



Driver Qualification File Compliance: Requirements, Risks, and Best Practices



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Gary Petty
President & CEO
National Private Truck Council



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Thank You for Joining Us!

- This webcast will cover ...
 - A regulatory overview
 - Best practices in compliance
 - A case study in implementation
 - Question & Answer session
- You will be muted during the event.
- Please use the Q&A feature to send in questions. We'll try to answer them during the Q&A period if they are not covered in the presentation.
- The slides and recording will be posted within 7 days at: www.jjkeller.com/nptcinfo



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Meet Your Speakers



Tim Adam, CTP
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Tom Moore, CTP
Executive Vice President
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Brooke English, CTP
Director of Truck Fleet Safety
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Tim Adam, CTP
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Opening poll

- What is your biggest concern with Driver Qualification files?
 - Having the correct documents
 - Former employer verification
 - Medical qualification
 - Retention periods
 - Our files are a mess



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What is a Driver Qualification (DQ) File

- Required record that demonstrates a driver can legally drive a CMV
- Required by 49 CFR Part 391
- Files will be reviewed during
 - New entrant audits
 - Compliance reviews
 - Focused reviews
- Missing and incomplete files can lead to critical violations



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Who Needs a DQ File

- 391.5(a) Each motor carrier shall maintain a driver qualification file for each driver it employs.
 - Rated or actual weight of 10,001 pounds or more
 - Vehicle designed to carry 8 or more passengers or 15 or more passengers depending on compensation
 - Transporting hazardous material in any amount requiring a placard
- Required for all interstate drivers, intrastate regulations may vary



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Who Needs a DQ File

- Full-time drivers
- Part time drivers
- Seasonal drivers
- Owner Operators using the carriers USDOT number
- Employees who operate CMVs infrequently



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What is Required

- Required documents are found in 391.51(b)
 - Driver employment application
 - MVR from previous 3 years from all states licensed
 - Certificate of road test (or other accepted equivalent)
 - Proof of medical certification
 - Drug and alcohol clearing house query
 - Annual MVR review and note confirming eligibility



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Safety Performance History

- All DOT regulated employers in the last 3 years
 - Verification of employment dates
 - Accident history
 - No longer required to request D&A history
- If previous employer do not respond document the request



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What if Something is Missing

- Do not back date documents
- Request a new documents
- Put a note in the file explaining when it was discovered
- Still a violation but not falsification



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Retention Period

- The initial DQ file documents must be retained for the length of employment and an additional 3 years
- Some documents can be purged after 3 years
 - Annual MVR
 - Annual record of review of the MVR
 - Medical card if applicable
 - Verification of the Medical examiner listed on the registry



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Multiple Carrier Drivers

- Carriers can use qualified drivers from another carrier
 - Often used by carriers with multiple DOT numbers (sister company)
 - Primary carrier must certify driver qualifications
 - Certification example is found in 391.65
 - Driver must drive for both carriers in a 7 day period
 - Does not apply to drivers who are permanently transferred
- Only applies to DQ files, drug and alcohol requirements apply



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Aligning The Right Talent – Raising The Bar Above Mere Compliance

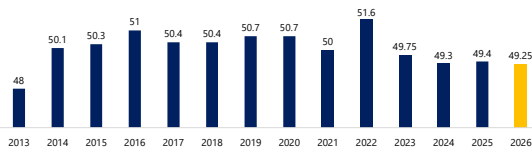
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Challenge 1: The Aging Driver Workforce

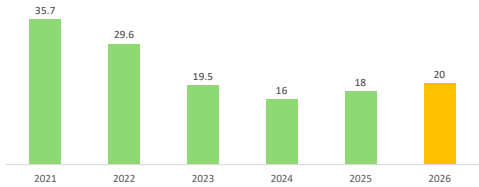


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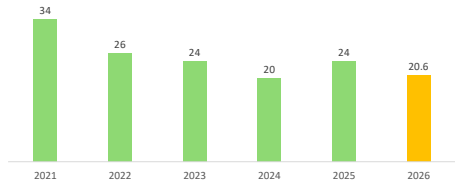
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Challenge 5: Days to Recruit and Screen a Driver



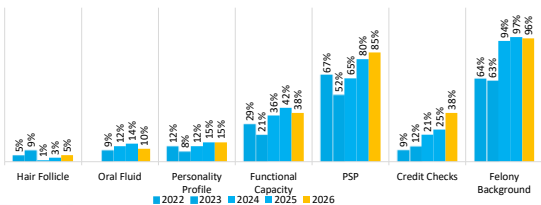
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Days to Hire a Driver



