Missouri Department of Transportation

Motor Carrier Services

Safety Compliance Manual



Alcohol and Drug Testing Requirements • Periodic Inspection • Aggregate Gross Weight

HM Safety Permits • For-Hire Carriers • Fire Extinguisher • Exhaust Systems

Seat Belts • Cargo Securement • 15-Hour Rule

MARCH 2026

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Welcome!

Thank you for picking up a copy of Missouri's Commercial Motor Carrier Compliance Manual. Whether you're new to the motor carrier industry or a long-time safe Operator, we are sure you'll learn something new from these pages.

Ask – We Are Happy to Answer Questions
MoDOT Motor Carrier Services helps truckers stay up-to-date with required credentials and with the rules and regulations that govern the industry. Credentials help ensure all companies compete on a level economic playing field while our Safety & Compliance team's goal is that every traveler gets home safely.

We dedicate a lot of effort to learning and staying up-to-date with rules and regulations, plans and procedures and industry trends. If you are curious or confused about any program we administer, we are happy to be your source for answers you can depend on. If we don't know an answer, we likely know who does and are happy to put you in touch with an expert.

Safety is Primary – so is the seatbelt law for CMVs
No matter how many accident-free miles you have, no matter how big the truck you drive, no matter your opinion about seat belt law, the safest place for you to be in a crash is behind a buckled safety belt. Besides keeping you from careening through the cab, it holds you in a position to possibly regain control and avoid secondary collisions - so even more travelers get to Arrive Alive.

MoDOT Is Ready to Assist
There is a lot to know about operating safely and within the law. Visit us in person, by phone or through the Internet and ask us anything! Whether you need help with a form or guidance in understanding a regulation, we're ready to help 24 hours a day.

File fuel tax returns, renew the authority to operate, apply for oversize overweight permits and pay fees online with MoDOT Carrier Express. E-mail us anytime at ContactMCS@modot.mo.gov. Visit www.modot.org to find all you want to know about Missouri's highway and other transportation systems. There's even a traveler's map that reports the location of work zones and other lane closures.

Finally, we want you to be successful. Safety is key to success. We hope that you find this Safety Compliance Manual easy to understand. Keep in mind that it is strictly a tool to be used as guidance. It is not intended to take the place of studying the regulations. For specific regulations please refer to Title 49, Code of Federal Regulations.

Safe travels,

MoDOT Motor Carrier Services

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Preface

This guide was developed to assist motor carriers in achieving safety compliance with the State and Federal Motor Carrier Safety Regulations (FMCSR). Sample forms for driver qualification files, accident registers, maintenance records, and other items are included.

This is a guide and not intended to take the place of the regulations. For specific regulations please refer to Title 49, Code of Federal Regulations.

Some regulations contained in Title 49, Code of Federal Regulations, while not enforceable by Motor Carrier Services Division, may be enforceable by other agencies within the state. Sample forms included may be used to comply with regulatory requirements, but are not mandated. Other form layouts that contain the same information or perform the same task may be sufficient. Occasionally, regulations mandate a specified form or content of a form (e.g. 49 CFR 391.43 mandates the DOT physical examination form). Consult the underlying regulation if there is any question as to the correctness of a form.

Our overall goal is to improve the safe transportation of passengers and goods on Missouri's highways through a coordinated effort of federal, state, and industry organizations to reduce fatalities, injuries, property damage and hazardous materials incidents.

This booklet is comprised of several sections, each containing a specific safety regulation topic that is covered in the FMCSRs. These parts are listed in the Table of Contents. Each part contains information sheets that cover the highlights of that section. Please feel free to reproduce any or all material in this package and to distribute copies as needed. You may also obtain this information on the Federal Motor Carrier Safety Administration (FMCSA) web site at *www.fmcsa.dot.gov/* or the MoDOT Motor Carrier Services web site at *www.modot.org/mcs*.

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable FMCSRs. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.

Are You Subject To The Safety Regulations?

Effective August 28, 2004, (Signing of Senate Bill 1233)

Code of Federal Regulations Parts 100 through 180 (Hazardous Material Regulations) and Parts 382 through 397 (Safety Regulations) generally pertain to:

- Any person operating any Commercial Motor Vehicle with a Gross Vehicle Weight Rating
- (GVWR) or Gross Combination Weight Rating (GCWR) greater than 10,000 pounds in Interstate Commerce.
- Any person operating any Commercial Motor Vehicle with a GVWR or GCWR greater than 26,000 pounds in Intrastate Commerce.
- Any person operating any Commercial Motor Vehicle with a GVWR or GCWR greater than 10,000 pounds in intrastate commerce transporting any amount of hazardous material.
- Any person operating any Commercial Motor Vehicle in Interstate or Intrastate Commerce trans-porting Hazardous Materials that is required to be placarded.

Missouri Intrastate Exemptions

A. Vehicles with less than 26,001 pounds GVWR or GCWR unless transporting passengers or any amount of Hazardous Materials.
B. Vehicles licensed for 60,000 pounds or less and are used exclusively to transport solid waste (Intrastate only);
C. Vehicles licensed for 42,000 pounds or less and the license plate has been designated for farm use by the letter F (Intrastate only), unless such vehicle is transporting hazardous materials;
D. Persons having a valid Missouri Chauffeur's License on May 13, 1988 are not subject to the medical requirements of Section 391.41 (In intrastate commerce only).

Notice To Passenger Carriers

Passenger carriers are subject to the Safety Regulations if the vehicle is:

- Designed to transport passengers and has a GVWR or GCWR greater than 10,000 pounds.
- Designed or used to transport 9 or more passengers (including the driver) for compensation;
- Designed or used to transport 16 or more passengers (including the driver) and is not used to transport passengers for compensation.

Exceptions:

- 390.3(f)(6) The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers (including the driver) not for direct compensation, provided the vehicle does not otherwise meet the definition of a commercial motor vehicle except for the texting provisions of 391.15(3) and 392.80, and except that motor carriers operating such vehicles are required to comply with 390.15; 390.19; 390.21(a) and (b)(2); 391.15(f); 392.80; and 392.82

Notes:
Effective June 1, 2010, Commercial Motor Vehicles designed or used to transport 9-15 passengers (including the driver), for direct compensation are subject to the Safety Regulations, regardless of the distance traveled.

Effective May 13, 1988, Missouri adopted the Federal Regulations with the signing of Senate Bill 433.

Effective August 28, 2012 Parts 390-397 no longer are applicable to passenger vehicles operating in intrastate commerce with a designed seating capacity of 7-8 passengers including the driver unless the vehicle otherwise meets the definition of a commercial motor vehicle. For Missouri intrastate commerce, a passenger commercial motor vehicle is defined as a vehicle having a gross vehicle weight rating or gross combination weight rating in excess of 10,000 lbs, a vehicle of any size transporting hazardous materials requiring placarding, a 9 passenger capacity vehicle (including the driver) for compensation, or a 16 passenger capacity vehicle (including the driver) regardless of compensation.

New Entrant Rule Summary

Are you a new entrant?
Are you new to interstate commerce?
Have you been notified that you are subject to a New Entrant Safety Audit?
If so, this subject applies to you!

What is the applicability of the rule?

The changes to the New Entrant Safety Assurance Program (new entrant program) under 49 CFR Part 385, subpart D apply to all new U.S.- and Canada-domiciled motor carrier owners and operators seeking authority to conduct interstate operations within the United States.

The new application process and safety monitoring system under 49 CFR Part 385, subparts H and I respectively, apply to all new non-North America-domiciled motor carrier owners and operators seeking authority to provide transportation of property and passengers in interstate commerce within the United States.

Conforming amendments to 49 CFR Parts 365, 387 and 390 apply to all new U.S.-, Canada-, and non-North America-domiciled motor carrier owners and operators seeking authority to conduct interstate operations within the United States.

NE Rule Questions and Answers (Q&A)

What are the consequences of furnishing misleading information or making a false statement in connection with the registration process? (§ 385.306)

A carrier that furnishes false or misleading information, or conceals material information in connection with the registration process, is subject to the following actions:

(a) Revocation of registration.
(b) Assessment of the civil and/or criminal penalties prescribed in 49 U.S.C. 521 and 49 U.S.C. chapter 149.

What happens after a motor carrier begins operations as a new entrant? (§ 385.307)

The new entrant's roadside safety performance will be closely monitored to ensure the new entrant has basic safety management controls that are operating effectively.

What may cause an expedited action? (§ 385.308)

A new entrant that commits any of the following actions, identified through roadside inspections or by any other means, may be subjected to an expedited safety audit or a compliance review or may be required to submit a written response demonstrating corrective action:

(1) Using a driver not possessing a valid commercial driver's license to operate a commercial vehicle as defined under § 383.5. An invalid commercial driver's license includes one that is falsified, revoked, expired, or missing a required endorsement.
(2) Operating a vehicle placed out of service for violations of the Federal Motor Carrier Safety Regulations or compatible State laws and regulations without taking necessary corrective action.
(3) Being involved in, through action or omission, a hazardous materials reportable incident, as described under 49 CFR 171.15 or 171.16, involving:
    (i) A highway route controlled quantity of certain radioactive materials (Class 7).
    (ii) Any quantity of certain explosives (Class 1, Division 1.1, 1.2, or 1.3).
    (iii) Any quantity of certain poison inhalation hazard materials (Zone A or B).
(4) Being involved in, through action or omission, two or more hazardous materials reportable incidents as described under 49 CFR 171.15 or 171.16, involving hazardous materials other than those listed above.
(5) Using a driver who tests positive for controlled substances or alcohol or who refuses to submit to required controlled substances or alcohol tests.
(6) Operating a commercial motor vehicle without the levels of financial responsibility required under Part 387 of this subchapter.
(7) Having a driver or vehicle out-of-service rate of 50 percent or more based upon at least three inspections occurring within a consecutive 90-day period.

If a new entrant that commits any of the expedited action violations listed above:

(1) Carrier has not had a safety audit or compliance review; FMCSA will schedule the new entrant for a safety audit as soon as practicable.
(2) Carrier has had a safety audit or compliance review, FMCSA will send the new entrant a notice advising it to submit evidence of corrective action within 30 days of the service date of the notice.
    (a) FMCSA may schedule a compliance review of a new entrant that commits any of the actions listed in paragraph (a) of this section at any time if it determines the violation warrants a thorough review of the new entrant's operation.
    (b) Failure to respond within 30 days of the notice to an Agency demand for a written response demonstrating corrective action will result in the revocation of the new entrant's registration.

What happens after completion of the safety audit? (§ 385.319)

Upon completion of the safety audit, the auditor will review the findings with the new entrant.

(a) Pass. If FMCSA determines the safety audit discloses the new entrant has adequate basic safety management controls, the Agency will provide the new entrant written notice as soon as practicable, but not later than 45 days after completion of the safety audit, that it has adequate basic safety management controls. The new entrant's safety performance will continue to be closely monitored for the remainder of the 12-month period of new entrant registration.
(b) Fail. If FMCSA determines the safety audit discloses the new entrant's basic safety management controls are inadequate, the Agency will provide the new entrant written notice, as soon as practicable, but not later than 45 days after the completion of the safety audit, that its USDOT new entrant registration will be revoked and its operations placed out-of-service unless it takes the actions to remedy its safety management practices.

(1) 60-day corrective action requirement. All new entrants, except those specified in paragraph (b) of this section (below), must take the specified actions to remedy inadequate safety management practices within 60 days of the date of the notice.
(2) 45-day corrective action requirement. The new entrants listed below must take the specified actions to remedy inadequate safety management practices within 45 days of the date of the notice.
    (i) A new entrant that transports passengers in a CMV designed tor used to transport between 9 and 15 passengers (9ncluding the driver) for direct compensation.
    (ii) A new entrant that transports passengers in a CMV designed or used to transport more than 15 passengers (including the driver).
    (iii) A new entrant that transports hazardous materials in a CMV as defined in the definition of a "Commercial Motor Vehicle" in § 390.5.

What failures of safety management practices disclosed by the safety audit will result in a notice to a new entrant that its USDOT new entrant registration will be revoked? (§ 385.321)

The failures of safety management practices consist of a lack of basic safety management controls or failure to comply with one or more of the regulations set forth in the chart below and will result in a notice to a new entrant that its USDOT new entrant registration will be revoked.

Automatic failure of the audit. A new entrant will automatically fail a safety audit if found in violation of any one of the following 16 regulations:

Table to § 385.321 Violations That Will Result in Automatic Failure of the New Entrant Safety Audit

Violation	Guidelines for Determining Automatic Failure of the Safety Audit
§ 382.115(a)/ § 382.115(b) – Failing to implement an alcohol and/or controlled substances testing program (domestic and foreign motor carriers, respectively).	Single occurrence.
§ 382.201 – Using a driver known to have an alcohol content of 0.04 or greater to perform a safety-sensitive function.	Single occurrence.
§ 382.211 – Using a driver who has refused to submit to an alcohol or controlled substances test required under Part 382.	Single occurrence
§ 382.215 – Using a driver known to have tested positive for a controlled substance.	Single occurrence.
§ 382.305 – Failing to implement a random controlled substances and/or alcohol testing program.	Single occurrence.
§ 383.3(a)/ § 383.23(a) – Knowingly using a driver who does not possess a valid CDL.	Single occurrence.
§ 383.37(a) – Knowingly allowing, requiring, permitting, or authorizing an employee with a commercial driver's license which is suspended, revoked, or canceled by a State or who is disqualified to operate a commercial motor vehicle.	Single occurrence.
§ 383.51(a) – Knowingly allowing, requiring, permitting, or authorizing a driver to drive who is disqualified to drive a commercial motor vehicle.	Single occurrence. This violation refers to a driver operating a CMV as defined under § 383.5.
§ 387.7(a) – Operating a motor vehicle without having in effect the required minimum levels of financial responsibility coverage.	Single occurrence.
§ 387.31(a) – Operating a passenger carrying vehicle without having in effect the required minimum levels of financial responsibility.	Single occurrence.
§ 391.11(b)(4) – Knowingly using a physically unqualified driver.	Single occurrence. This violation refers to a driver operating a CMV as defined under § 390.5
§ 391.15(a) – Knowingly using a disqualified driver	Single occurrence.
§ 395.8(a) – Failing to require a driver to make a record of duty status.	Requires a violation threshold (51% or more of examined records) to trigger automatic failure.
§ 396.9(c)(2) – Requiring or permitting the operation of a commercial motor vehicle declared "out-of-service" before repairs are made.	Single occurrence.
§ 396.11(c)-Failing to correct out-of-service defects listed by driver in a driver vehicle inspection report before the vehicle is operated again.	Single occurrence.
§ 396.17(a)- Using a commercial motor vehicle not periodically inspected.	Requires a violation threshold (51% or more of examined records) to trigger automatic failure.

May FMCSA extend the period under § 385.319(c) for a new entrant to take corrective action to remedy its safety management practices? (§ 385.323)

FMCSA may extend the 60-day period in § 385.319(c)(1) for up to an additional 60 days provided FMCSA determines the new entrant is making a good faith effort to remedy its safety management practices.

FMCSA may extend the 45-day period in § 385.319(c)(2) for up to an additional 10 days if the new entrant has submitted evidence that corrective actions have been taken pursuant to §385.319(c) and the Agency needs additional time to determine the adequacy of the corrective action.

What happens after a new entrant has been notified under § 385.319(c) to take corrective action to remedy its safety management practices? (§ 385.325)

If a new entrant, after being notified that it is required to take corrective action to improve its safety management practices, fails to submit a written response demonstrating corrective action acceptable to FMCSA within the time specified in § 385.319, and any extension of that period authorized under § 385.323, FMCSA will revoke its new entrant registration and issue an out-of-service order effective on:

(1) Day 61 from the notice date for new entrants subject to § 385.319(c)(1).
(2) Day 46 from the notice date for new entrants subject to § 385.319(c)(2).
(3) If an extension has been granted under § 385.323, the day following the expiration of the extension date.

May a new entrant request an administrative review of a determination of a failed safety audit? (§ 385.327)

If a new entrant receives a notice under § 385.319(c) that its new entrant registration will be revoked, it may request FMCSA to conduct an administrative review if it believes FMCSA has committed an error in determining that its basic safety management controls are inadequate.

The request must:

(1) Be made to the Field Administrator of the appropriate FMCSA Service Center
(2) Explain the error the new entrant believes FMCSA committed in its determination.
(3) Include a list of all factual and procedural issues in dispute and any information or documents that support the new entrant's argument.

FMCSA may request that the new entrant submit additional data and attend a conference to discuss the issue(s) in dispute. If the new entrant does not attend the conference or does not submit the requested data, FMCSA may dismiss the new entrant's request for review.

A new entrant must submit a request for an administrative review within one of the following time periods:

(1) If it does not submit evidence of corrective action under § 385.319(c), within 90 days after the date it is notified that its basic safety management controls are inadequate.
(2) If it submits evidence of corrective action under § 385.319(c), within 90 days after the date it is notified that its corrective action is insufficient and its basic safety management controls remain inadequate.

If a new entrant wants to assure that FMCSA will be able to issue a final written decision before the prohibitions outlined in § 385.325(c) take effect, the new entrant must submit its request no later than 15 days from the date of the notice that is basic safety management controls are inadequate. Failure to submit the request within this 15-day period may result in revocation of new entrant registration and issuance of an out-of-service order before completion of administrative review.

FMCSA will complete its review and notify the new entrant in writing of its decision within:

(1) 45 days after receiving a request for review from a new entrant that is subject to § 385.319(c)(1).
(2) 30 days after receiving a request for review from a new entrant that is subject to § 385.319(c)(2).

The Field Administrator's decision constitutes the final Agency action.

May a new entrant that has had its USDOT new entrant registration revoked and its operations placed out of service reapply? (§ 385.329)

A new entrant whose USDOT new entrant registration has been revoked, and whose operations have been placed out of service by FMCSA, may reapply for new entrant registration no sooner than 30 days after the date of revocation.

If the USDOT new entrant registration was revoked because of a failed safety audit, the new entrant must do all the following:

(1) Submit an updated MCS-150.
(2) Submit evidence that it has corrected the deficiencies that resulted in revocation of its registration and will otherwise ensure that it will have basic safety management controls in effect.
(3) Begin the 18-month new entrant monitoring cycle again as of the date the re-filed application is approved.

If the USDOT new entrant registration was revoked because FMCSA found that the new entrant had failed to submit to a safety audit, it must do all the following:

(1) Submit an updated MCS-150.
(2) Begin the 18-month new entrant monitoring cycle again as of the date the re-filed application is approved.
(3) Submit to a safety audit.

If the new entrant is a for-hire carrier subject to the registration provisions under 49 U.S.C. 13901 and also has had its operating authority revoked, it must re-apply for operating authority.

What happens if a new entrant operates a CMV after having been issued an order placing its interstate operations out of service? (§ 385.331)

A new entrant that operates a CMV in violation of an out-of-service order is subject to the penalty provisions in U.S.C. 521(B)(2)(A) for each offense as adjusted for inflation by 49 CFR Part 386, Appendix B.

What happens if a new entrant refused to permit a safety audit to be performed on its operations? (§ 385.337)

If a new entrant refuses to permit a safety audit to be performed on its operations, FMCSA will provide the carrier with written notice that its registration will be revoked and its operations placed out of service unless the new entrant agrees in writing, within 10 days from the service date of the notice, to permit the safety audit to be performed. The refusal to permit a safety audit to be performed by subject the new entrant to the penalty provisions of 49 U.S.C 521(b)(2)(A), as adjusted for inflation by 49 CFR Part 386, Appendix B.

Compliance Safety Accountability

What is CSA?

Compliance Safety Accountability (CSA) is a Federal Motor Carrier Safety Administration safety initiative that improves the effectiveness compliance and enforcement programs. CSA helps the FMCSA assess the safety performance of a greater segment of the motor carrier industry and allows earlier intervention to change unsafe behavior and practices before they result in tragedy. The ultimate goal of CSA is to achieve a greater reduction in large truck and bus crashes, injuries, and fatalities, while making efficient use of FMCSA and State resources.

CSA is characterized by two principal components:

(1) A more comprehensive carrier safety measurement system;

(2) A broader array of interventions that increase in severity. In addition to comprehensive on-site investigations, corrective steps include warning letters, off-site investigations and on-site investigations focused on areas of concern

Carrier Safety Measurement System (CSMS)

CSMS is designed to monitor and quantify the safety performance of commercial motor carriers using data available in FMCSA's motor carrier data- base.

Under CSA, this data includes violations found during roadside inspections, traffic enforcement and other types of interventions. CSMS groups the data into seven Behavioral Analysis Safety Improvement Categories (BASICs):

- Unsafe Driving
- Hours-of-Service Compliance
- Driver Fitness
- Controlled Substances and Alcohol
- Vehicle Maintenance
- Hazardous Materials Compliance
- Crash Indicator

The carrier and driver behaviors tracked by the BASICs are tightly correlated to crash incidence. The CSMS is:

1. *1. Is organized by seven specific behavioral areas (BASICs)*
2. *Uses all safety-based inspection violations*
3. *Uses risk-based violation weightings*

For further information on the CSMS see the Safety Measurement System methodology at http://csa.fmcsa.dot.gov.

Policies and Procedures provide the foundation for an effective safety management strategy. Policies are directly related to established safety regulations and identify actions that need to be taken. Procedures are those actions that must be performed to comply with policies.

Roles and Responsibilities is the "Who" will be responsible for implementing the policies and procedures within an organization.

Qualification and Hiring is the process of carefully evaluating potential employees and ultimately selecting the best qualified candidate for every position.



Training and Communication is the education component that ensures all employees are knowledgeable of the organization's policies and procedures and understand the expectations of their role in supporting safe practices.

Monitoring and Tracking is the act of "looking and collecting". Observing how established safety practices are being performed and then recording the data that is collected from those observations.

Meaningful Action is the process of evaluating the data collected to determine if there are any breakdowns in the safety system. It also assists in identifying where in the process a breakdown may have occurred and should suggest some level of corrective action to minimize the risk of recurrence. If the breakdown is determined to be central to a core practice of the safety management system, a reevaluation of the organization's policies and procedures may be necessary.

The most critical breakdowns your organization may face cannot simply be repaired with a service call!

Minimize your risks by adopting strong safety practices that reinforce the Safety Management Cycle and ensure the continued success of your organization.

Part 380

Entry Level and Special Training Requirements

Entry-Level Driver Training Applicability

- Drivers applying for a CDL for the first time
- Drivers applying for an upgrade to a current CDL
- Drivers applying for a hazardous materials, passenger, or school bus endorsement for the first time.

Entry-Level Driving Training Requirements

Drivers required to comply with the Entry-Level Driver Training requirements must complete a prescribed program of theory and behind-the-wheel instruction provided by an entity that is listed on FMCSA's Training Provider Registry at *https://tpr.fmcsa.dot.gov/.*

Theory Training

Instruction on the operation of a commercial motor vehicle and related matters through lectures, demonstrations, audio-visual presentations, computer-based instruction, driving simulation devices, online training, or similar means. Drivers must pass a written assessment with a minimum score of 80% to successfully complete theory training.

Behind-the-Wheel (BTW) Training

BTW training consists of driving the CMV on a closed range and on the public roadway. Range training is conducted in an area free of obstructions and traffic allowing drivers to demonstrate proficiency in basic vehicle maneuvers.

Public road training is conducted on the public highway allowing drivers to demonstrate proficiency in operating the CMV in traffic, obeying traffic signs/signals and safely operating the commercial motor vehicle while sharing the road with other vehicles.

Both theory and behind-the-wheel training must be completed prior to taking the CDL skills test. The hazardous materials endorsement only requires completion of the theory training prior to taking the State knowledge test.

