

MOTOR VEHICLE ACCIDENT REGISTER

§390.5 Definitions.

Unless specifically defined elsewhere, in this subchapter: **Accident** means –

(1) Except as provided in paragraph (2) of this definition, an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

- (i) A fatality;
- (ii) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- (iii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicles to be transported away from the scene by a tow truck or other motor vehicle.

(2) The term *accident* does not include:

- (i) An occurrence involving only boarding and alighting from a stationary motor vehicle; or
- (ii) An occurrence involving only the loading or unloading of cargo.

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Disabling damage means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

(1) *Inclusions.* Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

(2) *Exclusions.*

- (i) Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
- (ii) Tire disablement without other damage even if no spare tire is available.
- (iii) Headlamp or taillight damage.
- (iv) Damage to turn signals, horn, or windshield wipers which makes them inoperative.

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Fatality means any injury which results in the death of a person at the time of the motor vehicle accident or within 30 days of the accident.

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§390.15 Assistance in investigations and special studies.

(a) A motor carrier must make all records and information pertaining to an accident available to an authorized representative or special agent of the Federal Motor Carrier Safety Administration, an authorized State or local enforcement agency representative or authorized third party representative, upon request or as part of any investigation within such time as the request or investigation may specify. A motor carrier shall give an authorized representative all reasonable assistance in the investigation of any accident including providing a full, true and correct response to any question of the inquiry.

(b) For accidents that occur after April 29, 2003, motor carriers must maintain an accident register for three years after the date of each accident. For accidents that occurred on or prior to April 29, 2003, motor carriers must maintain an accident register for a period of one year after the date of each accident. Information placed in the accident register must contain at least the following:

(1) A list of accidents as defined at §390.5 of this chapter containing for each accident:

- (i) Date of accident.
- (ii) City or town, or most near, where the accident occurred and the State in which the accident occurred.
- (iii) Driver name.
- (iv) Number of injuries.
- (v) Number of fatalities.
- (vi) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicles involved in the accident, were released.

(2) Copies of all accident reports required by State or other governmental entities or insurers.

MOTOR VEHICLE ACCIDENT REGISTER



Since 1953

Motor Carrier _____ (NAME) **From** _____ (DATE) **To** _____ (DATE)

Accident File Number	Date & Time of Accident	(i)	(ii) Location of Accident	Equipment Numbers of Company Vehicles Involved	(iii) Driver's Name and Terminal	Consequences			Hazardous Materials (vi) Hazardous Materials other than fuel spilled from the fuel tanks of vehicles involved in the accident released.
						(iv) Number of Injuries	(v) Number of Fatalities	Property Damage (in Dollars)	

SAMPLE