivers have fewer accidents, and although it may not be measurable in dollars and cents, there is also value in the good customer relations and other intangibles generated by such drivers.

To help ensure that professional truck and bus drivers are safe drivers, the Federal Motor Carrier Safety Administration (FMCSA) requires motor carriers to verify that their drivers are fully trained and qualified to be behind the wheel. These requirements, found in 49 CFR Parts 380, 382, 383, and 391 of the Federal Motor Carrier Safety Regulations (FMCSRs), apply at both the hiring stage and on an ongoing basis. Most states adopt similar requirements for their in-state motor carriers.

The following is designed to provide motor carriers with a better understanding of these regulations, their (and their drivers') responsibilities, guidance in the qualification of drivers, and clarification of the filing and recordkeeping requirements.

The Regulations

Who is subject to the rules?

In general, the Federal Motor Carrier Safety Regulations — including the driver qualification requirements — apply to motor carriers of property and/or passengers, whether private or for-hire, engaged in interstate commerce. There are some exceptions from portions of the

Personnel: Driver Qualifications

rules, however, based on the size of the vehicle, the type of operation, or the commodity being transported. The applicability of and exceptions from these regulations are detailed in Sec. 390.3, as summarized below.

The Rules In:	Apply To:
Most of the Federal Motor Carrier Safety Regulations (except as noted below), including the driver qualification rules in Part 391	All “employers,” “employees,” and “commercial motor vehicles” as defined in Sec. 390.5 which transport property or passengers in interstate commerce. This generally includes private or for-hire vehicles weighing or rated at 10,001 pounds or more, designed for 9 or more passengers, or placarded for hazardous materials.
Part 380, special training requirements	<ul style="list-style-type: none"> • Drivers of longer combination vehicles (doubles/triples) weighing over 80,000 pounds and operating in interstate commerce; and • Drivers operating vehicles in interstate commerce that require a commercial driver’s license (CDL).
<ul style="list-style-type: none"> • Part 382, the drug and alcohol testing rules; and • Part 383, the commercial driver’s license (CDL) rules 	All employers and employees who operate “commercial motor vehicles” as defined in Sec. 383.5 in <i>interstate or intrastate</i> commerce. This generally includes private or for-hire vehicles weighing or rated at 26,001 pounds or more, designed for 16 or more passengers, or placarded for hazardous materials.

Note that where the FMCSRs refer to “Subchapter B” or “this subchapter,” they are referring to the FMCSRs themselves, as found in the *Code of Federal Regulations* under Title 49, Chapter III, Subchapter B, comprised of Parts 350-399.



Compliance Point

The driver qualification requirements of Part 391 and the training requirements of Part 380 apply to motor carriers and drivers engaged in *interstate* commerce. Those not involved in interstate commerce are subject to their states’ rules, which may or may not be identical to the federal rules. Most states adopt some or all of Part 391, however, and some adopt the Part 380 training requirements as well. All states enforce Parts 382 and 383.

Major exceptions

Sec. 390.3 also describes the types of operations that are exempt from the FMCSRs:

- All school bus operations (home to school or school to home), as defined in Sec. 390.5;
- Transportation performed by the federal government or a state or local government (but not including contractors doing work for the government);
- The occasional transportation of personal property by individuals when there is no compensation involved and the transportation is not business-related;
- The transportation of human corpses or sick and injured persons;
- The operation of fire trucks and rescue vehicles while involved in emergency and related operations;

Personnel: Driver Qualifications

- The operation of commercial motor vehicles designed to transport between 9 and 15 passengers (including the driver), not for direct compensation (these operations are not completely exempt from the FMCSRs, however); and
- Drivers of vehicles used to respond to a pipeline emergency or used primarily to transport propane winter heating fuel, but only if the regulations prevent the driver from responding to an emergency situation requiring immediate response.

Under Sec. 390.38, drivers of pipeline welding trucks are exempt from driver qualification requirements.

Refer to Sec. 390.5 for important definitions of many of the terms used above.