The minimum curricula required for the courses can be found at:

https://tpr.fmcsa.dot.gov/content/Resources/ELDT-Curriculum-Summary.pdf

Parts 382 & 40

Alcohol and Drug Testing Requirements

Consortium Information

Part 382
Alcohol and Drug Testing Requirements

Applicability

Drivers required to have a commercial driver's license (CDL) are subject to the controlled substance and alcohol testing rules. This requirement extends to those drivers currently covered by the rule, including interstate and intrastate truck and motor coach operations.
This includes all commercial motor vehicles operated by:

- For-hire and private companies
- Federal, state, local, and tribal governments
- Church and civic organizations
- Apiarian industries

Exemptions

- Drivers exempt from commercial driver's license requirements by their issuing State
- Active duty military personnel

Part 382 Definitions

382.107 Definitions

"Positive Drug and Alcohol Tests" –

1) Alcohol tests with a result of 0.04 or higher alcohol concentration;
2) Verified positive drug tests;
3) Refusals to be tested (including verified adulterated or substituted drug test results)

"Positive rate for random drug testing" – means the number of verified positive results for random drug tests conducted under this part plus the number of refusals of random drug tests required by this part, divided by the total number of random drug tests results (i.e., positives, negatives, and refusals) under this part.

"Refusal to submit (to an alcohol or controlled substance test)" - a driver (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process.

"Safety-sensitive function" - any of those on-duty functions set forth in 395.2 On-Duty Time, paragraphs (1) through (6) as listed below:

1) All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
2) All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR's), or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
3) All time spent at the driving controls of a commercial motor vehicle.
4) All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth).
5) All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Additional definitions may be found in 49 CFR, Part 40 and Part 382.

Types of Alcohol and Controlled Substance Tests

Pre-employment: No employer shall allow a driver to perform a safety sensitive function until they have received the negative controlled substance test result.

Random: Companies are to scientifically and randomly test drivers at a minimum annual percentage rate of 10% of the number of drivers for alcohol testing, and 50% for controlled substances testing. The random alcohol test must be performed prior, during or just after a driver is about to, or has performed a safety sensitive function as defined in Section 382.107. All drivers must have an equal chance of selection.

Type of Accident Involved	Citation Issued to the CMV Driver	Test Must be Performed by Employer
i. Human fatality	YES	YES
	NO	YES
ii. Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
iii. Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

Post-accident: As soon as practicable following an accident involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol and controlled substances of each surviving driver: Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or Who receives a citation under state or local law for a moving traffic violation arising from the accident, if the accident involved: Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Post-accident alcohol testing must be conducted as soon as practicable following an accident. If testing cannot be completed within 2 hours, documentation must be maintained stating the reasons the test was not promptly administered. Testing shall not be conducted beyond 8 hours following an accident with documentation stating reasons the test could not be conducted.

Post-accident controlled substance testing must be conducted as soon as practicable following an accident. If the test is not administered within 32 hours, the employer shall cease attempts to administer the test. Documentation stating the reason a test could not be conducted shall be maintained.

Reasonable suspicion: An employer shall require a driver to submit to an alcohol and/or controlled substance test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol and/or controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol and/or controlled substance test must be based on specific, contemporaneous, articulate observations concerning the appearance, behavior, speech or body odors of the driver. The required observations shall be made by a supervisor or company official who is trained in accordance with Section 382.603 (Supervisor Awareness Training).

Return-to-duty: Each employer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by subpart B of this part concerning alcohol or controlled substances, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 or the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

Follow-up: If a substance abuse professional has determined that a driver needs assistance for the misuse of alcohol, or for use of a controlled substance, an employer must ensure that the driver is subject to follow-up testing. A minimum of six tests must be conducted in the first 12 months, and the driver may only be subject to this test for a maximum of 60 months.

Retention of Records

Five Years:

- Alcohol test results indicating a Breath Alcohol Concentration (BAC) of 0.02 or greater
- Verified positive drug test results
- Refusals to submit to required alcohol and drug tests
- Required calibration of Evidential Breath Testing (EBT) devices

Two Years:

- Records related to the collection process and required training

One Year:

- Negative and canceled controlled substance test results
- Alcohol test results indicating a BAC of less than 0.02

Location of Records

All required records shall be maintained in a secure location with limited access, and shall be made available for inspection by an authorized representative of the Federal Motor Carrier Safety Administration.

Driver Awareness

Every motor carrier shall provide educational materials explaining the requirements of the regulations as well as the employer's policies regarding alcohol misuse and controlled substances abuse. At a minimum, detailed discussions should include:

- The identity of the person designated to answer drug and alcohol questions
- Which drivers are subject to these requirements, what behavior is prohibited, and a clarification of what a "safety sensitive function" is
- The circumstances under which a driver will be tested, and the procedures that will be used for testing
- Explanations of the requirement that a driver submit to the testing, as well as what constitutes a driver's refusal to submit to testing
- The consequences for drivers who have violated the testing requirements
- Information concerning the effects of alcohol misuse, and controlled substances abuse on health, work, and personal life

Supervisor Training

Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under Section 382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required. (382.603)

Company Policy

The FMCSA regulations require that a written policy on controlled substances use and alcohol misuse in the workplace be developed and that the policy be provided to every driver. The policy must incorporate the company's position and information on virtually all aspects of controlled substances use and alcohol misuse program (382.601). Policy Components Required by the Controlled Substances and Alcohol Rule (382.601) of the FMCSRs.

Inquiries to Previous Employers

FMCSA's Drug and Alcohol Clearinghouse pre-employment query explained on the following pages will satisfy the inquiries to previous employers requirement for drivers previously employed with FMCSA-regulated employers.

If an applicant was subject to an alcohol and controlled substance testing program under a DOT agency other than FMCSA within three years of application, the inquiry must be requested directly from those agencies.

If you are an employer from whom information is requested under 40.25(b), you must, after reviewing the employee's specific, written consent, immediately release the requested information to the employer making the inquiry. Section 40.25(h):

- Alcohol tests with a result of 0.04 alcohol concentration or greater
- Verified positive controlled substances test results and
- Refusals to be tested
- Other violations of DOT agency drug and alcohol testing regulations
- With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If the previous employer does not have information about the return-to-duty process (e.g., an employer who did not hire an employee who tested positive on a pre-employment test), you must seek to obtain this information from the employee.

Consortium Information

MoDOT Motor Carrier Services Division does not endorse any consortium. You are reminded that your company is responsible for drug and alcohol testing compliance. Evaluate carefully any company retained to provide consortium or laboratory testing services. Some companies provide more limited services.
Be sure that the company selected provides all the services you need to ensure full compliance with the regulations.
To locate a consortium, you may contact one of the many associations dealing with the commercial motor vehicle industry, a hospital, a clinic to provide you with the name of a consortium or a simple search on the internet for DOT drug and alcohol testing.
A web site that may be beneficial as a resource for one of the many associations is www.dot.gov, go to Safety, Drug and Alcohol Safety.

Drug & Alcohol Clearinghouse Mandate

Effective January 6, 2020, all motor carriers employing drivers requiring a CDL must comply with the Drug & Alcohol Clearinghouse Mandate. The Clearinghouse is a secure on-line database which provides access to real-time information, ensuring drivers committing drug and alcohol violations complete the necessary steps before getting back behind the wheel or performing a safety sensitive function.

DACH Clearinghouse URL:

https://clearinghouse.fmcsa.dot.gov/

Motor Carrier Responsibilities:

- Create an account with the Clearinghouse if one or more drivers is subject to the FMCSA drug and alcohol testing requirements
- Owner/operators must create an account with the Clearinghouse and designate a C/TPA to report drug/alcohol violation information on their behalf
- Conduct pre-employment queries to verify prospective drivers do not have prior drug or alcohol violations
- Verify the return to duty process if prior violations are discovered
- Conduct queries of the Clearinghouse at least once a year on current drivers
- Report any drug and alcohol violations discovered on your CDL required drivers
- Continue to conduct a 3 year previous employer inquiry for drug and alcohol violations until January 6, 2023.

What is reported to the Clearinghouse?

- MROs-verified positive, adulterated, or substituted controlled substances test result and refusals to test
- Employers-must be reported by the close of the third business day following the date on which information is obtained:
  - Alcohol concentration of .04 or greater
  - Negative return to duty test
  - Refusal to take an alcohol or controlled substances test
  - A report that the driver has successfully completed the follow-up testing as prescribed in the SAP report
  - Alcohol use-pre-duty, on-duty, and post-accident
  - Controlled substance use
- An owner/operator who employs himself/herself as a driver must designate a C/TPA to comply with the employer requirements.
- C/TPA-An employer may designate a C/TPA to perform the employer requirements. However, ultimately compliance is the employer's responsibility.
- SAPs-must report drivers that have successfully completed education/treatment and is eligible for return to duty testing.

Suggested Format: "Release of Information Form -- 49 CFR Part 40 Drug and Alcohol Testing"

Section I To be completed by the new employer, signed by the employee, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: _____ Date: _____

I-A

New Employer Name: _____

Address: _____

_____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

I-B

Previous Employer Name: _____

Address: _____

_____

Phone #: _____

Designated Employer Representative (if known): _____

Section II To be completed by the previous employer and transmitted by mail or fax to the new employer:

II-A In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing ~

1. Did the employee have alcohol tests with a result of 0.04 or higher? Yes ____ No ____
2. Did the employee have verified positive drug tests? Yes ____ No ____
3. Did the employee refuse to be tested? Yes ____ No ____
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? Yes ____ No ____
5. Did a previous employer report a drug and alcohol rule violation to you? Yes ____ No ____
6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? N/A ____ Yes ____ No ____

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record)

II-B Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____

NOTE EXCEPTION: Employers covered under FMCSA regulations must seek three years of previous testing records.

Observed Behavior - Reasonable Cause Record

Employee Name _____
Identification Number

Observation Date _____

Location _____
Street City State Zip

Cause For Suspicion

1) Presence of Drugs and/or Drug Paraphernalia (specify) _____

2) Appearance
- ☐ Normal
- ☐ Flushed
- ☐ Puncture Marks
- ☐ Disheveled
- ☐ Bloodshot Eyes
- ☐ Profuse Sweating
- ☐ Dry-mouth Symptoms
- ☐ Runny Nose/Sores
- ☐ Tremors
- ☐ Dilated/Constricted Pupils
- ☐ Inappropriate wearing of sunglasses
- ☐ Other _____

3) Behavior/ Speech
- ☐ Normal
- ☐ Incoherent
- ☐ Slurred
- ☐ Silent
- ☐ Confused
- ☐ Slowed
- ☐ Whispering
- ☐ Other _____

Awareness
- ☐ Normal
- ☐ Confused
- ☐ Mood Swings
- ☐ Euphoria
- ☐ Lethargic
- ☐ Paranoid
- ☐ Disoriented
- ☐ Lack of Coordination
- ☐ Other _____

4) Motor Skills Balance
- ☐ Normal
- ☐ Swaying
- ☐ Falling
- ☐ Staggering
- ☐ Other _____

Walking & Turning
- ☐ Normal
- ☐ Swaying
- ☐ Arms Raised for Balance
- ☐ Stumbling
- ☐ Falling
- ☐ Reaching for Support
- ☐ Other _____

5) Other Observed Actions or Behavior (specify) _____

_____

_____

Witnessed By

_____ am/pm
Signature Title Date Time

_____ am/pm
Signature Title Date Time

NOTE
This document must be prepared and signed by the witnesses within 24 hours of the observed behavior or before the results of the test are released, whichever is earlier (49 CFR 391.99(d)).

Part 383

Commercial Driver's License Standards

Requirements and Penalties

Part 383
Commercial Driver's License Standards

Requirements and Penalties

The licensing provisions in Part 383 are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL) and
- Disqualify drivers who do not operate a Commercial Motor Vehicle (CMV) safely

Vehicles Requiring Commercial Driver's Licenses

Drivers must hold a CDL if they operate in interstate, intrastate, or foreign commerce and drive a vehicle:

- A single vehicle with a GVWR or GVW of 26,001 pounds or more, whichever is greater; or
- A GCWR or GCW of 26,001 pounds or more, whichever is greater, inclusive of a towed unit with a GVWR or GVW of more than 10,000 pounds, whichever is greater; or
- Designed to transport at least 16 passengers including the driver, or
- Transporting a quantity of hazardous materials requiring placarding

Exception: Effective Oct. 1, 2012 CDL requirements are no longer applicable to Covered Farm Vehicle drivers. A Covered Farm Vehicle driver is a driver who operates:

- Any vehicle with a GVWR of 26,001 pounds or less; or
- Any vehicle with a GVWR greater than 26,001 pounds and traveling wholly within the state the vehicle is licensed from or within 150 air miles of the farm/ranch in interstate commerce
- Operated by a farm/ranch owner or operator, employee or family member
- Transporting agricultural commodities, livestock, machinery or supplies to or from the farm/ranch
- The vehicle must be identified by a special license plate. (In Missouri, this is indicated by the 'F' tab on the plate.)
- The vehicle may not be operated for-hire
- Is not transporting hazardous materials requiring placarding

Because the CDL is a state-issued license, you should check with appropriate state officials regarding particular license classes and specific exemptions.

*Gross combination weight rating (GCWR) means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.
*Gross vehicle weight rating (GVWR) means the value specified by the manufacturer as the loaded weight of a single vehicle.

Notification to Employer and Licensing State

Upon conviction for any state or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense and
- Driver's signature

Notification of driver's license suspensions.
Each employee who has a driver's license suspended, revoked or cancelled by a State jurisdiction, who loses The right to operate a CMV, or who is disqualified

from operating a CMV shall notify his/ her current employer.
The notification must be made before the end of the business day following the day the employee received the notice. (383.33)

Disqualifying Offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- Driving a CMV while under the influence of alcohol*
- Driving a CMV while under the influence of a disqualifying drug or other controlled substance*
- Having an alcohol concentration of 0.04 or greater while operating a CMV
- Having an alcohol concentration of 0.08 or greater while operating any motor vehicle*
- Refusing to take an alcohol test as required by a State or jurisdiction under its implied consent laws or regulations as defined in 383.72*
- Leaving the scene of an accident that involves a CMV*
- Using a CMV to commit a felony*
- Driving a CMV when the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV*
- Using a CMV to cause a fatality*
- Using a CMV to commit serious traffic violations*
- Using a CMV to violate an Out-of-Service Order
- Using a CMV to violate the Railroad-Highway Grade Crossing rule*

* Effective September 30, 2005, CDL license holders will be subject when driving a non-CMV (personal vehicle) to the moving violation standards in 383.51, the same as if they were driving CMV.

Penalties

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life and is not eligible for reinstatement pursuant to 383.51(a)(6).

Suspensions for Traffic Violations

A 60-day, 120-day, 1 year, 3 year and life suspension will be imposed on certain convictions, depending on severity, number of convictions and subsequent convictions. For more information on the types of convictions and disqualification time frames, please reference 383.51.

Implied Consent

Any CDL holder is automatically considered to have consented to alcohol testing by any state or jurisdiction.

Missouri Classification System

Note: Certain types of vehicles such as tankers, passenger, hazardous material haulers and double/triple trailers, require an endorsement. Please consult the CDL manual offered at the Department of Revenue for particulars. Find it at *https://dor.mo.gov/forms/CDL%20Manual.pdf.*

Class* Description

A Any combination of vehicles with a Gross Combination Weight Rating (GCWR) of 26,001 or more pounds provided the Gross Vehicle Weight Rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds. (Holders of a Class A license may also, with any appropriate endorsements, operate all vehicles within Class B and C).

Examples include but are not limited to:



B Any single vehicle with a GVWR of 26,001 or more pounds or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. (Holders of a Class B license may also, with any appropriate endorsements, operate all vehicles within Class C).

Examples include but are not limited to:



C Any single vehicle less than 26,001 pounds GVWR or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. This group applies only to vehicles, which are required to be placarded for hazardous materials or are designed to transport 16 or more persons, including the operator. A holder of a Class A, B, or C license may drive all vehicles which may be driven by a holder of a Class E or Class F license.

Examples include but are not limited to:



*The representative vehicle for the skills test must meet the written description for that group. The examples represent, but do not fully cover, the types of vehicles falling within each group.

Endorsements

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDL, as follows:

T –– Double/triple trailers (knowledge test only)
P –– Passenger (knowledge and skills tests)
N –– Tank vehicle (knowledge test only)
S –– School Bus (knowledge and skills tests)*
H –– Hazardous materials (knowledge test only)**
X –– Combination of tank vehicle and hazardous materials (knowledge tests)

*Effective September 2005, "S" will not suffice for "P" Endorsement.

**If you seek to obtain, renew, or transfer an HME on your CDL, you must apply for a security threat assessment. TSA rules require you to begin applying for the security threat assessment at least 30 days prior to the expiration of your CDL. Web address: www.hazprints.com Telephone: (877)429-7746.

Common CDL Restrictions

If an applicant fails a section of the knowledge test, or performs the skills test in a vehicle unlike the vehicle they will be using in the workplace, the CDL, if issued, will indicate that the license holder may not operate any CMV with equipment outside of the limits of these restrictions. Common examples of restrictions include:

- No Air Brake
- No Manual Transmission
- No Fifth Wheel Attachment
- Medical Variance Required
- Intrastate Only

For more information and a complete listing of CDL restrictions, please contact the Missouri Department of Revenue's CDL section at 573-751-2730.

For-Hire License (Class E) -- Eligible Age 18 Missouri Intrastate Only

You must have a Class E license if you receive pay for driving a motor vehicle transporting 15 or fewer seating capacity (inclusive of the driver), or if you will transport property for pay or as part of your employment. Anyone who regularly operates a motor vehicle for his or her employment, whether owned by that person or belonging to another person and designed to carry freight, merchandise or is operated in furtherance of that business or commercial enterprise, must also have a Class E license. (Example: If the person is a delivery driver, whether the car is owned by the driver or the company, that person must have a Class E license or greater.) The vehicle driven must be 26,000 pounds or less gross vehicle weight rating (GVWR) and not required to be placarded for hazardous materials. You must be at least 18 years old and pass the driver's exam to get a Class E license. (RSMo 302.015)

*Note: If a Commercial Driver License (CDL) is not required, you may be subject to the Missouri Class E driver's license requirement as an operator of a farm truck.

Missouri Intrastate Only "K" Restriction

A driver obtaining or renewing a CDL license may have a "K" restriction placed on their license, which designates "Intrastate Driving Only". This "K" restriction applies to drivers of:

- Vehicles licensed for 60,000 pounds or less and are used exclusively to transport solid waste (Intrastate only);
- Vehicles licensed for 42,000 pounds or less and the license plate has been designated for farm use by the letter F (Intrastate only), unless such vehicle is transporting hazardous materials;
- Persons having a valid Missouri Chauffeur's License on May 13, 1988 are not subject to the medical requirements of Section 391.41 (In intrastate commerce only)
- Persons 18 to 20 years old. A driver who is at least 18 years of age, but not yet 21 years of age, if otherwise qualified and licensed to operate a commercial motor vehicle transporting passengers or property, may do so, only in intra-state commerce, except hazardous materials. (Any person transporting hazardous material must be at least 21 years old). This subsection exempts these drivers only from the 21 year minimum age required by 49 CFR 391.11(b)(1), but not from any physical qualification required by 49 CFR 391.41.

In addition, MoDOT may authorize a person who is physically unqualified to drive a commercial motor vehicle to operate commercial motor vehicles in Missouri intrastate commerce only. MoDOT grants individual medical exemptions by issuing a Skill Performance Evaluation (SPE) Certificate, to successful applicants, whether they are physically unqualified because of limb amputation, limb impairment, insulin-treated diabetes mellitus, or vision impairment.

Guidance: Missouri Commercial Driver's License and Medical Certification

Federal law says states must store DOT medical certification status in commercial driver's license computer systems. One step of the process requires Missouri CDL holders to self-certify with the Missouri Department of Revenue which of four types of CDL best describes the driver's situation.

Visit *www.modot.org/mcs/CDLMed* or use the information below to make a choice.

The four choices are:

Non-excepted Interstate (NI) - *the most common* – Drivers who are required to follow federal medical certification requirements (DOT card).

Non-excepted Intrastate (NA) – Drivers operating wholly within Missouri who must meet the federal DOT medical card requirements.

Excepted Interstate (EI)– Drivers who are not required to comply with Federal medical card rules due to a federal exception from medical requirements.

Excepted Intrastate (EA) – Drivers operating wholly within Missouri who do not have to meet the Federal medical card requirements due to a Missouri state exception.

Interstate or Intrastate

If you ever operate a CMV in a state other than Missouri or haul a load that began or will end up in another state or country, certify as an *interstate* driver. If you operate only in Missouri, hauling loads that originate and end completely within the state, you're an *intrastate* driver.

Interstate excepted or non-excepted

You operate in *excepted interstate* commerce when you drive a CMV in interstate commerce only for certain activities, the most common of which are:

- To transport school children and/or school staff between home and school.
- As federal, state or local government employees.
- Fire truck or rescue vehicle drivers during emergencies and other activities.
- A truck that is controlled and operated not-for-hire by a farmer, when specific conditions apply.
- You hold a CDL but do not operate a commercial motor vehicle.

If any of the above activities are the only operation in which you drive, you operate in *excepted interstate* commerce and do not need a federal medical examiner's certificate. Most other drivers operate in *non-excepted interstate* commerce and must provide a current medical examiner's certificate to DOR. If both apply, choose n*on-excepted interstate*.

Intrastate Excepted or Non-Excepted

You operate in *excepted intrastate* commerce if you drive a CMV only in intrastate commerce activities that do not require you to have a medical examination due to a Missouri state exception. All other intrastate drivers operate in non-excepted intrastate commerce.

If you held a Chauffeur's license prior to May 13, 1988 and have a "K" restriction printed on your CDL, you are exempt from the need to have a DOT medical card and should certify as being *excepted intrastate* (EA).

Part 387

Minimum Levels of Financial Responsibility for Motor Carriers

Interstate and Intrastate Commerce

Part 387
Minimum Levels of Financial Responsibility for Motor Carriers
(Interstate and Intrastate Commerce)

Financial responsibility means having insurance policies or surety bonds sufficient to satisfy the minimum public liability requirements. Public liability means liability for bodily injury, property damage, and environmental restoration. Environmental restoration means restitution for the loss, damage, or destruction of natural resources arising out of an accidental discharge of toxic or other environmentally harmful materials or liquids.

Requirements for Financial Responsibility

Motor carriers of property operating commercial motor vehicles in interstate, foreign, or intrastate commerce, and for-hire carriers of passengers operating in interstate or foreign commerce must have at least the minimum amount of insurance required by law.

(See the Schedule of Limits in this folder for minimum levels of financial responsibility).

Proof

The motor carrier must have proof of the minimum level of insurance at the company's principal place of business.

Proof may be shown by any of the following:

- Endorsements for Motor Carriers policies of insurance for public liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Form MCS-90) issued by an insurer
- Endorsements for Motor Carriers of Passengers policies of insurance for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-90B) issued by an insurer
- A Motor Carrier Surety Bond for public liability under Section 30 of the Motor Carrier Act of 1980 (Form MCS-82) issued by a surety
- A Motor Carriers of Passengers Surety Bond for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-82B) issued by a surety
- A written decision, order, or authorization of the Federal Motor Carrier Safety Administration authorizing the motor carrier to self-insure under 49 CFR 1043.5

For FMCSA Use **Date Received:** _____

Please note, the expiration date as stated on this form relates to the process for renewing the Information Collection Request for this form with the Office of Management and Budget. This requirement to collect information as requested on this form does not expire. For questions, please contact the Office of Registration, Financial Responsibility Filings Division.

A Federal Agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0008. Public reporting for this collection of information is estimated to be approximately 2 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, Washington, D.C. 20590.

United States Department of Transportation
Federal Motor Carrier Safety Administration

Endorsement for Motor Carrier Policies of Insurance for Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980

FORM MCS-90

Issued to _____ **of** _____ _____
(Motor Carrier name) *(Motor Carrier state or province)* *(USDOT Number)*

Dated at _____ **on this** _____ **day of** _____, _____

Amending Policy Number: _____ **Effective Date:** _____

Name of Insurance Company: _____

Countersigned by: _____
(authorized company representative)

The policy to which this endorsement is attached provides primary or excess insurance, as indicated for the limits shown *(check only one)*:

- ○ *This insurance is primary and the company shall not be liable for amounts in excess of $* _____ *for each accident.*
- ○ *This insurance is excess and the company shall not be liable for amounts in excess of $* _____ *for each accident in excess of the underlying limit of $* _____ *for each accident.*

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA , to verify that the policy is in force as of a particular date. The telephone number to call is: _____.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, DC).

