

INSTRUCTIONS FOR COMPLETION OF FORMS

DRIVER QUALIFICATION RECORDS

1. DRIVER'S APPLICATION FOR EMPLOYMENT:

(391.21) An employment application must be completed by every applicant seeking to drive a commercial motor vehicle. The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed and signed by the applicant, and must contain the information as outlined in Section 391.21. Before an application is submitted, the motor carrier shall inform the applicant that the information he/she provides may be used and the applicant's prior employers may be contacted, for the purpose of investigating the applicant's background. (Form No. 691)

2. ADDITIONAL EMPLOYMENT HISTORY INFORMATION:

This is a supplemental sheet used to obtain information from driver applicants on all employment as a commercial vehicle driver for the past 10 years. It can also be used to obtain additional past employment history for any job applicant. (Form No. 4318)

NOTE: The regulations only require a check with DOT-regulated employers for the past three years.

3. REQUEST FOR CHECK OF DRIVING RECORD:

(391.23)(391.25) Each motor carrier is required to investigate the driving record, for the preceding 3 years, of each driver-applicant. The appropriate agency of every state in which the driver held a motor vehicle operator's license or permit during those 3 years must be contacted. A copy of the response by each state agency showing the driver's driving record or certifying that no driving record exists for that driver, must be placed in the driver's qualification file within 30 days of the date employment begins.

The regulations also require a motor carrier to obtain a driving record on each driver each following year. (Form No. 506540 or 732)

A motor carrier must also request a driving record showing a CDL driver's medical status within 15 days of the medical examination.

NOTE: A number of states require their specific form be used in making such inquiries.

4. DRIVER'S PHYSICAL EXAMINATION:

(391.45) Each driver of a commercial motor vehicle is required to obtain a physical examination at least every 24 months. The examination must be made by a qualified medical examiner and shall be recorded on the prescribed form per Section 391.43. The completed medical exam form shall be retained on file at the office of the medical examiner. A copy of the certificate is given to the driver. (Form No. 47375)

NOTE: Only the medical examiner's certificate is required to be maintained in this file.

5. MEDICAL EXAMINER NATIONAL REGISTRY VERIFICATION:

(391.23(m)(1)) Motor carriers must, for each driver's physical exam, verify and document that the medical examiner was listed on the registry on the date the Medical Examiner's Certificate (commonly known as the fed med card) was issued. This is done by verifying the medical examiner's certification on FMCSA's National Registry website (Form No. 27034)

6. RECORD AND CERTIFICATION OF ROAD TEST:

(391.31) A person who gives a road test shall rate the performance of the driver-applicant for each operation or activity that is part of the test. After the person completes the form, he/she shall sign it. The original of the road test is retained in the driver qualification file.

Upon successful completion of the road test, the person who gave it shall complete a Certification of Road Test. The original shall be retained in the qualification file and the duplicate or card given to the driver who was examined. (Form No. 652, Card No. 6-BC)

7. CERTIFICATION OF VIOLATIONS/ANNUAL REVIEW OF DRIVING RECORD:

(391.25; 391.27) At least every 12 months a motor carrier shall require each driver it employs to prepare and furnish it with a list of all violations of motor traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he has forfeited bond or collateral during the preceding 12 months. If the driver has not been convicted of, or forfeited bond or collateral on account of, any violation which must be listed, he/she shall so certify. The motor carrier shall retain the list or certificate or a copy of it in its files as part of the driver's qualification file.

Each motor carrier shall at least once every 12 months review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive pursuant to Section 391.15. The review shall be signed and dated by the reviewer and the form placed in the driver qualification file. A company card may then be issued to the driver stating the driver's file has been reviewed and that he/she meets the requirements of Part 391. The card may also be used in accordance with Section 391.65, if applicable. (Form No. 3685 or 3686, Card No. 7-BC)

8. DRIVER'S STATEMENT OF ON-DUTY HOURS - NEW HIRE:

(395.8(j)(2)) Motor carriers, when using a driver for the first time, shall obtain from the driver a signed statement giving the total time on duty (including all compensated work for any employer) during the immediately preceding 7 days and the time at which such driver was last relieved from duty prior to beginning work for such carrier. The Driver Statement of On-Duty Hours is not a required driver qualification form, but is needed for hours-of-service compliance. (Form No. 3687 or 3688)

9. CERTIFICATION OF COMPLIANCE WITH DRIVER LICENSE REQUIREMENTS:

(383.21, 391.11(b)(5)) No person who operates a commercial motor vehicle shall at any time have more than one driver's license. The "Certification of Compliance with Driver License Requirements" form asks the driver to certify that he/she meets the single driver's license requirement. (Form No. 1617 or 1619)

NOTE: The Certification of Compliance with Driver License Requirements form is not required for DOT compliance.

10. EMPLOYMENT ELIGIBILITY VERIFICATION I-9:

The Immigration Reform and Control Act of 1986 requires employers to ensure employees are authorized to work in the United States. The Form I-9 (Employment Eligibility Verification) must be completed by all employees hired after November 6, 1986. To complete the form, employers must attest to an employee's authorization to work in the U.S. by examining his or her documentation, recording the required information, and signing the form. (Form No. 50306)

NOTE: The Form I-9 is not required by DOT and therefore need not be kept in the driver qualification file. Employers should also consider keeping this form separate from an employee's personnel file because it contains protected information. Many employers choose to maintain a separate file containing all employees' I-9 forms.

11. POCKET CARDS:

To be completed for items 6 and 7 and given to driver. (6-BC, 7-BC)

12. MEDICAL EXAMINER'S CERTIFICATE

The completed physical exam certificate needs to be given to the driver by the medical examiner. (Use Form No. 47379)

13. CHECKLIST FOR QUALIFICATION OF NEW DRIVERS:

This form is a handy checklist for orderly recording of completion of documents. Complete the driver information, name, identification number, and address. Enter the dates the requests were sent and then completed for the driver's qualification file. The supervisor's signature completes each entry. List any other company documents added. Alcohol and controlled substance program documents may be recorded, but must be retained in a separate file if this driver qualification file is not handled in a confidential manner. (Form No. 865 or 506541)

NOTE: This Checklist for Qualification of New Drivers is not required for DOT compliance.

14. DRIVER RECORD CARD:

This is a convenient form to summarize key information about the performance of drivers and other employees with respect to accident experience, safety awards, due dates of medical examinations, etc. (Form No. 3211)

CAUTION: When using a third party to request background information on applicants or existing employees – such as motor vehicle records, information from previous employers, criminal records, or credit history – you are subject to the Fair Credit Reporting Act (FCRA) and State consumer reporting laws. Under FCRA, the third-party vendor is considered a consumer reporting agency (CRA) and the employee background information is a consumer report. Before you can obtain a consumer report from a CRA, you must provide applicants and employees with a disclosure stating that your company may obtain such a report for employment purposes, and you must have authorization from the applicant or employee to conduct the check. You must also provide a copy of the Federal Trade Commission's notice called "A Summary of Your Rights Under the Fair Credit Reporting Act." The notice, disclosure, and authorization are not included in this file, and some state laws have additional requirements. Consult with your CRA on the need and use of such documents.