Private motor carriers of passengers

Private motor carriers of passengers (PMCPs) transporting more than 15 passengers are broken into two groups for purposes of compliance:

- PMCPs involved in a business activity which provides transportation in the furtherance of a commercial purpose (such as companies that use buses to transport their own employees, or professional musicians who use buses for concert tours) are subject to nearly all of the FMCSRs except the insurance requirements.
- PMCPs engaged in nonbusiness activities but providing transportation of some kind (such as churches, private schools, civic organizations, scout groups, or other organizations that may purchase or lease buses for the private transportation of their respective groups) are subject to many of the FMCSRs but not most recordkeeping or insurance requirements.

Any special exceptions for PMCPs will be noted in the relevant sections of this manual.

9- to 15-passenger vehicles

Companies operating passenger-carrying vehicles that are designed or used to carry 9 to 15 passengers (including the driver) may be exempt from most of the FMCSRs as long as the vehicles weigh or are rated at less than 10,001 pounds and there is no “direct compensation” involved. There is “direct compensation” if the passengers (or a person acting on behalf of the passengers) pay the company for the transportation service being provided, and the payment is not included in a total package charge or other assessment for highway transportation services.

If the vehicles weigh or are rated at 10,001 pounds or more, regardless of compensation, then the rules apply due to the weight alone. If the vehicles weigh less than 10,001 pounds and there is no compensation of any kind for the transportation (such as a company transporting its own employees), then the vehicles would qualify for the exemption. See Sec. 390.3(f)(6) for details.

Personnel: Driver Qualifications



Compliance Point

Every employer subject to the FMCSRs is required to be knowledgeable of and to comply with all regulations that are applicable to the company's operation. This also means that every driver and employee must be instructed regarding, and must comply with, those same regulations.

Definitions of “commercial motor vehicle”

Two definitions of “commercial motor vehicle” (CMV) are used in the regulations, often causing confusion. Both definitions apply to the driver qualification requirements.

1. For the **driver qualification** rules in Part 391, a “commercial motor vehicle” is any self-propelled or towed motor vehicle used on a public roadway in interstate commerce to transport passengers or property when the vehicle:
 - Has a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR), gross vehicle weight (GVW), or gross combination weight (GCW) of 10,001 pounds or more, whichever is greater; or
 - Is designed or used to transport 9 or more passengers (including the driver) for compensation or 16 or more passengers (including the driver) not for compensation; or
 - Is used to transport hazardous materials in quantities requiring the vehicle to be placarded.

Vehicles that do not meet the above definition (found in Sec. 390.5) are not regulated under the FMCSRs even if used for a commercial purpose.

2. For the **CDL and drug/alcohol testing** rules, as well as entry-level training requirements, a “commercial motor vehicle” is a motor vehicle or combination of vehicles used in commerce (interstate or intrastate) to transport passengers or property if the vehicle:
 - Has a GCWR or GCW of 26,001 pounds or more, whichever is greater, including a towed unit(s) with a GVWR or GVW of more than 10,000 pounds, whichever is greater; or
 - Has a GVWR or GVW of 26,001 pounds or more, whichever is greater; or
 - Is designed to transport 16 or more passengers, including the driver; or
 - Is used to transport hazardous materials in quantities requiring the vehicle to be placarded.

This second definition is found in Secs. 382.107 and 383.5.

Personnel: Driver Qualifications



Caution

Note that, except in the case of multiple passengers or hazardous materials, the above definitions rely on the vehicle's actual or rated weight and not its cargo or whether the operation is private or for-hire. A vehicle can be empty yet still be large enough to be regulated as a CMV. Thus, the driver of a large pickup truck pulling a trailer for a private company is typically subject to most of the same rules as a large for-hire tractor/trailer or motorcoach operator.

In addition to the exceptions noted above, there are some specific exceptions or variations in the requirements for driver qualification contained in Part 391, all of which will be discussed later.

Personnel: Driver Qualifications

Who is responsible for compliance?