Filings must be transmitted online via the Internet at https://www.fmcsa.dot.gov/registration.

Schedule of Limits - Public Liability

Type of carriage	Commodity transported	Jan. 1, 1985
(1)For-hire (In interstate or foreign commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Property (nonhazardous).....	$750,000
(2)For-hire and Private (In interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,001 or more pounds).	Hazardous substances, as defined in 49 CFR 171.8,transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1,1.2, and 1.3 materials, Division 2.3,Hazard Zone A, or Division 6.1,Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2;or highway route controlled quantities of a Class 7 material, as defined in 49 CFR 173.403	$5,000,000
(3)For-hire and Private (In interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,001 or more pounds).	Oil listed in 49 CFR 172.101;hazardous waste, hazardous materials, and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101,but not mentioned in (2)above or (4) below.	$1,000,000
(4)For-hire and Private (In interstate or foreign commerce,with a gross vehicle weight rating of less than 10,001 pounds).	Any quantity of Division 1.1,1.2,or 1.3 material; any quantity of a Division 2.3,Hazard Zone A,or Division 6.1,Packing Group I,Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.	$5,000,000
(5) For-hire motor carriers of passengers operating in interstate or foreign commerce	Any vehicle with a seating capacity of 16 passengers or more.[1]	$5,000,000
	Any vehicle with a seating capacity of 15 passengers or less.[1]	$1,500,000

DEFINITION:

In bulk – the transportation, as cargo, of property, except Division 1.1, 1.2, or 1.3 materials, and division 2.3, Hazard Zone A gases, in containment systems with capacities in excess of 3,500 water gallons.

In bulk (Division 1.1, 1.2, and 1.3 explosives) – the transportation, as cargo, of any Division 1.1, 1.2, or 1.3 materials in any quantity.

In bulk (Division 2.3, Hazard Zone A or division 6.1, Packing Group I, Hazard Zone A materials) – the transportation, as cargo, of any Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material, in any quantity.

Tow Trucks and Transportation of Vehicles

- Tow trucks with a GVWR or GCWR of 10,001 pounds or more performing emergency moves in interstate or foreign commerce are required to maintain minimum levels of financial responsibility in the amount of $750,000. Tow trucks performing secondary moves are required to maintain levels of coverage applicable to the commodity being transported by the vehicle being towed.
- Vehicles being transported by motor vehicle are subject only to 49 CFR 173.220 of the HMRs, they meet the definition of "Hazardous material" in 49 CFR 171.8 because "Vehicle, flammable gas powered" and "Vehicle, flammable liquid powered" (this includes diesel fuel) are designated as hazardous in 49 CFR 172.101 [UN 3166]. For that reason, vehicles transporting other vehicles would have to carry $1,000,000 of public liability insurance.
    - Examples may include, but are not limited to: backhoe, motorcycles, self-propelled lawn mowers, tractors, bobcats, auto-haulers, etc.

[1]Except as provided in 387.27(b).

Filing Proof Of Insurance

Bodily Injury and Property Damage Liability (BIPD)

Proof of BIPD insurance must be on file with Motor Carrier Services Division before the motor carrier can transport property or passengers within the borders of this state, unless exempted under RSMo 390.030. The insurance form that must be on file is one of the following:

Intrastate Operations

1. **Form E**, Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (intrastate household goods carriers must also file a Form H, Uniform Motor Carrier Cargo Certificate of Insurance):

2. **Form G**, Uniform Motor Carrier Bodily Injury and Property Damage Surety Bond; or

3. **An application to self-insure** on the prescribed application form.

The minimum levels of BIPD liability insurance are listed below:

4. **Intrastate-Passenger Service**
   Twelve (12) passenger or less capacity, $100,000 for injury or death of one (1) person; $300,000 for any (1) accident; $50,000 property damage for any one (1) accident.

More than twelve (12) passenger capacity, $100,000 for injury or death of one (1) person; $500,000 for any one (1) accident; $50,000 property damage for any one (1) accident.

5. **Intrastate Property-Nonhazardous Materials $100,000** for injury or death of one (1) person; $300,000 for any one (1) accident; $50,000 property damage for any one (1) accident.

Cargo Insurance (Intrastate Household Goods Operations Only)

Proof of cargo insurance must be on file to transport household goods within the borders of this state. The insurance form must be one of the following:

1. Form H, Uniform Motor Carrier Cargo Certificate of Insurance; or
2. Form J, Uniform Motor Carrier Cargo Surety Bond.

The minimum level of cargo insurance is as follows:

Loss of damage to property carried on any one (1) motor vehicle - $2,500; and

Loss or damage to or aggregate of losses or damages of or to property occurring at any one (1) time and place - $5,000.

*This limit applies only to vehicles within a gross vehicle weight rating of 10,001 lbs or more.

Financial Responsibility for Missouri Oversize Overweight Permit

An applicant must submit proof of insurance meeting the required minimum amount before a permit can be issued. The applicant must have on file with the Missouri Department of Transportation, Motor Carrier Services Division an approved certificate of liability insurance specifically showing coverage of amounts not less than the following:

Schedule of Minimum Limits of Combined Single Limit Automobile Liability:

Type of Move	*Amount*
1) Routine	$750,000
2) Super Heavy and Large Loads	$2,000,000
3) Noncommercial Building (House) Movement	$2,000,000

Insurance for all permit operation shall be in force for the duration of the permit period. Travel under permit must be with properly licensed, insured and permitted vehicles and must be licensed for maximum weights in order to obtain overweight permits. For specific information relating to these regulations, please review the Missouri Revised Statutes, Chapters 260, 301 through 307, 390 and 622.

If there are any questions concerning these requirements, please contact the Motor Carrier Services Division, Compliance Communication Center at (573) 751-7100 or (800) 877-8499.

Part 390

Federal Motor Carrier Safety Regulations

General Applicability

Part 390
Federal Motor Carrier Safety Regulations: General

General Applicability

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

Commercial Motor Vehicle in "INTERSTATE COMMERCE": 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 4,536 kg (10,001 pounds) or more, or
- Is designed or used to transport 9 or more passengers, including the driver, for compensation,or
- Is designed or used to transport 16 or more passengers, including the driver, regardless of compensation, or
- Is used in transporting a quantity of hazardous material requiring placarding

Commercial Motor Vehicle in "INTRASTATE COMMERCE": Any self-propelled or towed motor vehicle used on a highway in intrastate 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 11,794 kg (26,001 pounds) or more, or
- Is designed or used to transport 9 or more passengers, including the driver, for compensation, or
- Is designed or used to transport 16 or more passengers, including the driver, regardless of compensation, or
- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight of 4,536 kg (10,001 pounds) or more and is used in transporting any amount of hazardous material or transports passengers.
- Is used in transporting a quantity of hazardous material requiring placarding

Interstate-Only Exemptions

Vehicles and drivers used in transportation by a Covered Farm Vehicle as defined on page 29 of this manual are excepted from the following requirements of the Federal Motor Carrier Safety Regulations (FMCSRs):

- Part 382 Alcohol and Drug Testing Requirements
- Part 383 Commercial Driver's License Standards
- Part 391 Qualification of Drivers (Medical Certification Only)
- Part 395 Hours of Service of Drivers
- Part 396 Inspection, Repair, and Maintenance

Intrastate-Only Exemptions

- Property carrying vehicles with less than 26,001 pounds Gross Vehicle Weight Rating or Gross Combination Weight Rating and not transporting any amount of hazardous material
- Vehicles licensed for 60,000 pounds or less when used exclusively for the transport of solid waste
- Vehicles licensed for less than 42,000 pounds and the license plate is designated for farm use.
- Persons having a valid Missouri Chauffeur's License on or before May 13, 1988, are not subject to the medical requirements of Section 391.41

Vehicles and drivers used in transportation by a Covered Farm Vehicle as defined on page 29 of this manual are excepted from the following requirements of the Federal Motor Carrier Safety Regulations (FMCSRs):

- Part 382 Alcohol and Drug Testing Requirements
- Part 383 Commercial Driver's License Standards
- Part 391 Qualification of Drivers (Medical Certification Only)
- Part 395 Hours of Service of Drivers
- Part 396 Inspection, Repair, and Maintenance

Exceptions to General Applicability

Transportation provided by federal, state, and local governments are exempt from Part 390-397; however, must comply with Part 40, Part 382 (Drug

and Alcohol) and Part 383 (CDL) requirements of the FMCSRs. Occasional transportation of personal property by individuals for non-commercial purposes, school bus operations, and transportation of human corpses, or sick and injured people are also exempt.

Accident Register

Accident: An incident involving a CMV operating on a public road resulting 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
- 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

Accident Register: A motor carrier must maintain an accident register for three years after the date of each accident, containing the following information:

A list of accidents as defined in 390.5, containing for each accident:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released
- Copies of all accident reports required by state or other governmental entities or insurers

Vehicle Identification (Markings)

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

- The motor carrier's legal name or trade name
- The motor carrier's identification number preceded by USDOT
- If the name of any person other than the operating carrier appears on the CMV, the name of the operating carrier must be followed by the same information as above, and preceded by the words "operated by"

Other identifying information may be displayed if not inconsistent with the above Size, shape, location, and color.

The marking must:

- Appear on both sides
- Contrast sharply in color with the background
- Be legible, during daylight hours, from a distance of 50 feet while the CMV is stationary
- Be maintained in a manner that retains legibility

Construction and durability:

- The marking may be painted on the CMV or may consist of a removable device that meets the above requirements

Every **"For-Hire"** CMV requiring MoDOT operating authority, operated by a motor carrier only in intrastate commerce must be marked, on BOTH sides of the vehicle, with the same information as provided above except that:

- The motor carrier ID number preceded by "US
- DOT", then the letters "MO" shall be included in
- the vehicle markings, immediately following the
- USDOT number. e.g.: "USDOT 654321 MO".
- Intrastate for-hire passenger carriers operating limousines or vans with the total capacity of 13
- or less, are allowed to display only the USDOT number anywhere on the rear of the vehicle instead of the vehicle side per 390.021 RSMo

Per 301.330 RSMo. Each CMV (except those licensed under the provisions of Section 301.057 or 301.058 based on a gross weight of thirty-six thousand pounds or less and which are not used for actual commercial purposes) must display in a conspicuous place:

- The name of the owner;
- The address from which the vehicle is operated;
- Each local commercial vehicle must also display in a conspicuous place the word "local".

Relief From Regulations During Emergencies

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

Accident Register

Index	Date	Time	Driver Name	Location City / State	Injured	Fatality	Vehicle Towed	H/M Incident	Damage	Citation Issued yes or no

Employer Note: It is recommended, but not required, to keep a copy of all insurance and police reports.

Part 391

Qualification of Drivers

Part 391
Qualification of Drivers

Motor carriers must assure that all drivers of commercial motor vehicles meet the minimum qualifications specified in Part 391.

Driver Requirements

A driver must meet the following requirements:

- Be at least 18 years of age for intrastate commerce and 21 years of age for interstate commerce. Must be 21 years of age in both interstate and intrastate commerce to transport hazardous materials
- Speak and read English well enough to converse with the public, understand highway traffic signs and signals, respond to official questions, and able to make legible entries on reports and records
- Be able to drive the vehicle safely
- Know how to safely load and properly block, brace, and secure the cargo
- 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 the 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.
- Pass a driver's road test or equivalent
- Complete an application for employment
- Possess a valid medical certificate (unless grandfathered in intrastate commerce 5/13/88)
- Some individuals with certain physical impairments may apply for a Medical Exemption, or Certificate (See: Medical Program, Page 79)

A medical certificate is required when operating:

Intrastate commerce:

- A single or combination vehicle with a Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) of 26,001 pounds or more,
- Is designed or used to transport 9 or more passengers, including the driver,
- Is designed or used to transport 16 or more passengers, including the driver, and is not used to transport passengers for compensation
- A single or combination vehicle with a GVWR or GCWR of 10,001 pounds or more when transporting any amount of hazardous material, or
- Any size vehicle when transporting hazardous material that is required to be placarded.

Interstate commerce:

- Operating a single or combination vehicle with a GVWR or GCWR of 10,001 pounds or more,
- Designed or used to transport 9 or more passengers (including the driver);
- Designed or used to transport 16 or more passengers (including the driver) and is not used to transport passengers for compensation, or
- Any size vehicle when transporting hazardous material that is required to be placarded.

Examples of Physical Requirements

(Section 391.41 provides the complete list of physical requirements)

- Has no loss of a foot, a leg, a hand, or an arm
- Has no established medical history or clinical diagnosis of diabetes requiring insulin for control unless the treating clinician completes the ITDM Assessment Form attesting a stable insulin regimen
- Has no clinical diagnosis of any disqualifying heart disease
- Has no clinical diagnosis of high blood pressure
- Has no clinical diagnosis of epilepsy
- Has 20/40 vision or better with corrected lenses
- Has distant binocular acuity of at least 20/40 in both eyes
- Has the ability to recognize the colors (red, green and amber) of traffic signals
- Has hearing to perceive a forced whisper
- Has no history of drug use or any other substance identified in 21 CFR 1308.11 Schedule I
- Has no clinical diagnosis of alcoholism

Exemptions

There are provisions for an exemption to a disqualification for certain physical defects if the individual is otherwise qualified to drive.
(See: Medical Program, Page 79)

Additional instructions for medical examination

CDL Drivers: Results of the medical examination are electronically transmitted to the National Registry with FMCSA. FMCSA will then transmit medical certification information to the driver's State Driver Licensing Agency to add to the driver's CDL record.

Drivers in an excepted interstate or excepted intrastate status must present their medical certification card to their State Driver Licensing Agency.

Limited Exemptions

The following specific conditions and types of drivers are exempt from specific record keeping requirements:

Drivers regularly employed before January 1, 1971 — Drivers who have been regular employees of a motor carrier for a continuous period that began before January 1, 1971 are exempt from:

- Applications for employment
- Road Tests

Multiple-employer drivers

Multiple-employer drivers * – If a motor carrier employs a person as a driver on any basis, the motor carrier must have on file the driver's name, social security number, identification number, type issuing state of his/her motor vehicle operator's license, medical certificate, road test and certificate, and controlled substance test results, even if that driver's primary employment is with another carrier.

Drivers furnished by other motor carriers * – A motor carrier using a driver regularly employed by another motor carrier must have on file a signed written certificate that includes the driver's name and signature, certification of the driver's full qualifications, and expiration date of the driver's medical examiner's certificate.

*(See page 71 for an example of the forms)

Disqualification for Criminal and Other Offenses

In addition to CDL disqualifications for CDL drivers, the following disqualifications apply to both CDL and non-CDL commercial motor vehicle drivers. The offenses are only disqualifying if they occurred while on duty.

- Driving a commercial motor vehicle while under the influence of alcohol
- Driving a commercial motor vehicle while under the influence of a Schedule I identified controlled substance, an amphetamaine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug
- Transportation, possession, or unlawful use of a Schedule I identified controlled substance, amphetamines, narcotic drugs, a formulation of an amphetamine, or a derivative of a narcotic drugs while the driver is on duty
- Leaving the scene of an accident while operating a commercial motor vehicle
- A felony involving the use of a commercial motor vehicle
- Violating an out of service order
- Texting while driving a commercial motor vehicle
- Using a handheld mobile telephone while operating a commercial motor vehicle

Driver Qualification File – Check List

Every motor carrier must have a qualification file for each regularly employed driver. This includes drivers that are required to maintain a CDL license and a Class E license. Each driver's qualification file shall be retained for as long as a driver is employed by the motor carrier and for three years thereafter. 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.

- ☐ **Inquiry To Previous Employers - 3 Years** (391.23(a)(2) & (c))
  An investigation of the driver's safety performance history with DOT regulated employers during the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.

- ☐ **Inquiry to Driver's Licensing Authority – 3 Years** (391.23(a)(1) & (b))
  The driver's driving record for the preceding three years within first 30 days of hire and annually thereafter.

Online request for driving records:

https://dor.mo.gov/driver-license/resources/records.html

- ☐ **Annual Review Of Driving Record** (391.25)
  At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the Driver's Qualification File.

- ☐ **Driver's Road Test Certificate Or Equivalent** (391.31)
  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 Section 391.33.

- ☐ **Medical Examinations** (391.43)
  The driver must pass a medical examination conducted by a licensed health care professional and be issued a Medical Examiner's Certificate. For CDL drivers the examination is now electronically added to the drivers' MVR record.

CDL Drivers

An updated MVR with each new medical examination must then be maintained in the file as proof of current medical certificate. For CDL Drivers the certificate need not be carried with the driver (when possible driver should keep new med certificate on person for 15 days after issuance). As of May 21, 2014, the medical examiner must be listed on the National Registry of Certified Medical Examiners maintained by the FMCSA. Medical certification must be renewed every two years.

The driver must pass a medical examination conducted by a licensed health care professional and be issued a Medical Examiner's Certificate. For CDL drivers the examination is now electronically added to the drivers' MVR record.

National Registry of Certified Medical Examiners:

https://nationalregistry.fmcsa.dot.gov/home

Non-CDL Drivers

For non-CDL drivers, the medical certificate must be maintained in the drivers file. Also a note relating to verification of medical examiner listing on the National Registry of Certified Medical Examiners must be placed in the driver's qualification file in association with each new medical examination.

Medical Exemptions/Waiver

- RSMo 307.400.2-Drivers having a valid Chauffer's License on May 13, 1988 are not subject to the medical requirements of Section 391.41. This exemption applies to Missouri intrastate commerce only.
- Individuals with some physical impairments may qualify for the Medical Program, (see Page 75).

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

_____ # YEARS _____
(STREET) (CITY) (STATE & ZIP CODE)

_____ # YEARS _____
(STREET) (CITY) (STATE & ZIP CODE)

_____ # YEARS _____
(STREET) (CITY) (STATE & ZIP CODE)

(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 FROM TO	APPROX. NO. OF MILES (TOTAL)
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 ☐ NO ☐
				YES ☐ NO ☐
				YES ☐ NO ☐

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) _____ _____
First M.I. Last Social Security Number

Hereby authorize: _____
Date of Birth

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 _____.
(employment application date)

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

ACCIDENT HISTORY

The applicant named above was employed by us. Yes ☐ No ☐

Employed as _____ from (m/y) _____ to (m/y) _____

1. Did he/she drive motor vehicle for you? Yes ☐ No ☐ If yes, what type? Straight Truck ☐ Tractor-Semitrailer ☐ Bus ☐ Cargo Tank ☐ Doubles/Triples ☐ Other (Specify) _____

2. Reason for leaving your employ: Discharged ☐ Resignation ☐ Lay Off ☐ Military Duty ☐
If there is no safety performance history to report, check here ☐, sign below and return.

ACCIDENTS: 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 ☐ 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

PART 3:	TO BE COMPLETED BY PREVIOUS EMPLOYER

DRUG AND ALCOHOL HISTORY

If driver was not subject to Department of Transportation testing requirements while employed by this employer, please check here ☐, fill in the dates of employment from _____ to _____, complete bottom of Part 3, sign, and return.

Driver was subject to Department of Transportation testing requirements from _____ to _____.

1. Has this person had an alcohol test with the result of 0.04 or higher alcohol concentration?
   YES ☐ NO ☐
2. Has this person tested positive or adulterated or substituted a test specimen for controlled substances?
   YES ☐ NO ☐
3. Has this person refused to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test?
   YES ☐ NO ☐
4. Has this person committed other violations of Subpart B of Part 382, or Part 40?
   YES ☐ NO ☐
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 ☐ NO ☐
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 ☐ NO ☐

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.

Name: _____

Company: _____

Street: _____

City, State, Zip: _____ Telephone: _____

Part 3 Completed by (Signature): _____ Date: _____

PART 4a:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER

This form was (check one) ☐ Faxed to previous employer ☐ Mailed ☐ Emailed ☐ Other _____

By: _____ Date: _____

PART 4b:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER

Complete below when information is obtained.

Information received from: _____

Recorded by: _____ Method: ☐ Fax ☐ Mail ☐ Email ☐ Telephone

Date: _____ ☐ Other _____

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

RECORDS REQUEST FOR
DRIVER/APPLICANT SAFETY PERFORMANCE HISTORY

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

§391.23(i)(2) Drivers who have previous Department of Transportation regulated employment history in the preceding three years, and wish to review previous employer-provided investigative information must submit a written request to the prospective employer, which may be done at any time, including when applying, or as late as thirty (30) days after being employed or being notified of denial of employment. The prospective employer must provide this information to the applicant within five (5) business days of receiving the written request. If the prospective employer has not yet received the requested information from the previous employer(s), then the five-business-days deadline will begin when the prospective employer receives the requested safety-performance history information. If the driver has not arranged to pick up or receive the requested records within thirty (30) days of the prospective employer making them available, the prospective motor carrier may consider the driver to have waived his/her request to review the records.

PART 1:	**COMPLETED BY THE DRIVER/APPLICANT**

TO:

Prospective Employer: _____

Street/P.O. Box: _____

City, State, Zip: _____ Telephone # _____

FROM:

Driver/Applicant: _____ Social Security/I.D. # _____

Street: _____

City, State, Zip: _____ Telephone # _____

I am submitting this written request to obtain copies of my Department of Transportation Safety Performance History for the preceding three years. I understand, for records requested from a prospective employer, that I must arrange to pick up or receive the requested records within thirty (30) days of the records being made available or I have waived my request to review the records.

This information should be: ☐ sent to me at the above address.
☐ I will arrange to pick up.

Driver/Applicant Signature: _____ Date: _____/_____/_____
M D Y

PART 2:	**COMPLETED BY THE PROSPECTIVE EMPLOYER**

The information must be provided to the applicant within five (5) business days of receiving the written request. If the prospective employer has not yet received the requested information form the previous employer(s), then the five-business-days deadline will begin when the prospective employer receives the requested safety performance history information.

Information supplied to:

Name: _____

Street: _____

City, State, Zip: _____

Comments: _____

_____

By:

_____ _____ Release Date: _____/_____/_____
Signature/person providing information Telephone # M D Y

COPY 1 PROSPECTIVE EMPLOYER

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.

PART 1:	**COMPLETED BY THE DRIVER/APPLICANT**

TO:

Previous Employer: _____

Street/P.O. Box: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

FROM:

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

PART 2:	**COMPLETED BY THE PREVIOUS EMPLOYER**

Received by:

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.

PART 1:	**COMPLETED BY THE DRIVER/APPLICANT**

TO: Prospective Employer: _____

Street/P.O. Box: _____

City, State, Zip: _____ Telephone # _____

FROM: 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 **COPY 4 DRIVER RECORD** for your files, Submit copies 1, 2, and 3 to your previous employer.

PART 2:	**COMPLETED BY THE PREVIOUS EMPLOYER**

Disposition of the requested information:

☐ Information was corrected and forwarded to the prospective motor carrier employer.

☐ The driver was notified on _____/_____/_____ that the previous employer does not agree to correct the data.
Return copy 3 to the driver.