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Pre-Employment Screening Practices



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Common Pitfalls During the Hiring Process

- Failing to obtain negative pre-employment DOT drug test prior to safety sensitive functions (driving)
 - FMCSA Clearinghouse Consent
- Not starting a DQ file for all drivers within 30 days of hire
- Not documenting/conducting Safety Performance History (SPHR)
 - At least 3 documented attempts
- Using a driver without having a valid fed-med card or MVR in the DQ file
 - MEC must be on national register
- Not using a compliant DOT application
- Hiring and using a disqualified/unqualified driver

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Common Pitfalls Keeping Drivers Current

- Not getting annual reviews done within one (1) year review
 - Review, confirm, document
- Consistent monitoring MVR program
 - Suspended CDL (child support, violations)
 - Downgrade (intra from inter)
- Failure to monitor MEC expiration dates
 - Manager or Driver schedule?

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How Fleets Are Raising the Bar

- Upgrading the driver application
- Enhancing interviewing skills
 - Interpersonal training for interviewers
 - Scripted Questions
- Digging deeper on MVRs/PSP
- Going beyond the minimum when it comes to background checks
- Establish roles and responsibilities for managers
 - Documented hiring process

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Education and Training

- Beyond the regs, drivers need to know that you care about their welfare -- win the hearts, minds and souls of your drivers.
- Communicate the what, when, how and the why in writing.
 - Set clear expectations
- Drivers need to take responsibility: Develop a written policy stating that drivers are responsible for adhering to all safe-driving related Federal, State, and local laws ordinances.



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Automate DQF'S

- Hiring best practice is to ensure that DOT administrators know the Driver Qualification File.
- Ensure MVRs from states are reviewed for unsafe driving violations of all prospective drivers for a min of the last three years.
 - Get permission for background to run PSP report or have drivers run their own prior to interview process to correct any outages.
- MVR & PSP do not match
 - Carrier missing from DOT application
- PSP may show a pattern or behavioral practice that may need to be explained
 - Driver or Carrier issue



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Automate DQF'S

- Hiring best practice is to ensure that DOT administrators know the Driver Qualification File. Best Practices is to automate DQF's.
 - Querying applicants, checking with previous employers and references
 - Review and evaluate gaps in employment
 - Application captures all information required by FMCSA, pertaining to moving violations, prior convictions and denied employment based on unsafe driving



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Company Procedures for Training & Communication

- Hiring best practice is to training for drivers:
 - Communicate expectations for adhering to safe driving regulations and company policy and procedures to all staff and provide new hire and refresher training
 - Hands-on demonstrations of safe driving with a focus on defensive driving skill
 - Reinforce training by developing job aids, and/or establishing communication
 - Ensure that managers and supervisors communicate with drivers – show visible leadership
 - Engage your drivers at all levels
 - Ride along programs for direct supervisors/Ops groups



Raising the Bar

- Ease of Application process
 - Online/Digital
- No gaps in employment history
 - 10 previous years of employment
 - Dates for unemployment if applicable
- Background checks
 - Criminal (State and Federal)
- FMCSA Clearinghouse Consent
- MVR for all states resided in for previous 10 years
- DUI policies



Raising the Bar

- Good faith letters when other verification cannot be made (acquisitions)
- Pre Employment Road-test
 - Appropriate Equipment
 - Qualified examiners
 - A must for all applicants
 - Performed prior to extending an offer
 - Properly documented



Raising the Bar – DQ Files

- Restricted access
 - Secured physical files
 - Digital
- MVRs
 - Constant monitoring/notifications through 3rd party
 - Annual reviews
- DOT Physicals
 - Long form
 - Check for OSA/CPAP – monitor usage
 - Check for regulated diabetes
 - Check for epilepsy medication
- CDL endorsements

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Raising the Bar – DQ Files

- Random Tests
 - Meet the Mandatory Annual %
 - 50 % drugs/10% alcohol
 - Quarterly or Monthly
 - How are you randomizing the pull?
 - From what pool are you pulling from?
 - Document process
 - 3rd party collection or onsite
 - No advanced notice
 - Employee must be tested as soon as notified
 - Must be on duty (no LOA or Vacation)

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Raising the Bar

- Sleep apnea/OSA monitoring
 - 90-day monitoring – 70% at 4 hours or greater
 - Apnea-Hypopnea Index (AHI)
- Second jobs (Moonlighting)
 - Counts against HOS
- Citations in personal vehicle
 - Moving Violations
 - DUI
- Serious violations
 - Failure to report accident
 - Reckless driving

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Questions and Answers



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More Questions?



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