Compliance with the Federal Motor Carrier Safety Regulations is generally a shared responsibility among drivers and their employers. Where the driver is specifically charged with compliance, Sec. 390.11 makes the motor carrier responsible for requiring driver compliance:

Sec. 390.11, Motor carrier to require observance of driver regulations.

Whenever in Part 325 of Subchapter A [the noise emission standards] or in this subchapter [the FMCSRs] a duty is prescribed for a driver or a prohibition is imposed upon the driver, it shall be the duty of the motor carrier to require observance of such duty or prohibition. If the motor carrier is a driver, the driver shall likewise be bound.

Charging the carrier with requiring driver compliance places special emphasis on carrier responsibilities, and in the case of driver qualification, carriers are often cited for “permitting” driver non-compliance.



Did You Know?

The federal safety regulations are designed to be the *minimum* standards you must follow. Motor carriers are allowed — and indeed encouraged — to adopt and enforce more stringent requirements relating to vehicle safety and employee safety and health.

Who must be qualified?

Basically, any driver of a commercial motor vehicle — whether a full-time, part-time, or occasional driver, an independent owner-operator, or someone not hired as a “driver” (such as a supervisor or mechanic) — must be qualified under the rules in Parts 380, 382, 383, and 391, as applicable.

There are exceptions from one or more of the qualification requirements, however, as listed here and discussed in detail later:

- Drivers regularly employed before January 1, 1971.
- Drivers of certain farm vehicles.
- Drivers engaged in the apiarian (beekeeping) industry.
- Drivers with certain medical conditions dating back to 1988 and operating exclusively within exempt intracity areas.
- Drivers working for more than one employer within every 7 days.
- Drivers furnished by other motor carriers.
- Private motor carriers of passengers.

Personnel: Driver Qualifications

What are the basic qualifications to drive a CMV?

To be considered qualified to drive a commercial motor vehicle, a person must:

1. Be at least 21 years old;
2. Be able to read and speak the English language well enough to converse with the general public, understand English traffic signs and signals, respond to official inquiries, and make entries on reports and records;
3. Be able to safely operate the type of motor vehicle he/she drives, by way of experience, training, or both;
4. Be physically qualified to drive a motor vehicle in accordance with the medical qualification standards in Sec. 391.41;
5. Have a currently valid CMV operator's license issued by only one state or jurisdiction;
6. Have prepared and furnished the motor carrier that employs him/her with a list of violations from the past 12 months (or certification that there were no violations), as required by Sec. 391.27;
7. Not be disqualified to drive a motor vehicle under the rules in Sec. 391.15; and
8. Have successfully completed a driver's road test and been issued a certificate of driver's road test (Sec. 391.31), unless the employer accepts a driver's license or previously issued certificate of road test instead (Sec. 391.33).



Compliance Point

The qualification rules, as well as all other FMCSRs, apply to motor carriers and their drivers, not leasing companies, temp agencies, or other third parties who may provide drivers or services to a motor carrier. Motor carriers can generally use third parties to provide personnel, perform required tasks, or store required documents, but responsibility for compliance — as well as responsibility for any violations — still rests with the motor carrier!

Cargo distribution and securement

In addition to meeting the standards above, CMV drivers must:

- Be able (through experience, training, or both) to determine whether the cargo they transport — including baggage in a passenger-carrying motor vehicle — has been properly located, distributed, and secured in or on the motor vehicles they drive; and
- Be familiar with methods and procedures for securing cargo in or on the motor vehicles they drive.

Personnel: Driver Qualifications



Motor carrier personnel responsible for administering the carrier's driver qualification program must make certain that each person who will be driving a commercial motor vehicle qualifies under each of the requirements above, unless a special exception exists. Of course, there's a sound safety basis for each of these regulations, and from a carrier standpoint, making certain drivers are fully qualified makes good business sense. Accidents are expensive, and good drivers have fewer accidents.