Information sent to: Company Name: _____

Attention: _____

Street: _____

City, State, Zip: _____

Comments: _____

_____

By: _____ _____ Release Date: _____/_____/_____

Signature/person providing information Telephone # M D Y

PART 3:	**COMPLETED BY THE PROSPECTIVE MOTOR CARRIER EMPLOYER**

The corrected information was received on _____/_____/_____

Prospective Employer: _____ Location: _____

Received by: _____ _____

Signature Title

COPY 1 PROSPECTIVE EMPLOYER

Inquiry To State Agency For Driver's Record 391.23

Form 4681

MISSOURI DEPARTMENT OF REVENUE

Request From Driver License Record Holder

Record holders must approve the release of driver license records or other documents containing personal information. To request such records this form must be completed, signed and notarized or the request will be denied. For a faster and more convenient way to obtain a copy of non-restricted Missouri driver record information visit mydmv.mo.gov/ and select Driver License Services, or visit a local license office. ***Personal information includes the person's name, address, date of birth, sex, height, weight, eye color, driver license number, social security number, photograph, and telephone number. Non-Personal information may include the person's first and last name, driving history, and zip code.***

Record Holder's Information

First Name	Middle Initial	Last Name

Date of Birth (MM/DD/YYYY)	Missouri Driver License or Social Security Number	Daytime Telephone Number
___ ___ / ___ ___ / ___ ___ ___ ___		(___ ___ ___)___ ___ ___-___ ___ ___ ___

Mailing Address	City	State	Zip Code	E-Mail Address

Driver License Records

No Fee Required

- ☐ Clearance Letter (Dates) _____
- ☐ Temporary Driving Privilege
- ☐ Reinstatement Letter
- ☐ License Issuance History (Dates) _____
  - ☐ With Hazmat

Fees Required

- ☐ Driver Record
- ☐ Image Portfolio (Black and White Photo)
- ☐ Case History
- ☐ Other (Specify) _____

Mailing & Fax Information

Would you like the requested records to be sent somewhere other than to the record holder's address? ☐ Yes ☐ No

If yes, how would you like it to be sent? ☐ Mail (provide alternate mailing address) ☐ Fax (add $0.50 per page faxed; provide fax number)

☐ E-mail _____ ☐ Certified

Name	Agency Name (If Applicable)	Fax Number
		(___ ___ ___)___ ___ ___-___ ___ ___ ___

Address	City	State	Zip Code

Payment Options and Signature

Records can be obtained by walk-in, mail-in, fax, or e-mail request. The fee is $2.82 per record. Requests that are submitted by mail-in, can only submit with a check or money order. You may visit us at central office, Harry S Truman Building, Room 470, 301 West High Street, Jefferson City, Missouri.

If you are paying by credit or debit card you will now be required to pay online for the record(s) requested. Once your request has been
processed you will receive an e-mail notification of the amount due. This notification will be sent to the e-mail address provided on this form. Once the amount due is paid in full, your record(s) will be released to the e-mail address, mailing address or fax number you provided on this form. A convenience fee will be charged for credit or debit card transactions.

Under penalties of perjury, I declare that the above information and any attached supplement is true, complete, and correct. I authorize the Department of Revenue to send the requested record where I designated above.

Record Holder's Signature (Must be signed and dated in the presence of notary.)	Date (MM/DD/YYYY)
	___ ___ / ___ ___ / ___ ___ ___ ___

Notary Information

Embosser or black ink rubber stamp seal

Subscribed and sworn before me, this _____ day of _____ year

State	County (or City of St. Louis)	My Commission Expires (MM/DD/YYYY)
		___ ___ /___ ___ /___ ___ ___ ___

Notary Public Signature

Notary Public Name (Typed or Printed)

Mail to: Driver License Bureau
DL Record Center
P.O. Box 2167
Jefferson City, MO 65105-2167

Phone: (573) 526-2407

Fax: (573) 526-7367

E-mail: dlrecords@dor.mo.gov

Visit dor.mo.gov/driver-license/ for additional information.

Form 4681 (Revised 11-2024)

	Name	Date of Birth (MM/DD/YYYY)	Driver License or Social Security Number
1.			
2.			
3.			
4.			
5.			
6.			
7.			
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31.			
32.			
33.			
34.			

Annual Review of Driver's Record

Driver's Name - please print or type

Date of Certification

Driver's Signature

Motor Carrier's Name

Motor Carrier's Address

Reviewer's Signature

Reviewer's Signature

In accordance with Section 391.25, Motor Carrier Safety Regulations, all information pertinent to the above driver's safety of operations has been reviewed for the past 12 months.

Action taken:

Motor Carrier's Name

Motor Carrier's Address

Reviewer's Signature

Title

Date

Driver's Road Test Examination

Driver's Name

Address City State Zip

Phone Cell

The motor carrier, or a person designated by it, shall give the road test. However, another person must give a driver who is a motor carrier the test. A person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he or she is capable of operating the vehicle and associated equipment that the motor carrier intends to assign shall give the test.

Rating of Performance

_____ The pre-trip inspection (As required by Sec. 392.7)

_____ Coupling and uncoupling of combination units, if the equipment he or she may drive includes combination units

_____ Placing the equipment in operation

_____ Use of vehicle's controls and emergency equipment

_____ Operating the vehicle in traffic and while passing other vehicles

_____ Turning the vehicle

_____ Braking, and slowing the vehicle by means other than braking

_____ Backing and parking the vehicle

_____ Other, Explain:

Type of equipment used in giving test:

Examiner's Signature Date

Record Of Road Test

Instructions to Evaluator: Check ( ) items which the driver performs satisfactorily, use "X" where performance is unsatisfactory. Any item not evaluated, leave blank.

Driver's Name	Home Address	City	State	Zip
Social Security No.	License No.		State	Class

Equipment Driven:

Truck Tractor (Make & Model)	Trailer(s) (Body Type & Length of Each)

Length of Test	Mi. From/In	To
Start Time	Finish Time	Weather Conditions

Part 1 - Pre-Trip Inspection and Emergency Equipment

Checks general condition approaching unit ____
Checks fuel, oil, water and for excessive oil on engine ____
Checks around unit - Tires, lights, trailer hook-up, brake and light line, doors and inspects for body damage ____
Tests steering, brake action, tractor protection valve, and parking brake ____
Checks horn, windshield wipers, mirrors, emergency equipment; reflectors, flares, fuses, tire chains (if necessary), fire equipment ____
Checks instruments for normal readings ____
Checks dashboard warning lights for proper functioning ____
Cleans windshield, windows, mirrors, lights and reflectors ____
Reviews and signs previous report ____

Part 2 - Coupling and Uncoupling

Connects glad hands to trailer to apply trailer brakes before coupling ____
Connects glad hands and light line properly ____
Couples without difficulty ____
Raises landing gear fully after coupling ____
Visually checks king pin assembly to be certain of proper coupling ____
Checks coupling by applying hand valve or tractor-protection valve (trailer air supply valve) and gently applying pressure by trying to pull away from trailer ____
Assures himself that surface will support trailer before uncoupling ____

Part 3 - Placing Vehicle In Motion And Use Of Controls

A. MOTOR
Places transmission in neutral before starting engine ____
Starts engine without difficulty ____
Checks instruments at regular intervals ____
Maintains proper engine rpm while driving ____

B. BRAKES
Knows proper use of and checks tractor-protection valve (trailer air supply valve ____
Tests service brakes ____
Builds full air pressure before moving ____

C. CLUTCH AND TRANSMISSION
Starts unit moving smoothly ____
Uses clutch properly ____

D. LIGHTS (if tested at night)
Adjusts speed for range of headlights ____
Dims lights when approaching another vehicle or following other traffic ____

Part 4 - Backing and Parking

A. BACKING
Gets out and checks area before backing ____
Understands and utilizes mirrors properly ____
Signals when backing (if appropriate) ____
Avoids backing from blind side ____

B. PARKING (CITY)
Parks without hitting any other vehicles or stationary objects ____
Parks correct distance from curb ____
Secures unit properly - sets parking brake, transmission in correct gear, shuts off engine, blocks wheels (when necessary) ____
Carefully enters traffic from parked position ____

C. PARKING (ROAD)
Parks off pavement ____
Secures unit properly ____
Uses emergency warning signal or devices when necessary ____

Part 5 - Slowing and Stopping

Uses clutch and gears properly ____
Gears down properly before descending hills ____
Starts without rolling back ____
Tests brakes before descending grades ____
Uses brakes properly on grades ____
Makes proper use of mirrors ____
Plans stop far enough in advance to avoid hard braking ____
Stops clear of crosswalks ____

Part 6 - Operating In Traffic, Passing and Turning

A. TURNING
- Signals intention to turn well in advance ____
- Gets into proper lane well in advance of turn ____
- Checks traffic conditions and turns only when intersection is clear ____
- Restricts traffic from passing on right when perparing to complete right hand turn ____
- Completes turn promptly and safely and does not impede other traffic ____

B. TRAFFIC SIGNS AND SIGNALS
- Plans stop in advance and adjusts speed correctly ____
- Obeys all traffic signals ____
- Comes to a complete stop at all stop signs ____

C. INTERSECTIONS
- Yields right of way ____
- Checks for cross traffic regardless of traffic controls ____
- Enters all intersections prepared to stop if necessary ____

D. GRADE CROSSINGS
- Stops at a minimum 15 feet but not more than 50 feet before crossing if stop is necessary ____
- Selects proper gear and does not shift gears while crossing ____
- Knows and understands Federal and State rules governing grade crossings ____

E. PASSING
- Allows sufficient space ahead for passing ____
- Passes only in safe locations ____
- Signals changing lanes before and after passing ____
- Warns driver ahead of his intention to pass ____
- Passes with sufficient speed differential to minimize obstructing traffic ____
- Returns to right lane promptly but only when safe to do so ____

F. SPEED
- Observes speed limits ____
- Drives at speed consistent with ability ____
- Adjusts speed properly to road, weather and traffic conditions ____
- Slows down in advance of curves, danger zones and intersections ____
- Maintains constant speed where possible ____

G. COURTESY AND SAFETY
- Yields right of way ____
- Consistently strives to drive in safe manner ____
- Allows faster traffic to pass ____
- Uses horn only when necessary ____

Part 7 - Miscellaneous

A. GENERAL DRIVING ABILITY AND HABITS
- Consistently alert and attentive ____
- Consistently is aware of changing traffic conditions ____
- Anticipates problems ____
- Performs routine functions without taking eyes from road ____
- Checks instruments regularly while driving ____
- Personal appearance is professional ____
- Remains calm under pressure ____

B. USE OF SPECIAL EQUIPMENT (SPECIFY)

_____ ____
_____ ____
_____ ____
_____ ____
_____ ____
_____ ____

Remarks _____

General Performance Satisfactory ☐ Needs Training ☐ Explain _____

Qualified For Straight Truck ☐ Tractor-Semitrailer ☐ Twin Trailers ☐ Other Combination ☐
Special Equipment _____
Specify

Signature of Examiner Date

Certification of Road Test

Driver's Name

Social Security Number | Operators or Chauffeurs 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.

Examiner's Signature | Title

Organization and Address of Examiner

Equivalent of Road Test for CDL Drivers

§391.33 Equivalent of Road Test

a) In place of, and as equivalent to, the road test required by §391.31, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept -

   1) A valid operator's license which has been issued to him by a State that licenses drivers to operate specific categories of motor vehicles and which, under the laws of that State, licenses him after successful completion of a road test in a motor vehicle of the type the motor carrier intends to assign to him; or

   2) A copy of a valid certificate of driver's road test issued to him pursuant to §391.31 within the preceding 3 years.

b) If a driver presents, and a motor carrier accepts, a license or certificate as equivalent to the road test, the motor carrier shall retain a legible copy of the license or certificate in its files as part of the driver's qualification file.

c) A motor carrier may require any person who presents a license or certificate as equivalent to the road test to take a road test or any other test of his driving skill as a condition to his employment as a driver.

Medical Examination Report

For Commercial Driver Fitness Determination

On December 22, 2015 the Federal Motor Carrier Safety Administration (FMCSA) implemented a requirement for medical examiners to start using a new medical examination form and certificate. This new requirement allows for the continued use of the existing form until April 20, 2016. Medical examiners who have been trained and certified to conduct medical examinations should have copies of both the new medical form and certificate. Should there be a need, please find a copy of both forms on the following pages. This new form and certificate are property of the FMCSA and may be copied for commercial driver certification.

Form MCSA-5876 OMB No.: 2126-0006 Expiration Date: 03/31/2028

Public Burden Statement
A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0006. Public reporting for this collection of information is estimated to be approximately one minute per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Medical Programs Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE, Washington, D.C. 20590.

U.S. Department of Transportation
Federal Motor Carrier
Safety Administration

Medical Examiner's Certificate

(for Commercial Driver Medical Certification)

I certify that I have examined **Last Name:** _____ **First Name:** _____ in accordance with *(please check only one)*:

◯ 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 *(check all that apply)* ***OR***

◯ the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) with any applicable State variances (which will only be valid for intrastate operations), and, with knowledge of the driving duties, I find this person is qualified, and, if applicable, only when *(check all that apply)*:

☐ Wearing corrective lenses ☐ Accompanied by a _____ waiver/exemption ☐ Driving within an exempt intracity zone (49 CFR 391.62) *(Federal)*

☐ Wearing hearing aid ☐ Accompanied by a Skill Performance Evaluation (SPE) Certificate ☐ Grandfathered from State requirements *(State)*

Medical Examiner's Certificate Expiration Date

The information I have provided regarding this physical examination is true and complete. A complete Medical Examination Report Form, MCSA-5875, with any attachments, embodies my findings completely and correctly, and is on file in my office.

Medical Examiner's Signature | **Medical Examiner's Telephone Number** | **Date Certificate Signed**

Medical Examiner's Name *(please print or type)*

◯ MD ◯ Physician Assistant ◯ Advanced Practice Nurse
◯ DO ◯ Chiropractor ◯ Other Practitioner *(specify)* _____

Medical Examiner's State License, Certificate, or Registration Number | **Issuing State** | **National Registry Number**

Driver's Signature | **Driver's License Number** | **Issuing State/Province**

Driver's Address

Street Address: _____ City: _____ State/Province: _____ Zip Code: _____

CLP/CDL Applicant/Holder ◯ Yes ◯ No

This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information appropriately to prevent inadvertent disclosure by keeping the documents under the control of authorized persons. Properly dispose of this document when no longer required to be maintained by regulatory requirements.

Rev 3/27/25

SAMPLE

Public Burden Statement
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U.S. Department of Transportation
Federal Motor Carrier
Safety Administration

Medical Examination Report Form

(for Commercial Driver Medical Certification)

MEDICAL RECORD #

_____

(or sticker)

SECTION 1. Driver Information *(to be filled out by the driver)*

PERSONAL INFORMATION

Last Name: _____ First Name: _____ Middle Initial: ___ Date of Birth: _____ Age: ___

Street Address: _____ City: _____ State/Province: _____ Zip Code: _____

Driver's License Number: _____ Issuing State/Province: _____ Phone: _____

E-Mail *(optional)*: _____ CLP/CDL Applicant/Holder*: ○ Yes ○ No

Driver ID Verified By**: _____

Has your USDOT/FMCSA medical certificate ever been denied or issued for less than 2 years? ○ Yes ○ No ○ Not Sure

*CLP/CDL Applicant/Holder: See instructions for definitions.

**Driver ID Verified By: Record what type of photo ID was used to verify the identity of the driver, e.g., CDL, driver's license, passport.

DRIVER HEALTH HISTORY

Have you ever had surgery? If "yes," please list and explain below. ○ **Yes** ○ **No** ○ **Not Sure**

Are you currently taking medications *(prescription, over-the-counter, herbal remedies, diet supplements)*? ○ **Yes** ○ **No** ○ **Not Sure**
If "yes," please describe below.

SAMPLE FORM - SAMPLE FORM - SAMPLE FORM - SAMPLE FORM

(Attach additional sheets if necessary)

SAMPLE

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Last Name: _____ First Name: _____ DOB: _____ Exam Date: _____

DRIVER HEALTH HISTORY *(continued)*

Do you have or have you ever had:	Yes	No	Not Sure
1. Head/brain injuries or illnesses *(e.g., concussion)*	○	○	○
2. Seizures/epilepsy	○	○	○
3. Eye problems *(except glasses or contacts)*	○	○	○
4. Ear and/or hearing problems	○	○	○
5. Heart disease, heart attack, bypass, or other heart problems	○	○	○
6. Pacemaker, stents, implantable devices, or other heart procedures	○	○	○
7. High blood pressure	○	○	○
8. High cholesterol	○	○	○
9. Chronic (long-term) cough, shortness of breath, or other breathing problems	○	○	○
10. Lung disease *(e.g., asthma)*	○	○	○
11. Kidney problems, kidney stones, or pain/problems with urination	○	○	○
12. Stomach, liver, or digestive problems	○	○	○
13. Diabetes or blood sugar problems	○	○	○
Insulin used	○	○	○
14. Anxiety, depression, nervousness, other mental health problems	○	○	○
15. Fainting or passing out	○	○	○
16. Dizziness, headaches, numbness, tingling, or memory loss	○	○	○
17. Unexplained weight loss	○	○	○
18. Stroke, mini-stroke (TIA), paralysis, or weakness	○	○	○
19. Missing or limited use of arm, hand, finger, leg, foot, toe	○	○	○
20. Neck or back problems	○	○	○
21. Bone, muscle, joint, or nerve problems	○	○	○
22. Blood clots or bleeding problems	○	○	○
23. Cancer	○	○	○
24. Chronic (long-term) infection or other chronic diseases	○	○	○
25. Sleep disorders, pauses in breathing while asleep, daytime sleepiness, loud snoring	○	○	○
26. Have you ever had a sleep test *(e.g., sleep apnea)*?	○	○	○
27. Have you ever spent a night in the hospital?	○	○	○
28. Have you ever had a broken bone?	○	○	○
29. Have you ever used or do you now use tobacco?	○	○	○
30. Do you currently drink alcohol?	○	○	○
31. Have you used an illegal substance within the past two years?	○	○	○
32. Have you ever failed a drug test or been dependent on an illegal substance?	○	○	○

Other health condition(s) not described above: ○ Yes ○ No ○ Not Sure

Did you answer "yes" to any of questions 1-32? If so, please comment further on those health conditions below: ○ Yes ○ No ○ Not Sure

(Attach additional sheets if necessary)

CMV DRIVER'S SIGNATURE

I certify that the above information is accurate and complete. I understand that inaccurate, false or missing information may invalidate the examination and my Medical Examiner's Certificate, that submission of fraudulent or intentionally false information is a violation of 49 CFR 390.35, and that submission of fraudulent or intentionally false information may subject me to civil or criminal penalties under 49 CFR 390.37 and 49 CFR 386 Appendices A and B.

Driver's Signature: _____ Date: _____

SECTION 2. Examination Report *(to be filled out by the medical examiner)*

DRIVER HEALTH HISTORY REVIEW

Review and discuss pertinent driver answers and any available medical records. Comment on the driver's responses to the "health history" questions that may affect the driver's safe operation of a commercial motor vehicle (CMV).

(Attach additional sheets if necessary)

SAMPLE
SAMPLE FORM - SAMPLE FORM - SAMPLE FORM - SAMPLE FORM

Last Name: _____ First Name: _____ DOB: _____ Exam Date: _____

TESTING

Pulse Rate: _____ Pulse rhythm regular: ○ Yes ○ No

Height: ___ *feet* ___ *inches* Weight: ____ *pounds*

Blood Pressure	Systolic	Diastolic
Sitting		
Second reading *(optional)*		

Urinalysis	Sp. Gr.	Protein	Blood	Sugar
Urinalysis is required. Numerical readings must be recorded.				

Protein, blood, or sugar in the urine may be an indication for further testing to rule out any underlying medical problem.

Other testing if indicated

Vision

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

Acuity	Uncorrected	Corrected	Horizontal Field of Vision
Right Eye:	20/_____	20/_____	Right Eye: _____ degrees
Left Eye:	20/_____	20/_____	Left Eye: _____ degrees
Both Eyes:	20/_____	20/_____	

	Yes	No
Applicant can recognize and distinguish among traffic control signals and devices showing red, green, and amber colors	○	○
Monocular vision	○	○
Referred to ophthalmologist or optometrist?	○	○
Received documentation from ophthalmologist or optometrist?	○	○

Hearing

*Standard: Must first perceive whispered voice at not less than 5 feet **OR** average hearing loss of less than or equal to 40 dB, in better ear (with or without hearing aid).*

Check if hearing aid used for test: ☐ Right Ear ☐ Left Ear ☐ Neither

Whisper Test Results Right Ear Left Ear

Record distance *(in feet)* from driver at which a forced whispered voice can first be heard _____ _____

OR

Audiometric Test Results

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

Average (right): _____ Average (left): _____

PHYSICAL EXAMINATION

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 neglecting the condition could result in a more serious illness that might affect driving.

Check the body systems for abnormalities.

Body System	Normal	Abnormal	**Body System**	Normal	Abnormal
1. General	○	○	8. Abdomen	○	○
2. Skin	○	○	9. Genito-urinary system including hernias	○	○
3. Eyes	○	○	10. Back/spine	○	○
4. Ears	○	○	11. Extremities/joints	○	○
5. Mouth/throat	○	○	12. Neurological system including reflexes	○	○
6. Cardiovascular	○	○	13. Gait	○	○
7. Lungs/chest	○	○	14. Vascular system	○	○

Discuss any abnormal answers in detail in the space below and indicate whether it would affect the driver's ability to operate a CMV. Enter applicable item number before each comment.

SAMPLE FORM - SAMPLE FORM - SAMPLE FORM - SAMPLE FORM

(Attach additional sheets if necessary)

SAMPLE

Last Name: _____ First Name: _____ DOB: _____ Exam Date: _____

Please complete only one of the following (Federal or State) Medical Examiner Determination sections:

MEDICAL EXAMINER DETERMINATION (Federal)

Use this section for examinations performed in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49):

○ Does not meet standards *(specify reason)*: _____

○ Meets standards in 49 CFR 391.41; qualifies for 2-year certificate

○ Meets standards, but periodic monitoring required *(specify reason)*: _____

Driver qualified for: ○ 3 months ○ 6 months ○ 1 year ○ other *(specify)*: _____

☐ Wearing corrective lenses ☐ Wearing hearing aid ☐ Accompanied by a waiver/exemption *(specify type)*: _____

☐ Accompanied by a Skill Performance Evaluation (SPE) Certificate

☐ Driving within an exempt intracity zone *(see 49 CFR 391.62) (Federal)*

○ Determination pending *(specify reason)*: _____

☐ Return to medical exam office for follow-up on *(must be 45 days or less)*: _____

☐ Medical Examination Report amended *(specify reason)*: _____

(if amended) Medical Examiner's Signature: _____ Date: _____

○ Incomplete examination *(specify reason)*: _____

If the driver meets the standards outlined in 49 CFR 391.41, then complete a Medical Examiner's Certificate as stated in 49 CFR 391.43(h), as appropriate.

I have performed this evaluation for certification. I have personally reviewed all available records and recorded information pertaining to this evaluation, and attest that, to the best of my knowledge, I believe it to be true and correct.

Medical Examiner's Signature: _____

Medical Examiner's Name *(please print or type)*: _____

Medical Examiner's Address: _____ City: _____ State: _____ Zip Code: _____

Medical Examiner's Telephone Number: _____ Date Certificate Signed: _____

Medical Examiner's State License, Certificate, or Registration Number: _____ Issuing State: _____

☐ MD ☐ DO ☐ Physician Assistant ☐ Chiropractor ☐ Advanced Practice Nurse

☐ Other Practitioner *(specify)*: _____

National Registry Number: _____

Medical Examiner's Certificate Expiration Date: _____

SAMPLE

Last Name: _____ First Name: _____ DOB: _____ Exam Date: _____

MEDICAL EXAMINER DETERMINATION (State)

Use this section for examinations performed in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) with any applicable State variances (which will only be valid for intrastate operations):

○ Does not meet standards in 49 CFR 391.41 with any applicable State variances *(specify reason)*: _____

○ Meets standards in 49 CFR 391.41 with any applicable State variances

○ Meets standards, but periodic monitoring required *(specify reason)*: _____

Driver qualified for: ○ 3 months ○ 6 months ○ 1 year ○ other *(specify)*: _____

☐ Wearing corrective lenses ☐ Wearing hearing aid ☐ Accompanied by a waiver/exemption *(specify type)*: _____

☐ Accompanied by a Skill Performance Evaluation (SPE) Certificate ☐ Grandfathered from State requirements *(State)*

If the driver meets the standards outlined in 49 CFR 391.41, with applicable State variances, then complete a Medical Examiner's Certificate, as appropriate.