One driver's license

As noted above, a CMV driver is allowed to possess only one commercial vehicle driver's license, and it must be from his/her state of residence. Depending on the vehicle and/or cargo, however, the license may or may not be a commercial driver's license (CDL). In many cases, a standard non-CDL operator's license is all that's required to operate a commercial motor vehicle, especially those under 26,001 pounds which are not transporting hazardous materials or 16 or more passengers.



Compliance Point

This is one area where the two definitions of "commercial motor vehicle" (CMV) cause confusion. A single, valid license is required for anyone operating a CMV as defined in Sec. 390.5, but a "commercial driver's license" (CDL) is only required (at least under *federal* standards) for CMVs as defined in Sec. 383.5. For example, the driver of a straight truck weighing 22,000 pounds (and not placarded for hazardous materials) does not generally need a CDL — even if it has air brakes — but rather whichever license his/her home state requires for that type of vehicle.

Note that states are allowed to exempt certain drivers from the CDL requirements. The CDL standards are discussed in greater detail elsewhere in this manual.

Personnel: Driver Qualifications



Did You Know?

Drivers must be at least 21 years old to operate commercial motor vehicles in interstate commerce. However, depending on state rules, younger drivers may be able to operate commercial motor vehicles within their state, as long as they never cross state lines or otherwise get involved in interstate commerce. Under federal rules, drivers only have to be 18 years old to obtain a commercial learner's permit.

Qualifying a Driver

Driver qualification is an ongoing process. Certain steps must be taken before a driver ever gets behind the wheel of a commercial motor vehicle, but additional steps must be taken on a regular basis to ensure that that driver remains fully qualified throughout his or her career. Carriers are encouraged to establish a compliant driver qualification program for all drivers, whether first-timers, part-timers, old-timers, leased, or "casual" or "intermittent" drivers.



Caution

Many carrier liability issues relate to the use of unqualified drivers, so it is critical for carriers to ensure that their drivers are fully qualified at all times. If a driver's qualifications lapse in any way and he or she gets into an accident, it could mean fines and penalties but even bigger worries in a court of law.

Initial qualification

During the qualification process for any new driver, the FMCSRs require certain documentation to be completed, investigations performed, and actions taken. Keep in mind that these are the minimum standards to be followed; your company can establish additional or more stringent requirements than described here. The following is an overview of the requirements in Parts 380, 382, 383, and 391.

Personnel: Driver Qualifications

Qualification Checklist

The following is a basic FMCSR compliance checklist for qualifying new drivers, in no particular order. Not all items apply to all drivers, and not all items are required prior to driving:

- Driver-specific application for employment
- Driving record(s) from state(s) where driver was licensed during past 3 years
- Road test form and certificate, OR copy of existing road test certificate that is less than 3 years old, OR photocopy of driver's CDL license (except for double/triple trailers or tank vehicles)
- Pre-employment screening program (PSP) report (optional)
- Written authorization from driver to obtain his/her drug/alcohol testing history from previous employer(s)
- Accident and drug/alcohol testing history from previous employer(s) from last 3 years, OR documentation of good-faith effort to obtain the information
- Medical examiner's certificate, OR (for CDL/CLP drivers) a driving record showing medical certification status
- Documentation showing that the medical examiner was listed in the National Registry of Certified Medical Examiners at the time of the exam
- Documentation of any medical variance, if applicable
- A signed statement showing total on-duty time for the past 7 days and the time at which the driver was last relieved from duty (to verify compliance with hours-of-service rules prior to driving for you)

— For drivers required to hold a CDL —

- Negative DOT pre-employment drug test result, OR documentation of exception to pre-employment test (382.301(b))
- Signed certificate of receipt for drug/alcohol educational materials and company policy
- Documentation of the type of driving the applicant self-certified that he/she will perform (this information should be available on the driving record) (383.71(g))
- Entry-level driver training certificate (if applicable, until February 7, 2020)
- Longer combination vehicle (LCV) training certificate (if applicable)
- Starting January 6, 2020: Authorization from driver to query the Drug and Alcohol Clearinghouse
- Starting January 6, 2020: Full pre-employment query of the Drug and Alcohol Clearinghouse

Personnel: Driver Qualifications

Application for employment

The basic content of the driver application for employment is listed in Sec. 391.21, although the actual form of presentation is left to the carrier's discretion. It must contain:

1. The name and address of the motor carrier;
2. The applicant's name, address, date of birth, and social security number;
3. The applicant's address(es) for the 3 years preceding the date of application;
4. The date of application;
5. The issuing state, number, and expiration date of the applicant's driver's license;
6. The nature and extent of the applicant's experience operating motor vehicles;
7. A list of all motor vehicle accidents in which the applicant was involved during the last 3 years;
8. A list of all violations of motor vehicle laws and ordinances for which the applicant was convicted or forfeited bond or collateral during the last 3 years;
9. A statement detailing the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle issued to the applicant, or a statement that no such denial, revocation or suspension has occurred;
10. A list of the names and addresses of the applicant's employers during the last 3 years. If the applicant will operate a CMV that requires a CDL, this list must include an additional 7 years' history (10 years total) of employers for whom the driver operated a CMV. The list must include:
 - The dates of employment,
 - The reason(s) for leaving,
 - Whether the applicant was subject to the FMCSRs for the employer,* and
 - Whether the applicant was subject to DOT drug or alcohol testing for the employer*;
11. A signed, dated statement indicating that the supplied information is true and accurate.

DRIVER'S APPLICATION FOR EMPLOYMENT	
Applicant Name _____ (print)	Date of Application _____
Company _____	
Address _____	
City _____	State _____ Zip _____
In compliance with Federal and State equal employment opportunity laws, qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, age, marital status, veteran status, non-job related disability, or any other protected group status.	
TO BE READ AND SIGNED BY APPLICANT	
I authorize you to make such investigations and inquiries of 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 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.	
Signature _____	Date _____
FOR COMPANY USE	
PROCESS RECORD	
APPLICANT HIRED _____	REJECTED _____
DATE EMPLOYED _____	POINT EMPLOYED _____
DEPARTMENT _____ (IF REJECTED, SUMMARY REPORT OF REASONS SHOULD BE PLACED IN FILE)	CLASSIFICATION _____
SIGNATURE OF INTERVIEWING OFFICER _____	
TERMINATION OF EMPLOYMENT	
DATE TERMINATED _____	DEPARTMENT RELEASED FROM _____
DISMISSED _____	VOLUNTARILY QUIT _____ OTHER _____
TERMINATION REPORT PLACED IN FILE _____	SUPERVISOR _____
<small>This form is made available with the understanding that J. J. Keller & Associates, Inc. is not engaged in rendering legal, accounting, or other professional services. J. J. Keller & Associates, Inc. assumes no responsibility for the use of this form, or any decision made by an employer which may violate local, state, or federal law.</small>	
<small>© Copyright 2004 J. J. KELLER & ASSOCIATES, INC., Neshanic, WI • USA (800) 321-6888 • www.jjkeller.com • Printed in the United States</small>	
<small>TSF (Rev. 5/04) 691</small>	

*Note: "Yes" responses to these questions indicate that those employers may need to be contacted to obtain the applicant's safety performance history.

Want to Keep Reading?

[Visit JJKeller.com now](http://JJKeller.com) to order or get more details on this manual written by our safety & compliance experts.

Convenient Update Service subscriptions are also available to help you make sure your information is always up to date.

NOW AVAILABLE - Access Your Manual Online

With our NEW Online Edition options, you can access this manual's content from any browser or mobile device. You'll get:

- Search capabilities for easy navigation and fast research
- Bookmarks to help you to quickly flip to sections you frequently use
- Continuous updates to ensure you always have the most current info
- Notifications via homepage and email to help you stay on top of changes
- Easy access to ask questions of our subject matter experts

[Order Now to Keep Reading!](#)



Connect With Us



@jjkeller



jjkeller.com/LinkedIn



google.com/+jjkeller



contact us