I have performed this evaluation for certification. I have personally reviewed all available records and recorded information pertaining to this evaluation, and attest that, to the best of my knowledge, I believe it to be true and correct.

Medical Examiner's Signature: _____

Medical Examiner's Name *(please print or type)*: _____

Medical Examiner's Address: _____ City: _____ State: _____ Zip Code: _____

Medical Examiner's Telephone Number: _____ Date Certificate Signed: _____

Medical Examiner's State License, Certificate, or Registration Number: _____ Issuing State: _____

☐ MD ☐ DO ☐ Physician Assistant ☐ Chiropractor ☐ Advanced Practice Nurse

☐ Other Practitioner *(specify)*: _____

National Registry Number: _____ Medical Examiner's Certificate Expiration Date: _____

SAMPLE

Medical Requirements

- Medical Professionals, Motor Carriers and Drivers

The Federal Motor Carrier Safety Administration published a final rule establishing a National Registry of Certified Medical Examiners that is effective May 21, 2014.

Medical Examiners

- ☐ Only medical professionals who have passed training authorized by FMCSA are authorized to conduct the medical examination report and provide a medical examiner's certificate.
- ☐ Medical examiners are certified for a period of 10 years. Within 4-5 years issuance of authoriza tion, FMCSA requires examiners undergo peri odic training. The recertification process begins nine years after the medical professional receives an examiner credential.
- ☐ FMCSA may remove a medical examiner from the NRCME when a medical examiner fails to meet or maintain established qualifications. .
- ☐ Upon completion of a driver medical examination, the medical examiner must date and sign the medical examination report and provide his or her full name, office address, and telephone number on the report.

  If the medical examiner finds that the person examined is physically qualified to operate a commercial motor vehicle, he or she must complete a certificate in the form prescribed and furnish the original to the person who was examined. The examiner must provide a copy to a prospective or current employing motor carrier who requests it.

  Once every calendar month, beginning May 21, 2014, the medical examiner must electronically transmit, via a secure FMCSA-designated website, a completed Form MCSA-5850, Medical Examiner Submission of CMV Driver Medical Examination Results. The form must include all information specified for each medical examination conducted during the previous month for any driver who is required to be examined by a medical examiner listed on the National Registry of Certified Medical Examiners.
- ☐ The medical examiner's certificate shall be substantially in accordance with the form listed in Title 49 CFR 391.43.
- ☐ Each original (paper or electronic) completed medical exam report and a copy or electronic version of each medical examiner's certificate must be retained on file at the office of the medical examiner for at least 3 years from the date of examination. The medical examiner must make all records and information in these files available to an authorized representative of FMCSA or an authorized Federal, State, or local enforcement agency representative, within 48 hours of the request

Drivers

- ☐ Drivers are responsible to ensure they are examined by medical professionals on the NRCME list.
- ☐ Drivers need to ensure they maintain their current mailing address and current medical exam certificate filed with their State Driver License Office to avoid a lapse of medical coverage and maintain compliance by being physically qualified to operate a commercial motor vehicle, regardless of operating in interstate or intrastate commerce.
- ☐ Drivers that may not be physically qualified be cause of a limb amputation, limb impairment, hearing impairment, or history of epilepsy may wish to pursue an exemption to operate in interstate commerce (vehicle and/or product cross state lines).
- ☐ FMCSA has an application process for drivers to obtain a Skill Performance Evaluation if they have a limb amputation or impairment and an application process for hearing and epilepsy exemptions.

- ☐ MoDOT has an application process for drivers and can grant a medical exemption only by issuing an SPE certificate to those drivers who may not be physically qualified only for for a limb amputation, limb impairment, hearing impairment and not for any other physical impairment or issue.MoDOT does not have a minimum requirement for the years of commercial motor vehicle driving experience for any of the exemptions available.

Drivers Diagnosed with Insulin-Treated Diabetic Mellitus (ITDM)

Drivers diagnosed with ITDM must be examined by a physician listed on the National Registry of Certified Medical Examiners at least once every year (DOT physical).

Prior to the annual physical examination, the driver must be evaluated by the healthcare professional that both prescribes insulin for, and manages the treatment of the driver's diabetic condition. This health professional will complete an ITDM assessment form on which they attest that the driver's insulin regimen is stable and controls the condition properly. As part of the assessment, the driver will provide glucose self-monitoring records for the 3 months immediately preceding the healthcare visit. The certified medical examiner performing the DOT physical must have the ITDM assessment form dated within 45 days or less from the date of the physical exam. The medical examiner will consider the information provided on the ITDM assessment form and determine whether the driver meets the physical qualifications to operate a CMV safely. If so, the medical examiner will issue a medical certificate valid for a maximum of 12 months.

If the driver experiences a severe hypoglycemic episode, they will be prohibited from operating a CMV. They must report the episode and be evaluated by a healthcare professional who manages their condition and prescribes insulin, as soon as reasonably practicable.

Alternative Vision Standard – Effective March 22, 2022

The Federal Motor Carrier Safety Administration announced a final rule implementing an alternative vision standard for commercial motor vehicle drivers. The regulation allows drivers with vision impairments to be physically qualified under specified conditions. The alternative vision standard replaced the vision exemption program.

Evaluation by Optometrist or Ophthalmologist

Before an individual can be medically certified under the alternative vison standard, the driver must undergo a vision evaluation by an optometrist or ophthalmologist. This optometrist or ophthalmologist will provide specific medical opinions on the Vision Evaluation Report, Form MCSA-5871.

The Vision Evaluation Report form to take with you can be found online at:
https://www.fmcsa.dot.gov/regulations/medical/vision-evaluation-report-form-mcsa-5871

Annual Medical Examination

Within 45 days following the vision evaluation by the optometrist or ophthalmologist, the vision evaluation report must be provided to the certified medical examiner performing the DOT physical. The medical examiner will consider the information provided in the vision evaluation report and determine from the alternative vision standard whether the driver meets the physical qualifications. If so, the examiner will issue a medical certificate valid for no more than 12 months. A vision exemption certificate is no longer be required.

Helpful Links

Federal Motor Carrier Safety Administration
www.fmcsa.dot.gov

FMCSA Medical
https://www.fmcsa.dot.gov/regulations/medical

NRCME
https://www.nrcmetrainingonline.com/

NRCME Part 390.101 – 390.115
www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguidedetails.aspx?menukey=390

MoDOT Motor Carrier Services Medical
www.modot.org/mcs

Multiple-Employer Drivers

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in 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 driver's licensing authority and an investigation of the person's employment record during the preceding three years (391.23);
(3) Perform annual driving record inquiry required (391.25(a)); or
(4) Perform the annual review of the person's driving record required (391.25(b)); or

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

Multiple-Employer Drivers

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

Driver Furnished by Other Motor Carriers Certificate

Driver's Name _____

Social Security Number _____

Driver's Signature _____

I certify that the above named driver, as defined in 390.5 is regularly driving a commercial motor vehicle operated by the below named carrier and is fully qualified under Part 391, Federal Motor Carrier Safety Regulations. His current medical examiner's certificate expires on _____ (Date).

This certificate expires:_____
(Date not later than expiration date of medical certificate)

Issued on _____ (Date)

Issued by _____ (Name of carrier)

Address _____

_____

Medical Exemption Program

For more information regarding Skill Performance Evaluations (SPEs), Medical Exemptions or Waivers:

- Skill Performance Evaluation Certificate Program for Drivers with Missing or Impaired Arms, Hands, Fingers, Legs or Feet
- Medical Exemptions for Drivers with Hearing impairment, or Seizure Disorder.

Interstate Commerce Contact information

FMCSA, Physical Qualifications Service Centers

Service Center	Territory Included	Location of Office - Telephone Number
Eastern	CT, DC, DE, MA, MD, ME, NJ, NH, NY, PA, PR, RI, VA, VT, WV.	802 Cromwell Park Drive, Suite N Glen Burnie, MD 21061 Telephone: (443) 703-2240 Fax: (443) 703-2253
Midwestern	IA, IL, IN, KS, MI, MO, MN, NE, OH, WI.	4749 Lincoln Mall Drive, Suite 300A Matteson, IL 60443 Telephone: (708) 283-3577 Fax: (708) 283-3579
Southern	AL, AR, FL, GA, KY, LA, MS, NC, NM, OK, SC, TN, TX.	1800 Century Boulevard, NE, Suite 1700 Atlanta, GA 30345-3220 Telephone: (404) 327-7400 Fax: (404) 327-7349
Western	American Samoa, AK, AZ, CA, CO, Guam, HI, ID, Mariana Islands, MT, ND, NV, OR, SD, UT, WA, WY.	Golden Hills Office Centre 12600 West Colfax Avenue, Suite B-300 Lakewood, CO 80215 Telephone: (303) 407-2350 Fax: (303) 407-2339

Note 1 Canadian carriers, for information regarding proper service center, contact a FMCSA division (State) office in AK, ME, MI, MT, NY, ND, VT, or WA.
Note 2 Mexican carriers, for information regarding proper service center, contact a FMCSA division (State) office in AZ, CA, NM, or TX

For more information on Federal Skills Performance Evaluations and Medical Exemptions visit:
https://www.fmcsa.dot.gov/regulations/medical

Intrastate Commerce Contact Information

Intrastate application packets are available by contacting:

MoDOT
Attn: Medical Exemption Program
Motor Carrier Services Division
P.O. Box 270
Jefferson City, MO 65102-0270

MoDOT Motor Carrier Services Division 1-866-831-6277 Or 573-522-9001

Or visit the web and download information on all the above exemptions or waivers @ www.modot.org/mcs

Part 392

Driving of Motor Vehicles

Part 392
Driving of Motor Vehicles

Illness or Fatigue

No driver is permitted to operate a motor vehicle when his/her 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

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

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

Alcohol

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 an alcoholic beverage while on duty, unless it is a manifested part of the shipment.

Safe Loading

No one may drive or require anyone to drive a commercial motor vehicle unless the cargo is properly loaded and secured. (See RSMo 307.013)

Railroad Crossing/Stopping

Motor vehicles transporting hazardous materials, and most buses transporting passengers, are forbidden to cross railroad tracks without first stopping and looking both ways. Additionally, the driver must not shift gears while crossing the track.

Seat Belts

A driver must not drive before correctly restraining him/herself and other passengers, if the vehicle is equipped with seat belt assemblies. Some resources for seat belts can be found at www.savemolives.com.

Emergency Signals for Stopped Vehicles

A vehicle stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers at once. 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

The warning devices must be placed as follows (except where special rules apply):

- 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 approaching traffic approximately 100 feet away 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

Section 390.5 Definition:
Radar detector means any device or mechanism to detect the emission of radio microwaves, laser beams or any other future speed measurement technology employed by enforcement personnel to measure the speed of commercial motor vehicles upon public roads and highways for enforcement purposes. Excluded from this definition are radar detection devices that meet both of the following requirements:

(1) Transported outside the driver's compartment of the commercial motor vehicle. For this purpose, the driver's compartment of a passenger-carrying CMV shall include all space designed to accommodate both the driver and the passengers; and
(2) Completely inaccessible to, inoperable by, and imperceptible to the driver while operating the commercial motor vehicle.

Use of radar detectors is prohibited, including the following:

- Radar detectors shall not be used by a driver in a commercial vehicle
- A driver shall not operate any commercial motor vehicle that is equipped with a radar detector
- Motor carriers shall not require or permit a driver to violate the radar detector provisions

Texting

No driver is permitted to engage in texting while driving.

No motor carrier can allow or require drivers to text while driving.

For the purpose of this section only, driving means operating a commercial motor vehicle with the motor running, including while temporarily stationary because of traffic, a traffic control device or other momentary delays.

Driving does not include operating a CMV with or without the motor running when the driver moved the vehicle to the side of, or off, a highway and halted where the vehicle can safely remain stationary.

Texting while driving is permissible when necessary to communicate with law enforcement officials or other emergency services.

An exception applies to school bus operations and vehicles designed or used to transport 9 to 15 passengers, including the driver, not for direct compensation.

Cell Phone/Push-to-Talk

No commercial motor vehicle driver can use a hand-held mobile device while driving.

Hands-free cell phones, including headsets and push -to-talk equipment can be used while driving if:

- The equipment is within reach while the driver is restrained by a safety belt.
- The driver can activate the equipment by touching a single button.

Drivers can use a hand-held mobile device if the vehicle is stopped in a safe area for parking a commercial motor vehicle, or to communicate with law enforcement or other emergency services to report emergencies.

Drivers cannot use hand-held mobile devices when

- The vehicle is inoperation on the highway
- The vehicle is temporarily stopped on the highway for traffic, waiting for a stoplight, stop sign or other traffic control device
- The device is not within the reach of a driver using a safety belt.

Simply stated, a driver may not reach for, dial or hold a hand-held mobile device while driving.

Part 393

Parts and Accessories Necessary for Safe Operation

Part 393
Parts and Accessories Necessary for Safe Operation

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

Lights

What lighting is covered?
Part 393 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 March 7, 1989, must meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 (49 CFR 571.108) in effect on the date of manufacture. Certain trailers manufactured on or after December 1, 1993, must have retro-reflective sheeting or additional reflex reflectors to make them more visible to other motorists at nighttime and under other conditions of reduced visibility. Trailers manufactured before December 1, 1993, must be retrofitted with retro-reflective sheeting or additional reflectors by June 1, 2001.

Lamps and reflectors on commercial motor vehicles manufactured on or prior to March 7, 1989, must meet either the requirements of Part 393 or of FMVSS No. 108 that were in effect on the date of manufacture.

Must be Operable

All required lamps must light on request at an inspection and must light when required during regular operation of the vehicle.

Lamp Mounting

All lamps must be permanently and securely mounted on a permanent part of the vehicle. The exceptions are temporary lamps, such as those used in a driveaway-towaway operation or mounted 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.

Brakes

Commercial motor vehicles must be equipped with the following brake systems:

- A service brake system that meets the requirements of 49 CFR 393.52, which specifies braking and holding performance
- A parking brake system that meets the requirements of 49 CFR 393.41, which specifies parking brake activation and the method for holding the brakes in the applied position

Brakes on All Wheels

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
- Vehicles being towed in a driveaway-towaway operation. (However, the towed vehicle must have brakes in operation if the brakes on the towing vehicle are not capable of stopping the combination vehicle under the conditions covered by Section 393.52)
- Any full trailer, semi-trailer, or pole trailer having a gross weight of 3,000 pounds or less provided the trailer weight does not exceed 40 percent of weight of the towing vehicle

Breakaway and Emergency Braking

Every vehicle used to tow a trailer equipped with brakes must have a means of maintaining the operation of the brakes on the towing vehicle in the event that the trailer breaks away from the towing vehicle. Among the other requirements:

- 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
- 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

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

- Design and construction of brake tubing and hose must ensure proper, adequate, and continued functioning
- Installation must ensure proper functioning of the hose
- Length and flexibility must be enough to 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 located away from exhaust pipes and other sources of high temperatures

Brake Warning Devices

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.

Automatic Brake Adjusters and Brake Adjustment Indicators

- 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

Automatic Slack Adjusters

- All Commercial Vehicle's manufactured since October 1994 are required to be equipped with automatic slack adjusters.
- Automatic slack adjusters should work properly without manual adjustment, but do require regular maintenance and should be checked on regular intervals to ensure proper function.

Commercial Vehicle Safety Alliance (CVSA) Recommendations

- If the brakes are out-of-adjustment on this type of vehicle, it is a brake auto slack adjuster problem, not brakes-out-of-adjustment. Out-of-adjustment indicates the adjuster is not working properly due to being broken, improperly installed or serviced, the driver has readjusted the brakes incorrectly, etc.
- Carriers need to improve their brake knowledge and maintenance program to catch brake problems early and only allow drivers who are truly qualified and knowledgeable to work on brakes and adjusters. Maintenance records should reflect how often and how far adjustments are made on brakes to track brake issues.
- Drivers, mechanics, and carrier officials need to be educated about brakes and slack adjusters. Brakes are one of the most common violations cited and one of the top contributing factors in crashes.

Antilock Braking Systems (ABS)

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 1999

Windshield Condition

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

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 of a power unit
- Fuel spilled vertically from a fuel tank while it is being filled will not contact any part of the exhaust or electrical systems of the vehicle, except the fuel level indicator assembly
- Fill pipe openings are located outside the vehicle's passenger compartment and its cargo compartment
- 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

Sections 393.70 and 393.71 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.

Cargo Securement

Sections 393.100-393.136 provide the standards covering cargo securement. 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.

Two cargo securement requirements are Weight & Length:

- Weight – The total weight of the item is the working load limit (WLL)
  - Securement devices MUST be at least ½ of the WLL
  - All tie downs have a working load limit (WLL) including the anchor points
  - The weakest point will always be used as the maximum
  - Use WLL markings as a guide, if the WLL is not marked, use the table in 393.108
  - The truck or trailer headerboard and friction mats can be used to help secure the load
- Length – The length determines the number of tie-downs required
  - One device is required for each 10 feet of load, or fraction of 10 feet
  - Other requirements apply, such as securing round objects (pipes) from rolling, machinery arms must be down and locked

Sleeper Berths

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 contains special provisions for sleeper berths.

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

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

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

Seat Belts

Commercial motor vehicle must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in the Federal Motor Vehicle Safety Standards (FMVSS).

Emergency Equipment

Commercial motor vehicles must carry the following emergency equipment:

- Fire extinguisher
- Spare fuses
- Warning devices for stopped vehicles

Fire Extinguisher

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

Suspension, Steering and Conspicuity Requirements

Suspension Systems

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

Steering System

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 Section 393.209 (b)
- Steering column must be securely fastened
- Steering system must not have worn or welded universal joints, loose steering gear box, missing bolts, 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); no leaks; or insufficient fluid in reservoir

FMCSA'S Conspicuity Requirements for Commercial Motor Vehicles

The FMCSA has regulations requiring the use of conspicuity materials (i.e., retroreflective sheeting (or reflex reflectors)) on trailers and the rear of truck tractors. The rules are intended to reduce the incidence of motorists crashing into the sides or rear of trailers at nighttime and under other conditions of reduced visibility, and to reduce the incidence of motorists rear-ending truck tractors (being operated without trailers) under the same conditions.

There are three separate groups of commercial motor vehicles subject to the FMCSR requirements and the date of manufacture for the vehicle must be known to determine the applicability of the rules to the vehicle. The rules cover:

- Trailers manufactured on or after December 1, 1993;
- The retrofitting of trailers built before that date; and
- Truck tractors built on or after July 1, 1997.

Part 395

Hours of Service Drivers

Part 395
Hours of Service of Drivers

General Rule

The hours of service rules apply to all motor carriers and drivers, with the exceptions found in paragraphs (b) through (x) of Section 395.1.

ELD Final Rule Summary

The third and final phase of the ELD Mandate went into effect on December 17, 2019. All drivers and carriers subject to the rule must use self-certified ELDs that are registered with FMCSA.

- Limited Exceptions: The final rule allows limited exceptions to the ELD mandate, including:
  - Drivers who use paper logs for not more than
  - 8 days during any 30 day period;
  - Drivers who conduct driveaway-towaway operations, where the vehicle is the product being delivered;
  - Drivers of vehicles manufactured before model year 2000 (due to vehicle connectivity concerns; this is a change from the proposed rule);
  - Drivers who operate using the logbook time-card exception (i.e. short-haul 150-air mile drivers)
  - Livestock and insect haulers
- ELDs are required to record vehicle location at every change of duty status and at a minimum of 60-minute intervals.
- **Supporting Documents:** Because ELDs effectively negate the need for supporting documents to verify driving time, FMCSA has implemented new document retention requirements to verify on- duty, not driving time. The final rule requires fleets to retain up to eight supporting documents from several categories (see below) per driver for each 24-hour period
- ELDs must be able to transfer data electronically
- Manufacturers are required to test and certify to FMCSA that their devices meet the new standards
- The final rule includes several provisions to guard against harassment of drivers
- In the event that an ELD malfunctions, the driver is required to immediately begin completing a paper log and to reconstruct logs for each of the past 7 days, unless the driver already possesses the re- cords or the records are retrievable from the ELD.
- Authorized use of a commercial motor vehicle (CMV) for personal conveyance will not be recorded as on-duty driving, but rather off-duty time
- Drivers will be able to make edits and annotations to their electronic logs
- All ELDs must be capable of exporting data in a standard file format to facilitate importing by other systems

Supporting Document Categories

- Bills of lading, itineraries, schedules, or equivalent documents that show the starting and ending location for each trip;
- Dispatch records, trip records, or equivalent documents;
- Expense receipts (meals, lodging, fuel, etc.);
- Fleet management system communication records;
- Payroll records, settlement sheets, or equivalent documents showing payment to a driver.

Submitting/Retaining Duty Status Log

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 him/her a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he/she was last relieved of duty. Records of duty status must be maintained for a minimum of six months at the carrier's principal place of business, with all supporting documents.

Link to FMCSA's Q & A for this requirement:

https://www.fmcsa.dot.gov/hours-service/elds/faqs

On-Duty Time

All time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. On duty time shall include:

1. All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched unless the driver has been relieved from duty by the motor carrier.
2. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time.
3. All driving time as defined in the term driving time.
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.
5. All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.
7. All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by Part 382 when directed by a motor carrier.
8. Performing any other work in the capacity, employ, or service of a motor carrier; and
9. Performing any compensated work for a person who is not a motor carrier.

On-duty time does not include:

1. Anytime resting in a parked vehicle (also applies to passenger carrying drivers).
2. Up to 3 hours riding in the passenger seat of a property-carrying vehicle moving on the highway immediately before or after a period of at least 7 consecutive hours in the sleeper berth;

Driving Time

All time spent at the driving controls of a commercial motor vehicle in operation.

10 Consecutive Hours Off-Duty

- At least 10 consecutive hours in off-duty status
- At least 10 consecutive hours in the sleeper berth
- A combination of consecutive off-duty and sleeper berth time totaling at least 10 hours
- A combination of sleeper berth time of at least 7 consecutive hours and up to 3 hours riding in the passenger seat of the vehicle while the vehicle is moving on the highway, either immediately before or after the sleeper berth time, amounting to at least 10 consecutive hours; or
- The equivalent of 10 consecutive hours utilizing the sleeper berth provision

Sleeper Berth Provision

Drivers are allowed to split the 10 hour-off duty period under the following criteria:

- One off-duty period is at least 2 consecutive hours
- The other off-duty period involves at least 7 consecutive hours in the sleeper berth
- The total off-duty periods combined totals at least 10 hours

When used together, neither off-duty period is included in the 14 hour driving window.

Property Carrying Vehicles

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 14 consecutive hours since the driver's last 10 consecutive hours off-duty. Hours applied towards a valid split sleeper berth period are not calculated in the 14 hours.

16-Hour Exemption

395.1(o) A Property carrying driver is exempt from the 14 hour rule, when:

- The driver returns and is released from his/her normal work reporting location for the previous five duty tours;
- The driver returns to his/her normal work reporting location and is released within 16 hours; and
- The driver has not used this exemption within the previous six consecutive days, except that the 16 hour provision may be used after any period of being off-duty for 34 or more consecutive hours.

30 Minute Rest Breaks

- Driving is not permitted if more than 8 hours of driving time have passed without at least a consecutive 30 minute interruption in driving status.
  - A consecutive 30 minute interruption in driving status may be satisfied either by off-duty, sleeper berth, or on-duty (not driving) time, or a combination of off-duty, sleeper berth, or on-duty (not driving) time.
- The 30 minute rest break does not apply to short haul operations.

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
- If the driver works more than one job of any kind, that time must also be included as on duty time.

34 Hour Restart Provision

Any period of 7 or 8 consecutive days may end with the beginning of an off-duty period of 34 or more consecutive hours.

Driver's Record of Duty Status

Every driver shall prepare a record of duty status driver's daily log in his/her own handwriting for each 24 hour period, unless operating under the short haul exemption.

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

Passenger Carrying Vehicles

10-Hour Rule

Drivers are allowed to drive for 10 hours following eight 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 eight 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 or
- 70 hours on duty in 8 consecutive days
- If the driver works more than one job of any kind that time must also be included as on duty time.

Driver's Record of Duty Status

Every driver shall prepare a record of duty status driver's daily log in his/her own handwriting for each 24 hour period, unless operating under the short haul exemption.

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

Short Haul Operations

150 Air-Mile Radius Exemption

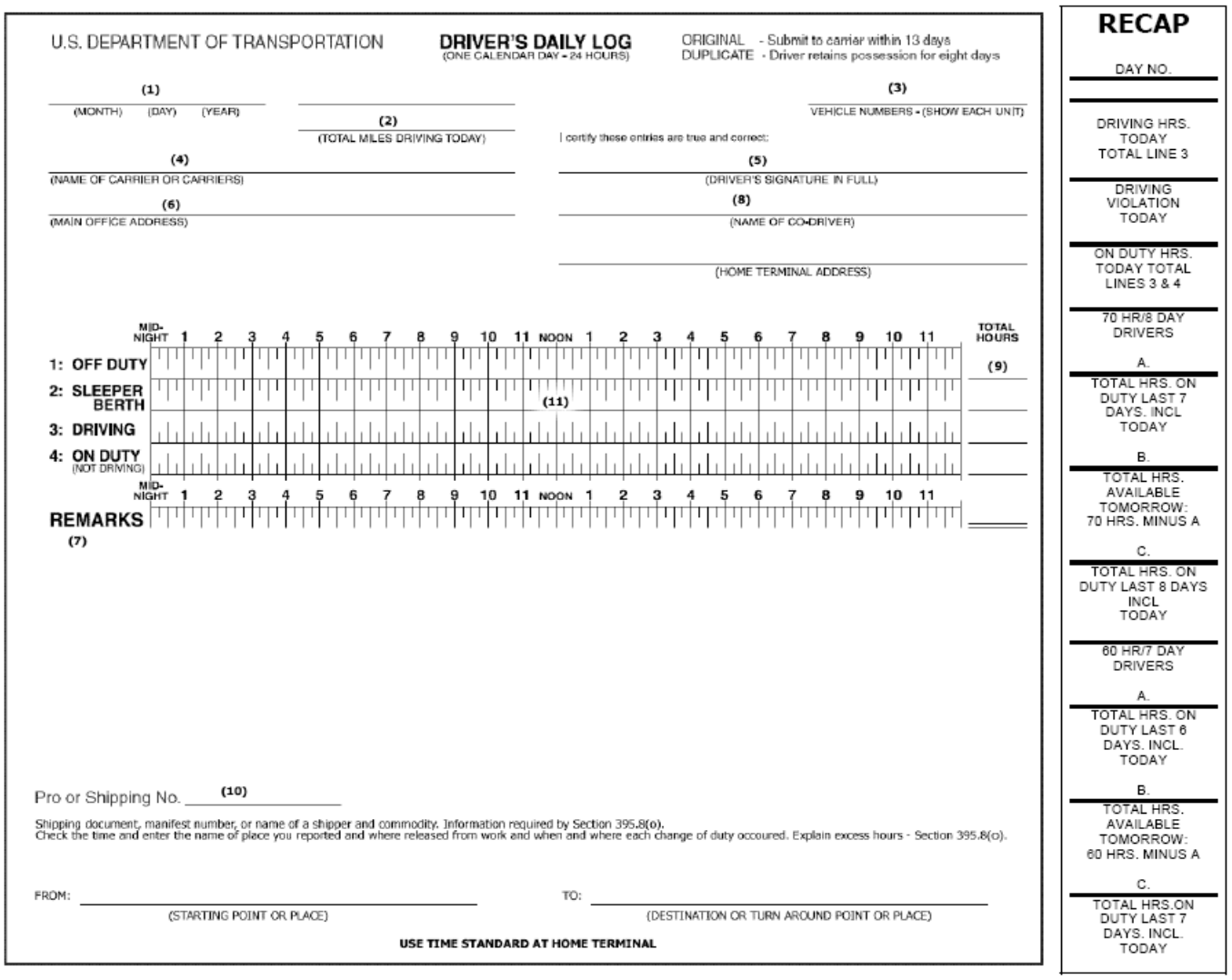
CDL property and passenger drivers are exempt from maintaining the driver's daily log requirements of Section 395.8 if all the following are true:

- The driver operates within a 150 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within 14 consecutive hours.
- Each 14 hours on duty are separated by at least eight consecutive hours of off duty for passenger carriers and 10 consecutive hours off duty for property carriers.
- The driver does not exceed a maximum of 10 hours driving time following eight consecutive hours off-duty for passenger carriers and 11 hours driving time following ten consecutive hours of off-duty for property carriers.
- 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.

Non-CDL 150 Air-Mile Radius Provision

Non-CDL property drivers are exempt from maintaining the driver's daily log requirements of Section 395.8 if all the following are true:

- The driver operates within a 150 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location at the end of their duty tour.
- The driver does not drive
  - After the 14th hour after coming on duty on 5 days of any period of 7 consecutive days.
  - After the 16th hours after coming on duty on 2 days of any period of 7 consecutive days.
  - There is no requirement that the driver be released from duty at the end of the 14 or 16 hour duty periods. The driver may continue to perform non driving duties, which would be counted against the 60/70 hour weekly limitation.
- The 11 hours driving, minimum 10 hours off-duty, 60/70 hours in 7/8 days, and 34 hour restart all apply.
- 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.



Each item, required to be entered, on the Driver's Record of Duty Status is listed below, followed by a cryptic explanation of when the information should be recorded.

(1) **Date** - Entered when the driver first comes on duty.

(2) **Total miles driving today** - Entered at the end of the driver's workday.

(3) **Truck or tractor and trailer number** - Entered just prior to operating the vehicle.

(4) **Name of carrier** - Entered when the driver first comes on duty. The name of the motor carrier may be preprinted.

(5) **Driver's signature/certification** - Entered at the end of the driver's workday.

(6) **Main office address** - Entered when the driver first comes on duty. The address of the motor carrier may be preprinted.

(7) **Remarks** - Entered whenever an event occurs that requires an entry in the remarks section. (Tire check - emergency condition)

(8) **Name of co-driver** - Entered when the co-driver is known (prior to the commencement of driving operations).

(9) **Total hours** - Computed and entered at the end of the driver's workday.

(10) **Shipping document number(s), or name of shipper and commodity** - Entered at the time the trip is assigned to the driver (when loaded).

(11) **24 hour period describing duty status**.

Note: All supporting documents including toll tickets, fuel receipts, scale tickets, etc. must be maintained with duty status records for six months in accordance with 395.8(k)(i).

Daily Hours Of Service

Employee Name/# _____ Month/Year _____

Each day provide the following information:

1. Time you report for work each day.
2. Time you are released from work each day.
3. The total hours worked each day.

Motor carriers are required to comply with the maximum driving and on-duty time.

(see title 49 CFR, section 395.1(e))

Hours of Service (395.1e)					COMMENTS
Date	Start	End	Total	Unit #	
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	:	:			

Daily Hours Of Service & Vehicle Condition Report

Employee Name/# _____

Each day provide the following information:

1. Time you report for work each day
2. Time you end work each day
3. The total hours worked each day

Motor carriers are required to comply with the maximum driving and on-duty time.

Month/Year _____

If vehicle is deficient show # in column below:

0 - NO DEFECTS FOUND

1 - Service Brakes

2 - Parking Brakes

3 - Steering Mechanisms

4 - Lighting Devices & Reflectors

5 - Tires

6 - Horn

7 - Windshield Wipers

8 - Rear Vision Mirrors

9 - Coupling Devices

10 - Wheels & Rims

11 - Emergency Equipment

	Hours of Service (395.1E)					Vehicle Condition Report	Vehicle Condition Report (396.11) Signatures Required		
Date	Start	End	Total Hrs.	Unit #	Trailer #	Explanation of Defects	Driver's Signature	Repairman's Signature	Next Trip Driver's Signature
1	:	:							
2	:	:							
3	:	:							
4	:	:							
5	:	:							
6	:	:							
7	:	:							
8	:	:							
9	:	:							
10	:	:							
11	:	:							
12	:	:							
13	:	:							
14	:	:							

	Hours of Service (395.1e)					Vehicle Condition Report	Vehicle Condition Report (396.11) Signatures Required		
Date	Start	End	Total Hrs.	Unit #	Trailer #	Explanation of Defects	Driver's Signature	Repairman's Signature	Next Trip Driver's Signature
15	:	:							
16	:	:							
17	:	:							
18	:	:							
19	:	:							
20	:	:							
21	:	:							
22	:	:							
23	:	:							
24	:	:							
25	:	:							
26	:	:							
27	:	:							
28	:	:							
29	:	:							
30	:	:							
31	:	:							

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 _____

Part 396

Inspection, Repair and Maintenance

Part 396
Inspection, Repair, and Maintenance

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

General Requirements

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

Record Keeping Requirements

Motor carriers must maintain the following information for every vehicle, including trailers, that 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 (via sale, trade-in, or scrap).

Roadside Inspection Reports

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

Certification of Roadside Inspection Reports

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. A copy must be retained for 12 months from the date of inspection.

Inspection and Maintenance Record

Make_____Year_____ Model_____ VIN No._____

No. of Tires_____Sizes_____Co. Unit No._____

If Leased, Name of Lessor _____

Example of what repair may consist of is lights and reflectors, wheels and tires, running gear and undercarriage, brake system, hoses, tubing, body, etc.

X – O.K., A – Adjustment Made; R – Repairs Made; RP – Replacement Made

Date (MM/DD/YYYY)	Mileage	Lube	Oil	Repair Type	Location	Invoice#	Cost

Nature and Due Date of Inspections/Maintenance Operations to Be Performed

Date	Next Inspection And Maintenance Operation

Equipment, Inspection and Use Pre-Trip Inspection Report

No commercial motor vehicle shall be driven unless the driver is satisfied that the following parts and accessories are in good working order, nor shall any driver fail to use or make use of such parts and accessories when and as needed §392.7:

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

Post-Trip Inspection Report

Commercial motor vehicle drivers must complete a driver vehicle inspection (Post-trip) for each vehicle driven at the end of each driving day when they have either found or been made aware of a vehicle and/or deficiency. 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 discovered, completion of the report is not required. 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.

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. The report does not have to be carried on the vehicle.

EXCEPTIONS: The Post-Trip Inspection Report shall not apply to a private motor carrier of passengers (nonbusiness), a driveaway-towaway operation, or any motor carrier operating only one commercial motor vehicle.

Driver's Vehicle Inspection Report

Beginning Mileage _____

Tractor _____ Date _____ Ending Mileage _____

√	**Check Any Defects Noted Below**		
	Parking (Hand) Brake		Wheels And Rims
	Steering Mechanism		Emergency Equipment
	Lights And Reflectors		Engine
	Tires		Transmission
	Horn		Clutch
	Windshield Wipers		Exhaust
	Rear View Mirrors		Brakes
	Coupling Devices		Cooling And Oil Pressure

Explain In Detail Any Defects Checked (Tractor Only)
If No Defects – Write "None"

Explain In Detail Any Trailer Defects	
Trailer No. _____	Trailer No. _____
I have inspected the above unit and reported all defects known to me.	Driver's Signature Date
I have reviewed the previous report and needed repairs of safety defects on this tractor have been made.	Next Trip Driver's Signature Date
I have made all needed repairs of the defects reported on this unit.	Repairman's Signature Date

Driver's Vehicle Inspection Report

DRIVER _____ TOTAL HOURS _____
TIME OUT _____ TIME RETURNED _____ DATE _____
TRACTOR _____ BEGINNING MILEAGE _____ ENDING MILEAGE _____

√ CHECK ANY DEFECTS NOTED BELOW			
	PARKING (HAND) BRAKE		WHEELS AND RIMS
	STEERING MECHANISM		EMERGENCY EQUIPMENT
	LIGHTS AND REFLECTORS		ENGINE
	TIRES		TRANSMISSION
	HORN		CLUTCH
	WINDSHIELD WIPERS		EXHAUST
	REAR VIEW MIRRORS		BRAKES
	COUPLING DEVICES		COOLING AND OIL PRESSURE

EXPLAIN IN DETAIL ANY DEFECTS CHECKED (TRACTOR ONLY)

IF NO DEFECTS – WRITE "NONE"

EXPLAIN IN DETAIL ANY TRAILER DEFECTS

TRAILER NO. _____	TRAILER NO. _____

I HAVE INSPECTED THE ABOVE UNIT AND REPORTED ALL DEFECTS KNOWN TO ME.	DRIVER'S SIGNATURE	DATE
I HAVE REVIEWED THE PREVIOUS REPORT AND NEEDED REPAIRS OF SAFETY DEFECTS ON THIS TRACTOR HAVE BEEN MADE.	NEXT TRIP DRIVER'S SIGNATURE	DATE
I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE	DATE

DRIVER _____ TOTAL HOURS _____
TIME OUT _____ TIME RETURNED _____ DATE _____
TRACTOR _____ BEGINNING MILEAGE _____ ENDING MILEAGE _____

√ CHECK ANY DEFECTS NOTED BELOW			
	PARKING (HAND) BRAKE		WHEELS AND RIMS
	STEERING MECHANISM		EMERGENCY EQUIPMENT
	LIGHTS AND REFLECTORS		ENGINE
	TIRES		TRANSMISSION
	HORN		CLUTCH
	WINDSHIELD WIPERS		EXHAUST
	REAR VIEW MIRRORS		BRAKES
	COUPLING DEVICES		COOLING AND OIL PRESSURE

EXPLAIN IN DETAIL ANY DEFECTS CHECKED (TRACTOR ONLY)

IF NO DEFECTS – WRITE "NONE"

EXPLAIN IN DETAIL ANY TRAILER DEFECTS

TRAILER NO. _____	TRAILER NO. _____

I HAVE INSPECTED THE ABOVE UNIT AND REPORTED ALL DEFECTS KNOWN TO ME.	DRIVER'S SIGNATURE	DATE
I HAVE REVIEWED THE PREVIOUS REPORT AND NEEDED REPAIRS OF SAFETY DEFECTS ON THIS TRACTOR HAVE BEEN MADE.	NEXT TRIP DRIVER'S SIGNATURE	DATE
I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE	DATE

DRIVER _____ TOTAL HOURS _____
TIME OUT _____ TIME RETURNED _____ DATE _____
TRACTOR _____ BEGINNING MILEAGE _____ ENDING MILEAGE _____

√ CHECK ANY DEFECTS NOTED BELOW			
	PARKING (HAND) BRAKE		WHEELS AND RIMS
	STEERING MECHANISM		EMERGENCY EQUIPMENT
	LIGHTS AND REFLECTORS		ENGINE
	TIRES		TRANSMISSION
	HORN		CLUTCH
	WINDSHIELD WIPERS		EXHAUST
	REAR VIEW MIRRORS		BRAKES
	COUPLING DEVICES		COOLING AND OIL PRESSURE

EXPLAIN IN DETAIL ANY DEFECTS CHECKED (TRACTOR ONLY)

IF NO DEFECTS – WRITE "NONE"

EXPLAIN IN DETAIL ANY TRAILER DEFECTS

TRAILER NO. _____	TRAILER NO. _____

I HAVE INSPECTED THE ABOVE UNIT AND REPORTED ALL DEFECTS KNOWN TO ME.	DRIVER'S SIGNATURE	DATE
I HAVE REVIEWED THE PREVIOUS REPORT AND NEEDED REPAIRS OF SAFETY DEFECTS ON THIS TRACTOR HAVE BEEN MADE.	NEXT TRIP DRIVER'S SIGNATURE	DATE
I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE	DATE

DRIVER _____ TOTAL HOURS _____
TIME OUT _____ TIME RETURNED _____ DATE _____
TRACTOR _____ BEGINNING MILEAGE _____ ENDING MILEAGE _____

√ CHECK ANY DEFECTS NOTED BELOW			
	PARKING (HAND) BRAKE		WHEELS AND RIMS
	STEERING MECHANISM		EMERGENCY EQUIPMENT
	LIGHTS AND REFLECTORS		ENGINE
	TIRES		TRANSMISSION
	HORN		CLUTCH
	WINDSHIELD WIPERS		EXHAUST
	REAR VIEW MIRRORS		BRAKES
	COUPLING DEVICES		COOLING AND OIL PRESSURE

EXPLAIN IN DETAIL ANY DEFECTS CHECKED (TRACTOR ONLY)

IF NO DEFECTS – WRITE "NONE"

EXPLAIN IN DETAIL ANY TRAILER DEFECTS

TRAILER NO. _____	TRAILER NO. _____

I HAVE INSPECTED THE ABOVE UNIT AND REPORTED ALL DEFECTS KNOWN TO ME.	DRIVER'S SIGNATURE	DATE
I HAVE REVIEWED THE PREVIOUS REPORT AND NEEDED REPAIRS OF SAFETY DEFECTS ON THIS TRACTOR HAVE BEEN MADE.	NEXT TRIP DRIVER'S SIGNATURE	DATE
I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE	DATE

Periodic Inspection

Every commercial vehicle, including each segment of a combination vehicle, requires a periodic inspection and must be performed at least once every 12 months. At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix A to Part 396. Carriers may perform required annual inspections themselves. The motor carrier must retain the original or a copy of the periodic inspection report for 14 months from the report date.

Equivalent to Periodic Inspection

The motor carrier may meet periodic inspection requirements through:

- Self-inspection by qualified employee or
- Third party inspection by qualified individual

Documentation of Inspection

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

Inspector Qualification

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

- Understand the inspection standards of Part 396 and Appendix A
- Be able to identify defective components
- Have knowledge and proficiency in methods, procedures, and tools

Inspector Training or Experience

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

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

Brake Inspector Qualification

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.

Qualifications for Brake Inspectors

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

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

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.

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. ☐ YES
CITY, STATE, ZIP CODE	VEHICLE IDENTIFICATION (✓) AND COMPLETE ☐ LIC. PLATE NO. ☐ VIN ☐ OTHER
VEHICLE TYPE ☐ TRACTOR ☐ TRAILER ☐ TRUCK ☐ (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

VEHICLE COMPONENTS INSPECTED

OK	NEEDS REPAIR	REPAIRED DATE	ITEM
			1. BRAKE SYSTEM
			a. Service Brakes
			b. Parking Brake System
			c. Brake Drums or Rotors
			d. Brake Hose
			e. Brake Tubing
			f. Low Pressure Warning Device
			g. Tractor Protection Valve
			h. Air Compressor
			i. Electric Brakes
			j. Hydraulic Brakes
			k. Vacuum Systems
			2. COUPLING DEVICES
			a. Fifth Wheels
			b. Pintle Hooks
			c. Drawbar/Towbar Eye
			d. Drawbar/Towbar Tongue
			e. Safety Devices
			f. Saddle-Mounts
			3. EXHAUST SYSTEM
			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.
			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).
			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.
			4. FUEL SYSTEM
			a. Visible leak
			b. Fuel tank filler cap missing
			c. Fuel tank securely attached
			5. LIGHTING DEVICES All lighting devices and reflectors required by Section 393 shall be operable.
			6. SAFE LOADING
			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.
			b. Protection against shifting cargo
			7. STEERING MECHANISM
			a. Steering Wheel Free Play
			b. Steering Column
			c. Front Axle Beam and All Steering Components Other Than Steering Column
			d. Steering Gear Box
			e. Pitman Arm
			f. Power Steering
			g. Ball and Socket Joints
			h. Tie Rods and Drag Links
			i. Nuts
			j. Steering System
			8. SUSPENSION
			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.
			b. Spring Assembly
			c. Torque, Radius or Tracking Components.
			9. FRAME
			a. Frame Members
			b. Tire and Wheel Clearance
			c. Adjustable Axle Assemblies (Sliding Subframes)
			10. TIRES
			a. Tires on any steering axle of a power unit.
			b. All other tires.
			11. WHEELS AND RIMS
			a. Lock or Side Ring
			b. Wheels and Rims
			c. Fasteners
			d. Welds
			12. WINDSHIELD GLAZING Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
			13. WINDSHIELD WIPERS Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
			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.

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ORIGINAL

A vehicle does not pass an inspection if it has one of the following defects or deficiencies:
1. Brake System.
a. Service Brakes.
(1) Absence of braking action on any axle required to have brakes upon application of the service brakes (such as missing brakes or brake shoe(s) failing to move upon application of a wedge. S cam, cam, or disc brake).
(2) Missing or broken mechanical components including: shoes, lining pads, springs, anchor pins, spiders, cam rollers, push rods, and air chamber mounting bolts.
(3) Loose brake components including air chambers, spiders, and cam shaft support brackets.
(4) Audible air leak at brake chamber (Example ruptured diaphragm, loose chamber clamp, etc.).
(5) Readjustment limits. The maximum stroke at which brakes should be readjusted is given below. Any brake 14, or more past the readjustment limit or any two brakes less than 14, beyond the readjustment limit shall be cause for rejection. Stroke shall be measured with engine off and reservoir pressure of 80 to 90 psi with brakes fully applied.

BOLT TYPE BRAKE CHAMBER DATA

Type	Effective area (sq. in.)	Outside diameter (in.)	Maximum stroke at which brakes should be readjusted
A	12	6 15/16	1 3/8
B	24	9 3/16	1¾
C	16	8 1/16	1¾
D	6	5¼	1¼
E	9	6 3/16	1 3/8
F	36	11	2¼
G	30	9 7/8	2

ROTOCHAMBER DATA

Type	Effective area (sq. in.)	Outside diameter (in.)	Maximum stroke at which brakes should be readjusted
9	9	4 9/32	1½
12	12	4 13/16	1½
16	16	5 13/32	2
20	20	5 15/16	2
24	24	6 13/32	2
30	30	7 1/16	2¼
36	36	7 5/8	2¾
50	50	8 7/8	3

CLAMP TYPE BRAKE CHAMBER DATA

Type	Effective area (sq. in.)	Outside diameter (in.)	Maximum stroke at which brakes should be readjusted
6	6	4½	1¼
9	9	5¼	1 3/8
12	12	5 11/16	1 3/8
16	16	6 3/8	1¾
20	20	6 25/32	1¾
24	24	7 7/32	1¾1
30	30	8 3/32	2
36	36	9	2¼

*(2" for long stroke design).
WEDGE BRAKE DATA . --Movement of the scribe mark on the lining shall not exceed 116 inch.
(6) Brake linings or pads.
(a) Lining or pad is not firmly attached to the shoe;
(b) Saturated with oil, grease, or brake fluid; or
(c) Non steering axles: Lining with a thickness less than 14 inch at the shoe center for air drum brakes, 116 inch or less at the shoe center for hydraulic and electric drum brakes, and less than 18 inch for air disc brakes.
(d) Steering axles: Lining with a thickness less than 14 inch at the shoe center for drum brakes, less than 18 inch for air disc brakes and 116 inch or less for hydraulic disc and electric brakes.
(7) Missing brake on any axle required to have brakes.
(8) Mismatch across any power unit steering axle of:
(a) Air chamber sizes.
(b) Slack adjuster length.
b. Parking Brake System. No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including driveline hand controlled parking brakes.
c. Brake Drum or Rotors.
(1) With any external crack or cracks that open upon brake application (do not confuse short hairline heat check cracks with flexural cracks).
(2) Any portion of the drum or rotor missing or in danger of falling away.
d. Brake Hose.
(1) Hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply). (Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is cause for rejection.
(2) Bulge or swelling when air pressure is applied.
(3) Any audible leaks.
(4) Two hoses improperly joined (such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube).
(5) Air hose cracked, broken or crimped.
e. Brake Tubing
(1) Any audible leak.
(2) Tubing cracked, damaged by heat, broken or crimped
f. Low Pressure Warning Device missing, inoperative, or does not operate at 55 psi and below, or 12 the governor cut out pressure, whichever is less.
g. Tractor Protection Valve. Inoperable or missing tractor protection valve(s) on power unit.
h. Air Compressor.
(1) Compressor drive belts in condition of impending or probable failure.
(2) Loose compressor mounting bolts.
(3) Cracked, broken or loose pulley.
(4) Cracked or broken mounting brackets, braces or adapters.
i. Electric Brakes.
(1) Absence of braking action on any wheel required to have brakes.
(2) Missing or inoperable breakaway braking device.
j. Hydraulic Brakes. (Including Power Assist Over Hydraulic and Engine Drive Hydraulic Booster).
(1) Master cylinder less than 14 full.
(2) No pedal reserve with engine running except by pumping pedal.
(3) Power assist unit fails to operate.
(4) Seeping or swelling brake hose(s) under application of pressure.
(5) Missing or inoperative check valve.
(6) Has any visually observed leaking hydraulic fluid in the brake system.
(7) Has hydraulic hose(s) abraded (chafed) through outer cover to fabric layer.
(8) Fluid lines or connections leaking restricted, crimped, cracked or broken.
(9) Brake failure or low fluid warning light on and/or inoperative.
k. Vacuum Systems. Any vacuum system which:
(1) Has insufficient vacuum reserve to permit one full brake application after engine is shut off.
(2) Has vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover to cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied.
(3) Lacks an operative low vacuum warning device as required.
2. Coupling Devices.
a. Fifth Wheels.
(1) Mounting to frame.
(a) Any fasteners missing or ineffective.
(b) Any movement between mounting components.
(c) Any mounting angle iron cracked or broken.
(2) Mounting plates and pivot brackets.
(a) Any fasteners missing or ineffective.
(b) Any welds or parent metal cracked.
(c) More than 38 inch horizontal movement between pivot bracket pin and bracket.
(d) Pivot bracket pin missing or not secured.
(3) Sliders.
(a) Any latching fasteners missing or ineffective.
(b) Any fore or aft stop missing or not securely attached.
(c) Movement more than 38 inch between slider bracket and slider base.
(d) Any slider component cracked in parent metal or weld.
(4) Lower coupler.
(a) Horizontal movement between the upper and lower fifth wheel halves exceeds 12 inch.
(b) Operating handle not in closed or locked position.
(c) Kingpin not properly engaged.
(d) Separation between upper and lower coupler allowing light to show through from side to side.
(e) Cracks in the fifth wheel plate. Exceptions: Cracks in fifth wheel approach ramps and casting shrinkage cracks in the ribs of the body of a cast fifth wheel.
(f) Locking mechanism parts missing, broken, or deformed to the extent the kingpin is not securely held.
b. Pintle Hooks.
(1) Mounting to frame.
(a) Any missing or ineffective fasteners (a fastener is not considered missing if there is an empty hole in the device but no corresponding hole in the frame or vise versa).
(b) Mounting surface cracks extending from point of attachment (e.g., cracks in the frame at mounting bolt holes).
(c) Loose mounting.
(d) Frame crossmember providing pintle hook attachment cracked.
(2) Integrity.
(a) Cracks anywhere in pintle hook assembly.
(b) Any welded repairs to the pintle hook.
(c) Any part of the horn section reduced by more than 20%.
(d) Latch insecure.
c. Drawbar/Towbar Eye.
(1) Mounting.
(a) Any cracks in attachment welds.
(b) Any missing or ineffective fasteners.
(2) Integrity.
(a) Any cracks.
(b) Any part of the eye reduced by more than 20%.
d. Drawbar/Towbar Tongue.
(1) Slider (power or manual).
(a) Ineffective latching mechanism.
(b) Missing or ineffective stop.
(c) Movement of more than 14 inch between slider and housing.
(d) Any leaking, air or hydraulic cylinders, hoses, or chambers (other than slight oil weeping normal with hydraulic seals).
(2) Integrity.
(a) Any cracks.
(b) Movement of 14 inch between subframe and drawbar at point of attachment.
e. Safety Devices.
(1) Safety devices missing.
(2) Unattached or incapable of secure attachment.
(3) Chains and hooks.
(a) Worn to the extent of a measurable reduction in link cross section.
(b) Improper repairs including welding, wire, small bolts, rope and tape.
(4) Cable.
(a) Kinked or broken cable strands.
(b) Improper clamps or clamping.
f. Saddle Mounts.
(1) Method of attachment.
(a) Any missing or ineffective fasteners.
(b) Loose mountings.
(c) Any cracks or breaks in a stress or load bearing member.
(d) Horizontal movement between upper and lower saddle mount halves exceeds 14 inch.
3. Exhaust System.
a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.
b. A bus exhaust system leaking or discharging to the atmosphere:
(1) Gasoline powered -- excess of 6 inches forward of the rearmost part of the bus.
(2) Other than gasoline powered -- in excess of 15 inches forward of the rearmost part of the bus.
(3) Other than gasoline powered -- forward of a door or window designed to be opened. (Exception: emergency exits).
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.
4. Fuel System.
a. A fuel system with a visible leak at any point.
b. A fuel tank filler cap missing.
c. A fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or brackets (some fuel tanks use springs or rubber bushings to permit movement).
5. Lighting Devices.
All lighting devices and reflectors required by **Section 393** shall be operable.
6. Safe loading.
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.
b. Protection Against Shifting Cargo --Any vehicle without a front end structure or equivalent device as required.
7. Steering Mechanism.
a. Steering Wheel Free Play (on vehicles equipped with power steering the engine must be running)
STEERING WHEEL FREE PLAY
(on vehicles equipped with power steering the engine must be running).

Steering wheel diameter	Manual steering system	Power steering system
16"	2"	4½"
18"	2¼"	4¾"
20"	2½"	5¼"
22"	2¾"	5¾"

b. Steering Column.
(1) Any absence or looseness of U bolt(s) or positioning part(s).
(2) Worn, faulty or obviously repair welded universal joint(s).
(3) Steering wheel not properly secured.
c. Front Axle Beam and All Steering Components Other Than Steering Column.
(1) Any crack(s).
(2) Any obvious welded repair(s).
d. Steering Gear Box.
(1) Any mounting bolt(s) loose or missing.
(2) Any crack(s) in gear box or mounting brackets.
e. Pitman Arm. Any looseness of the pitman arm on the steering gear output shaft.
f. Power Steering. Auxiliary power assist cylinder loose.
g. Ball and Socket Joints.
(1) Any movement under steering load of a stud nut.
(2) Any motion, other than rotational, between any linkage member and it's attachment point of more than ¼ inch.
h. Tie Rods and Drag Links.
(1) Loose clamp(s) or clamp bolt(s) on tie rods or drag links.
(2) Any looseness in any threaded joint.
i. Nuts. Nut(s) loose or missing on tie rods pitman arm, drag link, steering arm or tie rod arm.
j. Steering System. Any modification or other condition that interferes with free movement of any steering component.
8. Suspension.
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. (After a turn, lateral axle displacement is normal with some suspensions. Forward or rearward operation in a straight line will cause the axle to return to alignment).
b. Spring Assembly.
(1) Any leaves in a leaf spring assembly broken or missing.
(2) Any broken main leaf in a leaf spring assembly. (Includes assembly with more than one main spring).
(3) Coil spring broken.
(4) Rubber spring missing.
(5) One or more leaves displaced in a manner that could result in contact with a tire, rim, brake drum or frame.
(6) Broken torsion bar spring in a torsion bar suspension.
(7) Deflated air suspension, i.e., system failure, leak, etc.
c. Torque, Radius or Tracking Components. Any part of a torque, radius or tracking component assembly or any part used for attaching the same to the vehicle frame or axle that is cracked, loose, broken or missing. (Does not apply to loose bushings in torque or track rods.)
9. Frame
a. Frame Members.
(1) Any cracked, broken, loose, or sagging frame member.
(2) Any loose or missing fasteners including fasteners attaching functional component such as engine, transmission, steering gear, suspension, body parts, and fifth wheel.
b. Tire and Wheel Clearance. Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assemblies
c. (1) Adjustable Axle Assemblies (Sliding Subframes). Adjustable axle assembly with locking pins missing or not engaged.
10. Tires.
a. Any tire on any steering axle of a power unit.
(1) With less than 432 inch tread when measured at any point on a major tread groove.
(2) Has body ply or belt material exposed through the tread or sidewall.
(3) Has any tread or sidewall separation.
(4) Has a cut where the ply or belt material is exposed.
(5) Labeled "Not for Highway Use" or displaying other marking which would exclude use on steering axle.
(6) A tube type radial tire without radial tube stem markings. These markings include a red band around the tube stem, the word "radial" embossed in metal stems, or the word "radial" molded in rubber stems.
(7) Mixing bias and radial tires on the same axle.
(8) Tire flap protrudes through valve slot in rim and touches stem.
(9) Regrooved tire except motor vehicles used solely in urban or suburban service (see exception in §393.75(e).
(10) Boot, blowout patch or other ply repair.
(11) Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure.
(12) Tire is flat or has noticeable (e.g., can be heard or felt) leak.
(13) Any bus equipped with recapped or retreaded tire(s).
(14) So mounted or inflated that it comes in contact with any part of the vehicle.
b. All tires other than those found on the steering axle of a power unit:
(1) Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure.
(2) Tire is flat or has noticeable (e.g., can be heard or felt) leak.
(3) Has body ply or belt material exposed through the tread or sidewall.
(4) Has any tread or sidewall separation.
(5) Has a cut where ply or belt material is exposed.
(6) So mounted or inflated that it comes in contact with any part of the vehicle. (This includes a tire that contacts its mate.)
(7) Is marked "Not for highway use" or otherwise marked and having like meaning.
(8) With less than 232 inch tread when measured at any point on a major tread groove.
11. Wheels and Rims.
a. Lock or Side Ring. Bent, broken, cracked, improperly seated, sprung or mismatched ring(s).
b. Wheels and Rims. Cracked or broken or has elongated bolt holes.
c. Fasteners (both spoke and disc wheels). Any loose, missing, broken, cracked, stripped or otherwise ineffective fasteners.
d. Welds.
(1) Any cracks in welds attaching disc wheel disc to rim.
(2) Any crack in welds attaching tubeless demountable rim to adapter.
(3) Any welded repair on aluminum wheel(s) on a steering axle.
(4) Any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the steering axle.
12. Windshield Glazing.
(Not including a 2 inch border at the top, a 1 inch border at each side and the area below the topmost portion of the steering wheel.) Any crack, discoloration or vision reducing matter except: (1) coloring or tinting applied at time of manufacture; (2) any crack not over 14 inch wide, if not intersected by any other crack; (3) any damaged area not more than 34 inch in diameter, if not closer than 3 inches to any other such damaged area; (4) labels, stickers, decalcomania, etc. (see §393.60 for exceptions).
13. Windshield Wipers.
Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.

Comparison of Appendix G, and the new North American Uniform Driver Vehicle Inspection Procedure (North American Commercial Vehicle Critical Safety Inspection Items and Out Of Service Criteria)
The vehicle portion of the FHWA's North American Uniform Driver Vehicle Inspection Procedure (NAUD VIP) requirements, CVSA's North American Commercial Vehicle Critical Safety Inspection Items and Out Of Service Criteria and Appendix G of subchapter B are similar documents and follow the same inspection procedures. The same items are required to be inspected by each document. FHWA's and CVSA's out of service criteria are intended to be used in random roadside inspections to identify critical vehicle inspection items and provide criteria for placing a vehicle(s) out of service. A vehicle(s) is placed out of service only when by reason of its mechanical condition or loading it is determined to be so imminently hazardous as to likely cause an accident or breakdown, or when such condition(s) would likely contribute to loss of control of the vehicle(s) by the driver. A certain amount of flexibility is given to the inspecting official whether to place the vehicle out of service at the inspection site or if it would be less hazardous to allow the vehicle to proceed to a repair facility for repair. The distance to the repair facility must not exceed 25 miles. The roadside type of inspection, however, does not necessarily mean that a vehicle has to be defect free in order to continue in service.
In contrast, the Appendix G inspection procedure requires that all items required to be inspected are in proper adjustment, are not defective and function properly prior to the vehicle being placed in service.
Differences Between the Out Of Service Criteria & FHWA's Annual Inspection
1. Brake System.
The Appendix G criteria rejects vehicles with any defective brakes, any air leaks, etc. The out of service criteria allows 20% defective brakes on non steering axles and a certain latitude on air leaks before placing a vehicle out of service.
2. Coupling Devices.
Appendix G rejects vehicles with any fifth wheel mounting fastener missing or ineffective. The out of service criteria allows up to 20% missing or ineffective fasteners on frame mountings and pivot bracket mountings and 25% on sliderlatching fasteners. The out of service criteria also allows some latitude on cracked welds.
3. Exhaust System.
Appendix G follows Section **393.83** verbatim. The CVSA out of service criteria allows vehicles to exhaust forward of the dimensions given in Section **393.83** as long as the exhaust does not leak or exhaust under the chassis.
4. Fuel System.
Same for Appendix G and the out of service criteria.
5. Lighting Devices.
Appendix G requires all lighting devices required by section **393** to be operative at all times. The out of service criteria only requires one stop light and functioning turn signals on the rear most vehicle of a combination vehicle to be operative at all times. In addtion one operative head lamp and tail lamp are required during the hours of darkness.
6. Safe Loading.
Same for both Appendix G and the out of service criteria.
7. Steering Mechanism.
Steering lash requirements of Appendix G follows the new requirements of **§393.209** .
8. Suspension.
Appendix G follows the new requirements of **§393.207** which does not allow any broken leaves in a leaf spring assembly. The out of service criteria allows up to 25% broken or missing leaves before being placed out of service.
9. Frame.
The out of service criteria allows a certain latitude in frame cracks before placing a vehicle out of service. Appendix G follows the new requirements of **§393.201** which does not allow any frame cracks.
10. Tires.
Appendix G follows the requirements of **§393.75** which requires a tire tread depth of 432 inch on power unit steering axles and 232 inch on all other axles. The out of service criteria only requires 232 inch tire tread depth on power unit steering axles and 132 inch on all other axles.
11. Wheel and Rims.
The out of service criteria allows a certain amount latitude for wheel and rim cracks and missing or defective fasteners. Appendix G meets the requirements of the new **§393.205** which does not allow defective wheels and rims non effective nuts and bolts.
12. Windshield Glazing.
The out of service criteria places in a restricted service condition any vehicle that has a crack or discoloration in the windshield area lying within the sweep of the wiper on the drivers side and does not address the remaining area of the windshield. Appendix G addresses requirements for the whole windshield as specified in **§393.60**
13. Windshield Wipers.
Appendix G requires windshield wipers to be operative at all times. The out of service criteria only requires that the windshield wiper on the driver's side to be inspected during inclement weather.

Periodic Inspector Qualification Certification

I,_____, hereby certify that I am knowledgeable in the requirements for performing an annual vehicle inspection and I can identify defective components in compliance with the regulations of the U.S. Department of Transportation for annual vehicle inspections contained in 49 CFR Part 396 Appendix A. I hereby agree to comply with all such regulations governing annual vehicle inspections.

A qualified inspector must meet one or more of the following requirements. Please check those applicable.

_____Successfully completed a state or federal sponsored training program, which qualifies me to perform a commercial vehicle safety inspection.

_____One year of training and/or experience in truck manufacturer of similar commercially sponsored training designed to train in truck operation and maintenance.

_____One year experience as a mechanic or inspector in a motor carrier maintenance program.

_____One year experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility.

_____One year experience as a commercial vehicle inspector for a state, provincial or federal government.

_____
Signature of Mechanic/Inspector

I, _____, hereby certify that_____has met the requirements for a qualified inspector to perform the annual vehicle inspection in compliance with the regulations of the U.S. Department of Transportation for qualified inspectors contained in 49 CFR Section 396.19.

Dated this_____day of_____, 20_____.

_____
Signature of Owner/Supervisor

Brake Inspector Qualification Certification

I, _____, hereby certify that I am knowledgeable and understand the requirements for performing the brake service or inspection task and I can identify the defective components in compliance with the regulations of the U.S. Department of Transportation for brake service or inspection tasks contained in 49 CFR Part 396 Appendix A. I hereby agree to comply with all such regulations governing the annual brake service and inspection tasks.

A qualified inspector must meet one or more of the following requirements. Please check those applicable.

_____Has successfully completed an apprenticeship program sponsored by a State, Canadian province, Federal Agency or a labor union.
_____Has successfully completed a training program approved by a state, federal agency.
_____Has a certificate from a State or Canadian province qualifying me to perform the assigned brake service or inspection task.
_____Has brake related training or experience or a combination totaling at least one year.

Such training may consist of:
_____Participation in a training program sponsored by a brake or vehicle manufacturer or similar commercial training program designed to train students in brake maintenance or inspection similar to the assigned brake service or inspection tasks.
_____Experience performing brake maintenance or inspection similar to the assigned brake service or inspection task in a motor carrier maintenance program.
_____Experience performing brake maintenance or inspection similar to the assigned brake service or inspection task at a commercial garage, fleet leasing company or similar facility.
_____Has passed the air brake knowledge and skills test for a Commercial Driver's License.

_____
Signature of Brake Inspector

I,_____, hereby certify that_____ has met the requirements for a qualified inspector to perform the brake service or inspection task in compliance with the regulations of the U.S. Department of Transportation for qualified inspectors contained in 49 CFR Section 396.25

Dated this_____ day of_____, 20_____.

_____
Signature of Owner/Supervisor

Transportation of Hazardous Materials

Transportation of Hazardous Materials

Do you transport hazardous materials?

Hazardous materials are any substances defined by the Secretary of Transportation as posing an unreasonable risk to health and safety or property. Most people recognize gasoline, propane, or dynamite as being hazardous materials, but did you know that common materials such as paint, nail polish remover, adhesives, cleaning compounds, hair spray, matches, and others may be classified as hazardous materials? It is important to know if you are transporting hazardous materials because violations of the Hazardous Materials Regulations (HMR) carry civil fines of up to $32,500 and possible criminal penalties including up to five years in jail. Hazardous materials fall into one of the following basic classes and divisions:

Explosives 1.1	Non-Flammable Gas, 2.2	Organic Peroxide, 5.2
Explosives 1.2	Poison Gas, 2.3	Poison Liquid or Solid, 6.1
Explosives 1.3	Flammable & Combustible Liquids, 3	Infectious Substance, 6.2
Explosives 1.4	Flammable Solids, 4.1	Radioactive, 7
Explosives 1.5	Spontaneously Combustible, 4.2	Corrosive, 8
Explosives 1.6	Dangerous When Wet, 4.3	Miscellaneous, 9
Flammable Gas 2.1	Oxidizer, 5.1	Consumer Commodities, ORM-D

To determine if a material you are transporting is hazardous, contact the shipper who provided the material or see the definitions of these materials in the hazardous materials regulations.

What do I need to do if I transport Hazardous Materials?

A motor carrier that transports a hazardous material, whether interstate or intrastate, must comply with the Federal Hazardous Materials Regulations, 49 CFR 100-180. These regulations include requirements including registration, training, shipping papers, labels, placards, and packages. In addition, there are additional requirements in the Federal Motor Carrier Safety Regulations, which include insurance requirements, operational restrictions, commercial driver's license endorsements, routing, parking, and attendance requirements for hazardous materials.

What Are the Fees Associated With Transporting Hazardous Materials?

For those registrants not qualifying as a small business or not-for profit organization, PHMSA is increasing the annual fee from $975 (plus a $25 administrative fee) to $2,575 (plus a $25 administrative fee) for registration year 2010–2011 and following years. Registration is available on line at the following website: www.phmsa.dot.gov

Effective date of this final rule is **April 29, 2010.**

Hazmat Training

Introduction

The purpose of this training is to ensure that each hazmat employer trains its hazmat employees regarding safe loading, unloading, handling, storing and transporting of hazardous materials and emergency preparedness for responding to accidents or incidents involving the transportation of hazardous materials.

Definitions

Hazmat Employer:

A. A person who employs or uses at least one hazmat employee on a full-time, part-time, or temporary basis;
B. A person who is self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting materials in commerce;
C. A department, agency, or instrumentality of the United States Government, or an authority of a State, political subdivision of a State, or an Indian tribe; and who:

- Transports hazardous materials in commerce;
- Causes hazardous material to be transported or shipped in commerce; or
- Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs or tests a package, container, or packaging component that is represented, marked, certified, or sold by that person as qualified for use in transporting hazardous materials in commerce;
- Representing, marking, certifying, selling, offering, reconditioning, testing, repairing, or modifying containers, drums, or packagings as qualified for use in the transportation of hazardous materials.

Hazmat Employee:

A. A person employed on a full-time, part-time, or temporary basis by a hazmat employer and in the course of such employment directly affects hazardous materials transportation safety.
B. Self-employed (including an owner-operator of a motor vehicle, vessel, or aircraft) transporting hazardous materials in commerce and in the course of such self-employment directly affects hazardous materials transportation safety.
C. A railroad signalman; or
D. A railroad maintenance-of-way employee who:

- Loads, unloads, or handles hazardous materials;
- Designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce;
- Prepares hazardous materials for transportation;
- Is responsible for safety of transporting hazardous materials;
- Operates a vehicle used to transport hazardous materials.

Examples of who will be required to be trained are:

- A person determining if a material is a hazardous material;
- A person who designs, produces and/or sells a packaging for hazardous materials;
- A person determining proper packaging for a hazardous material;
- A person who puts the hazardous material in the package;
- A person who marks and labels the package;
- A person who fills out shipping papers;
- A person who loads or unloads hazardous materials;
- A person who moves the packaging in a warehouse during the course of transportation;
- A person who operates a vehicle transporting the material;
- A railroad signalman; or
- A railroad maintenance-of-way employee.

Part 172
Subpart H Training

Training for a hazmat employee must be completed within 90 days after employment. Each hazmat employee must again receive the required training at least once every three years.

Training Requirements

Four/*Five Categories of training for highway mode:

- General Awareness/Familiarization Training

  Each hazmat employee shall be provided general awareness/familiarization training designed to provide familiarity with the requirements of this subchapter, and to enable the employee to recognize and identify hazardous materials consistent with the hazard communication standards of this subchapter.
- Function Specific Training

  Each hazmat employee shall be provided functionspecific training concerning requirements of this subchapter, or exemptions issued under subchapter A of this chapter, which are specifically applicable to the functions the employee performs.

  Safety Training

  Each hazmat employee shall receive safety training concerning-

  (i) Emergency response information required by subpart G of Part 172;

  (ii) Measures to protect the employee from the hazards associated with hazardous materials to which they may be exposed in the work place, including specific measures the hazmat employer has implemented to protect employees from exposure; and

  (iii) Methods and procedures for avoiding accidents, such as the proper procedures for handling packages containing hazardous materials.
- Security Awareness Training

  Each hazmat employee must receive training that provides an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security. This training must also include a component covering how to recognize and respond to possible security threats. New hazmat employees must receive the security awareness training required by this paragraph within 90 days after employment.
- *In-Depth Security Training (Only when required to have a Security Plan, see 172.800)

  Each hazmat employee of a person required to have a security plan in accordance with subpart I of this part must be trained concerning the security plan and its implementation. Security training must include company security objectives, responsibilities, actions to take in the event of a security breach, and the organizational security structure.

Initial and Recurrent Training - (To be done within 90 days of hire.)

- Responsibility of Hazmat Employer.
- The Records Shall Include:
  1. Employee's name;
  2. Training completion date;
  3. Description of materials used for training;
  4. Name and address of person providing training;
  5. Certification that employee has been trained and tested.

Applicability & Responsibility for Training

- Hazmat employer to ensure each of its employees are trained.
- Hazmat employee cannot perform any hazardous material function unless trained.
- Training may be provided by public or private source.

Hazardous Materials Transportation Security Requirements Subpart I – Security Plans

This subpart prescribes requirements for development and implementation of plans to address security risks related to the transportation of hazardous materials in commerce.

Security Plans: 172.800

Each person who offers for transportation in commerce or transports in commerce one or more of the following hazardous materials must develop and adhere to a security plan for hazardous materials that conforms to the requirements of this subpart:

Security Plan Requirements Starting 04/08/10

Listed below by Class/Division are the hazardous materials and thresholds subject to security planning under this final rule. The phrase ''large bulk quantity,'' as used in the following table, refers to a quantity greater than 6,614 pounds for solids or 792 gallons for liquids and gases in a single packaging such as a cargo tank motor vehicle, portable tank, tank car, or other bulk container.

1.1 Any quantity.
1.2 Any quantity.
1.3 Any quantity.
1.4 Placarded quantity.
1.5 Placarded quantity.
1.6 Placarded quantity.
2.1 A large bulk quantity.
2.2 A large bulk quantity of materials with an oxidizer subsidiary.
2.3 Any quantity.
3 PG I and II in a large bulk quantity.
4.1 Placarded quantity desensitized explosives.
4.2 PG I and II in a large bulk quantity.
4.3 Any quantity.
5.1 A large bulk quantity of Division 5.1 materials in PG I and II perchlorates, ammonium nitrate, ammonium nitrate fertilizers, or ammonium nitrate emulsions or suspensions or gels.
5.2 Any quantity of Organic peroxide, Type B, liquid or solid, temperature controlled.
6.1 Any quantity PIH or a large bulk quantity of a material that is not a PIH.
6.2 CDC or USDA list of select agents.
7 IAEA Categories 1 & 2; HRCQ; known radionuclides in forms listed as RAM–QC by NRC; or a quantity of uranium hexafluoride requiring placarding under §172.505(b).
8 PG I in a large bulk quantity.

Therefore, in this final rule shippers and carriers of oxygen and other Division 2.2 compressed gases with a subsidiary hazard of Division 5.1 oxidizer, in quantities greater than 793 gallons in a single package or container, are required to develop and implement security plans. A list of Division 2.2 oxidizing gases that are authorized for transportation in large bulk quantities is provided below.

Air, refrigerated liquid, (cryogenic liquid) 2.2 UN1003 2.2, 5.1
Air, refrigerated liquid, (cryogenic liquid) non-pressurized 2.2 UN1003 2.2, 5.1
Compressed gas, oxidizing, n.o.s. 2.2 UN3156 2.2, 5.1
Gas, refrigerated liquid, oxidizing, n.o.s. (cryogenic liquid) 2.2 UN3311 2.2, 5.1
Liquefied gas, oxidizing, n.o.s. 2.2 UN3157 2.2, 5.1
Nitrous oxide 2.2 UN1070 2.2, 5.1
Nitrous oxide, refrigerated liquid 2.2 UN2201 2.2, 5.1
Oxygen, compressed 2.2 UN1072 2.2, 5.1
Oxygen, refrigerated liquid (cryogenic liquid) 2.2 UN1073 2.2, 5.1

Components of a Security Plan: 172.802

Every motor carrier should evaluate the level of security and safety within their own system, including at a minimum the following:

General Security Information

- A security plan which includes:
  - Personnel Security
  - Hazardous materials and package control
  - En route security
  - Technical innovations
  - Management prerogatives
  - Communications
  - Reassessment based upon current conditions
- Recommend that management encourage input and participation in the development and implementation of the company's security program.

Personnel Security

- Understand any employee could pose a security risk.
- Implement a method for security identification (i.e. ID Badges). Identification should include the employee name, the company name, the employee's picture, and a phone number where the employee's identification can be confirmed.
- Review the list of drivers and request the required number of driver qualification files for review.
- Comply with the investigation and inquiry requirements of 49 CFR Section 391.23. Discuss with the company official any additional checks made, such as criminal background checks, personal reference checks, credit checks, etc.
- When reviewing the contents of driver qualification files, pay particular attention to:
  - Gaps in employment
  - Frequent job shifts
  - All names used by the applicant
  - Type of military discharge
  - Citizenship
  - Present and prior residence information
  - Personal references
  - Criminal history
- Comply with the Immigration Reform and Control Act of 1986. All I-9 forms must be properly completed and maintained for all employees.
- Use face-to-face interviews of prospective employees, to obtain information to help to appraise the applicants' personality, character, motivation, honesty, integrity, and reliability.
- Any information or suspicious activity discovered during the review of these files should be reported immediately to your state's Homeland Security or the state or local Department of Transportation office for possible referral to a local FBI office.

Hazardous Materials and Package Controls

Security enhancements that might be considered:

- Are the facility grounds adequately lighted?
- Are hazardous materials located in a secure area?
- Are transport vehicles located in a secure area?
- Is the access to hazardous materials limited and/or monitored (sign-in/sign out)?
- Consider requiring employee identification cards/badges.
- Consider other protective measures, such as, security alarms, video surveillance, security services, etc.
- Consider if a guard force is appropriate (DOD Shipments, PIH, RAM, other).
- Require records for removal of HM from secure locations.
- Reinforce, with employees, the importance to remain aware of their surroundings at all times.
- Recommend standard procedures for control of HM packages, educating all employees on package control measures. Post procedures prominently at appropriate locations.
- Know who you are dealing with, including shippers, receivers and vendors that service your facility.
- Limit and track keys/entry cards, paying special attention to those issued to employees that are no longer with the company.

En Route Security

- Avoid high population centers, including downtown and/or metropolitan areas, tunnels and bridges where possible (see 49 CFR 397.67).

- Ensure that all hazardous materials are delivered expeditiously.
- Instruct drivers to lock vehicles when in transit or unattended.
- Reinforce attendance and parking rules in 49 CFR Part 397.
- Drivers must be aware of vehicles that may be following their truck and strangers asking inappropriate questions.
- Be suspicious of individuals asking you to stop as a result of an alleged traffic accident. If unsure whether the accident occurred, drive to a police station or to a well-lit busy location before stopping.
- Be cautious about stopping to help stranded motorists or at accident scenes. If possible, call the State Police instead.
- Do not pick up hitchhikers.
- Do not discuss the nature of the cargo at coffee shops, trucks, over the CB radio, etc.
- Drivers must remain aware of their surroundings at all times.
- Drivers should have a means to maintain communication with the company, such as, cell phones, 2-way radios, CBs, satellite communication systems, etc.

Technical Innovations

- Make yourself aware of technical innovations that could assist in security such as cell phones, satellite tracking, and surveillance systems.
- Look at state of the art locks and seals.
- Are access control systems appropriate?
- Consider tamper proof locking features for fifth wheels (so that trailers can't be stolen).
- Consider installing electronic engine controls that require a code, in addition to a key, to start a vehicle.
- Consider theft prevention devices, steering locks, fuel cut-off switches, electrical cut-off switches, and other high security ignition devices.

Management Prerogatives

- Include fingerprinting and photographs of applicants in the employment process.
- Be aware of personal identity theft such as using stolen social security numbers, references, etc.
- Consider running criminal background checks.
- Consider implementing security training for employees that includes:
  - Company security objectives
  - Specific security procedures
  - Employee responsibility
  - Organizational security structure

Communications

- Develop a communications network with others in the industry in an effort to share information to determine if there is a pattern of activities that, when taken alone are not significant, but when taken as a whole generate concern.
- Develop a means of communication within the physical plant and the vehicle (cell phones, satellite tracking, radios, etc.) Is the system capable of reaching all key personnel?
- Security messages should be presented to employees in various methods such as newsletters, bulletin boards, etc.

Readjustment Based Upon Current Conditions

- Emphasize that terrorist activities tend to happen in groups. Security should be heightened if new attacks begin.
- Increase security measures while the U.S. is involved in military activities in foreign countries.
- Increase security measures when the U.S. is at a heightened state of alert.

Other

- Suspicious activities should immediately be reported by telephone, using 311 or 911, as appropriate.

Part 177
Transportation By Highway

- Driver Training (177.816)

Guide For Hazardous Material Shipping Papers

Use Of Guide
This guide is designed for In-house use when reviewing hazardous material shipping paper requirements. However, this document should not be used to determine compliance with the U.S. DOT Hazardous Materials Regulations (HMR).

1. Definitions

A. Shipping Paper - (49 CFR 171) A shipping paper is a shipping order, bill of lading, manifest, or other shipping document serving a similar purpose and containing the information required by 49 CFR 182.201, 172.202 and 172.204.

B. The terms "dangerous goods" and "hazardous materials" are considered synonymous.

Shipper's Responsibility
(49 CFR 172.200(a))

The person offering a hazardous material for transport has the responsibility to properly prepare the shipping paper. (See also 173.22)

A. Contents - When describing a hazardous material on a shipping paper, that description must conform to the following requirements:

1) When a hazardous material and other materials are both described on the same shipping paper, the hazardous material description entries:
   a) Must be entered first, or
   b) Must be entered in a contrasting color (or highlighted in a contrasting color - for reproduced copies of the shipping paper only), or
   c) Must be identified by the entry "X" placed before the proper shipping name in a column captioned "HM". The "X" may be replaced by "RQ" (Reportable Quantity), if appropriate.
2) The required shipping description on the original shipping paper and all copies must be legible and printed (manually or mechanically) in English.
3) The required description may not contain any code of abbreviation, unless it is specifically authorized or required, such as "UN", United Nations, "NA", North America, or "Ltd. Qty.", Limited Quantity.
4) A shipping paper may contain additional information concerning the material provided the information is not inconsistent with the required description. The additional information must be placed after the basic description required by 49 CFR 172.202(a).
5) A copy of the shipping paper must be retained for two years after provided to the carrier.
   a) Each person who provides a shipping paper must retain a copy of the shipping paper required by 172.200(1), or an electronic image thereof, that is accessible at or through its principal place of business and must make the shipping paper available, upon request, to an authorized official of a Federal, State, or local government agency at reasonable times and locations. For a hazardous waste, the shipping paper copy must be retained for 3 years after the initial carrier accepts the material. For all other hazardous materials, the shipping paper must be retained for 2 years after the initial carrier accepts the material. Each shipping paper copy must include the date of acceptance by the initial carrier, except that, for rail, vessel, or air shipments, the date on the shipment waybill, airbill, or bill of lading may be used in place of the date of acceptance by the initial carrier.

Hazardous Materials Description
(49 CFR 172.202)

The shipping description of a hazardous material on a shipping paper must include the following:

A. The identification number for the material (preceded by "UN" or "NA", as appropriate 49 CFR 172.202(a)(3)).
B. Proper shipping name - MAY NOT BE ABREVIATED (49 CFR 172.101 Hazardous Materials Table or 172.102 Optional HMT).
C. The hazard class & subsidiary class or division of the material (See 49 CFR 172.202(a)(2)).

D. Packing Group (If Applicable)
E. The total quantity by weight (net or gross, as appropriate) or volume, including the unit of measure, of the hazardous material, except for empty packaging, cylinders if compressed gases, and packaging of greater than 119 gallons capacity.
F. Except as otherwise provided in the regulations, the basic description must be in the sequence shown in the 49 CFR 172.101 Hazardous Materials Table. For example: UN1090, Acetone, 3, PGII
G. The total quantity of the material covered by one description must appear before or after (or both before and after) the basic description.
    1) The number and type of packages must be indicated. Abbreviations may be used to specify the type of packaging or units of measure. ((Section 172.202(a)(6)) requires the number and types of packages to be indicated on shipping papers.
H. Technical names for N.O.S. and other generic descriptions (172.203(k)). If the material is described on a shipping paper by one of the proper shipping names identified by the letter "G" in Column (1) of the 172.101 Table, the technical name of the hazardous material must be entered in parentheses in association with the basic description as follows: Example: "3, N.O.S., UN 1993, PGI, (Acetone)".

Additional Description Requirements

(49 CFR 172.203) ALL MODES

A. Special permits - Each shipping paper issued in connection with shipment made under a special permit must bear the notation "DOT-SP" followed by the special permit number assigned and located so that the notation is clearly associated with the description to which the special permit applies. Each shipping paper issued in connection with a shipment made under an exemption or special permit issued prior to October 1, 2007, may bear the notation "DOT-E" followed by the number assigned and so located that the notation is clearly associated with the description to which it applies.
B. Place the exemption number adjacent to the description to which the exemption applies. See 172.203(a).
C. Limited Quantities - Descriptions for materials defined as "Limited Quantities" must include the words "Limited Quantities" or "Ltd. Qty" following the basic description. See 172.203(b).
D. Hazardous Substances 172.203(c)
    1) If the proper shipping name (for a material that is a hazardous substance) does not identify the hazardous substance by name, the following shall be entered, in parentheses, in association with the basic description:
        a) Name of the hazardous substance from the Appendix to the 172.101 Hazardous Materials Table or
        b) For waste streams, the waste stream number.
    2) The letters "RQ" (Reportable Quantity) shall be entered on the shipping paper either before or after the basic description required by 49 CFR 172.202 for each hazardous substance.
E. Radioactive Materials - For additional description requirements refer to 172.203(d).
F. Empty Packaging - See 49 CFR 172.203(e).

G. Technical names for N.O.S. descriptions - See 172.203(k).
H. Marine Pollutants - See 172.203(l).
I. Poisonous Materials - See 172.203(m).
J. Elevated Temperature Material (Hot) - see 172.325.

Carrier Responsibility - Transportation by Highway

A. Shipping Papers (49 CFR 177.817)
    1) General - A carrier may not accept a hazardous material for transportation unless it is accompanied by a shipping paper prepared in accordance with the shipping paper requirements contained in Subpart C of Part 172, 49 CFR 172.200, 172.201, 172.202 and 172.203.
    2) Shipper's Certification - See 172.204.
    3) Accessibility of shipping papers - Each carrier and driver of the vehicle shall ensure that the shipping paper is readily available for inspection and

recognizable by authorities in case of an accident or for inspection:

a) Clearly distinguish the shipping paper if it is carried with other shipping papers or other papers of any kind, by either distinctively tabbing it or having it appear first; and
b) Store the shipping paper as follows:
    i. When the driver is at the controls of the vehicle, within easy reach or visible to anyone entering the vehicle compartment; or
    ii. When the driver is away from the vehicle the shipping papers must be left on the driver's seat or in the door pouch on the driver's side.

4) A copy of the shipping paper must be retained for one year after accepting the Hazardous Materials.
    a) A motor carrier (as defined in Sec. 390.5 of subchapter B of chapter III of subtitle B) using a shipping paper without change for multiple shipments of one or more hazardous materials having the same shipping name and identification number may retain a single copy of the shipping paper, instead of a copy for each shipment made, if the carrier also retains a record of each shipment made, to include shipping name, identification number, quantity transported, and date of shipment.

Emergency Response Information Requirements (172.201(D), Subpart G, 172.600)

A. Emergency response information (172.602)
    1) "Emergency response information" means information that can be used in the mitigation of an incident involving hazardous materials and, as a minimum, must contain the following information:
        a) The basic description and technical name of the hazardous material;
        b) Immediate hazards to health;
        c) Risk of fire or explosion;
        d) immediate precautions to be taken in the event of an accident or incident;
        e) Immediate methods for handling fires;
        f) Initial methods for handling spills or leaks in the absence of fire; and
        g) Preliminary first aid measures.
    2) Form of information. The emergency response information must be:
        a) Printed legibly in English;
        b) Available for use away from package containing the hazardous material; and
        c) Presented with or on the shipping paper.
    3) Maintenance of information - Emergency response information shall be maintained as follows:
        a) Carriers - Each carrier who transports a hazardous material shall maintain the emergency response information in the same manner as prescribed for shipping papers.
        b) Facility operators - Each operator of a facility where a hazardous material is received, stored or handled during transportation, shall maintain the emergency response information whenever the hazardous material is present, and the information must be accessible to facility personnel in the event of an incident involving the hazardous materials.

B. Emergency response telephone number (172.604)
    1) A person who offers a hazardous material for transportation must provide a 24-hour emergency response telephone number, includ - ing the area code, for use in the event of an emergency involving the hazardous materials. The telephone number must be:
        a) Monitored at all times the hazardous material is in transportation, including storage incidental to transportation;
        b) The number of a person who is either knowledgeable of the hazards and characteristics of the hazardous material being shipped and has comprehensive emergency response and incident mitigation information for that material, or has immediate access to a person who possesses such knowledge and information; and
        c) Entered on a shipping paper, as follows:
            i. Immediately following the description of a hazardous material; or

ii. Entered once on the shipping paper in a clearly visible location. It must be indicated that telephone number is for emergency response information (for example: "EMERGENCY CONTACT:"***).

Guide For Placards

Use Of Guide

This guide is designed for in-house use when reviewing hazardous materials placarding requirements. However, this document should not be used to determine compliance with the U.S. DOT Hazardous Materials Regulations (HMR).

Table 1

Category	Placard Name
1.1	Explosive 1.1
1.2	Explosive 1.2
1.3	Explosive 1.3
2.3	Poison Gas
4.3	Dangerous When Wet
5.2 (Type B Temperature Controled)	Organic Peroxide
6.1 (Inhalation Hazard Zone A or B)	Poison Inhalation Hazard
7 (Radioactive yellow III label only)	Radioactive

Table 2

Category	Placard Name
1.4	Explosive 1.4
1.5	Explosive 1.5
1.6	Explosive 1.6
2.1	Flammable Gas
2.2	Non-Flammable Gas
3	Flammable
Combustible Liquid	Combustible
4.1	Flammable Solid
4.2	Spontaneous Combustible
5.1	Oxidizer
5.2	Organic Peroxide
6.1 (PG I or II, other than Zone A or B inhalation hazard)	Poison
6.1 (PG III)	Keep Away from Food
6.2	None
8	Corrosive
9	Class 9
ORM D	None

Note: For details on the uses of Tables 1 and 2, see Section 172.504. For placarding transition chart, see Section 171.14

Materials Of Trade

1. Guidelines

A. Placard any transport vehicle, freight container, or rail car containing any quantity of material listed in Table 1.

B. Materials, which are shipped in bulk packages, such as portable tanks, cargo tanks, or tank cars, must be placarded when they contain any quantity of Table 1 and/or Table 2 material.

C. Motor vehicles or freight containers containing packages which are subject to the "Poison-Inhalation Hazard" shipping paper description of Section 172.203(k)(4), must be placarded POISON in addition to the placards required by Section 172.504 (see Section 172.505).

D. When the gross weight of all hazardous material covered in Table 2 is less than 1001 pounds, no placard is required on a transport vehicle or freight container.

2. Additional Placarding Guidelines

A. A transport vehicle or freight container containing two or more classes of material requiring different placards specified in Table 2 may be placarded DANGEROUS in place of the separate placards specified for each of those classes of material specified in Table 2. However, when 2205 pounds or more of one class of material is loaded therein at one loading facility, the placard specified for that class must be applied. This exception, provided in Section 172.504(b) does not apply to portable tanks, tank cars, or cargo tanks. CAUTION: Check each shipment for compliance with the appropriate hazardous materials regulations - Proper Classification, Packaging, Marking, Labeling, Placarding Documentation - prior to offering shipment.

Materials of Trade means a hazardous material, other than a hazardous waste, that is carried on a motor vehicle —

- For the purpose of protecting the health and safety of the motor vehicle operator or passengers
- For the purpose of supporting the operation or maintenance of a motor vehicle (including its auxiliary equipment) or
- By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business that is other than transportation by motor vehicle

173.6 Materials of Trade Exceptions

When transported by motor vehicle in conformance with this section, a materials of trade is not subject to any other requirements of this subchapter besides those set forth or referenced in this section.

(A)Materials and Amounts

A materials of trade is limited to the following:

(1) A Class 3, 8, 9, Division 4.1, 5.1, 5.2, 6.1, or ORM-D material contained in a packaging having a gross mass or capacity not over—
  (i) 0.5 kg (1 pound) or 0.5 L (1 pint) for a Packing Group I material;
  (ii) 30 kg (66 pounds) or 30 L (8 gallons) for a Packing Group II, Packing Group III, or ORMD material;
  (iii) 1500 L (400 gallons) for a diluted mixture, not to exceed 2 percent concentration, of a Class 9 material.

(2) A Division 2.1 or 2.2 material in a cylinder with a gross weight not over 100 kg (220 pounds), or a permanently mounted tank manufactured to ASME standards of not more than 70 gallon water capacity for a non-liquefied Division 2.2 material with no subsidiary hazard.

(3) A Division 4.3 material in Packing Group II or III contained in a packaging having a gross capacity not exceeding 30 ml (1 ounce).

(4) This section does not apply to a hazardous material that is self-reactive (see 173.124), poisonous by inhalation (see 173.133), or a hazardous waste.

(B) Packaging

(1) Packaging must be leak tight for liquids and gases, sift proof for solids, and be securely closed, secured against movement, and protected against damage.
(2) Each material must be packaged in the manufacturer's original packaging, or a packaging of equal or greater strength and integrity.
(3) Outer packagings are not required for receptacles (e.g., cans and bottles) that are secured against movement in cages, carts, bins, boxes or compartments.
(4) For gasoline, a packaging must be made of metal or plastic and conform to the requirements of this subchapter or to the requirements of the Ocupational Safety and Health Administration of the Department of Labor contained in 29 CFR 1910.106(d)(2) or 1926.152(a)(1).
(5) A cylinder or other pressure vessel containing a Division 2.1 or 2.2 material must conform to packaging, qualification, maintenance, and use requirements of this subchapter, except that outer packagings are not required. Manifolding of cylinders is authorized provided all valves are tightly closed.

(C) Hazard Communication

(1) A non-bulk packaging other than a cylinder (including a receptacle transported without an outer packaging) must be marked with a common name or proper shipping name to identify the material it contains, including the letters "RQ" if it contains a reportable quantity of a hazardous substance.
(2) A bulk packaging containing a diluted mixture of a Class 9 material must be marked on two opposing sides with the four-digit identification number of the material. The identification number must be displayed on placards, orange panels or, alternatively, a white square-on-point configuration having the same outside dimensions as a placard (at least 273 mm (10.8 inches) on a side), in the manner specified in 172.332 (b) and (c) of this subchapter.
(3) A DOT specification cylinder (except DOT specification 39) must be marked and labeled as prescribed in this subchapter. Each DOT-39 cylinder must display the markings specified in 178.65(i).
(4) The operator of a motor vehicle that contains a materials of trade must be informed of the presence of the hazardous material (including whether the package contains a reportable quantity) and must be informed of the requirements of this section.

(D) Aggregate Gross Weight

Except for a materials of trade authorized by paragraph (a)(1)(iii) of this section, the aggregate gross weight of all materials of trade on a motor vehicle may not exceed 200 kg (440 pounds).

(E) Other Exceptions

A materials of trade may be transported on a motor vehicle under the provisions of this section with other hazardous materials without affecting its eligibility for exceptions provided by this section.

Hazardous Materials (HM) Safety Permits

The HM Safety Permitting Program requires carriers of certain hazardous materials to hold an HM Safety Permit issued by the Federal Motor Carrier Safety Administration. Federal hazardous material transportation law, 49 U.S.C. 5101 et seq., was enacted "to provide adequate protection against the risks to life and property inherent in the transportation of hazardous material in commerce ..."

What Hazardous Materials Require An HM Safety Permit?

The following hazardous materials carried in these quantity amounts will require an HM Safety Permit:
1. Radioactive Materials: A highway route-controlled quantity of Class 7 material, as defined in 173.403 of 49 CFR.
2. Explosives: More than 25kg (55 pounds) of a Division 1.1, 1.2 or 1.3 material, or an amount of a Division 1.5 material requiring a placard under Part 172 Subpart F of 49 CFR.
3. Toxic by Inhalation Materials:
   Hazard Zone A: More that one liter (1.08 quarts) per package of a "material poisonous by inhala-

tion," as defined in 171.8 of 49 CFR, that meets the criteria for "hazard zone A," as specified in 173.116(a) or 173.133(a) of 49 CFR.
Hazard Zone B: A "material poisonous by inhalation," as defined in 171.8 of this title, that meets the criteria for "hazard zone B," as specified in 173.116(a) or 173.133(a) of 49 CFR in a bulk packaging (capacity greater than 450 L [119 gallons]).
Hazard Zone C & D: A "material poisonous by inhalation," as defined in 171.8 of this title, that meets the criteria for "hazard zone C," or "hazard zone D," as specified in 173.116(a) of this title, in a packaging having a capacity equal to or greater than 13,248 L (3,500 gallons).

4. Methane: A shipment of compressed or refrigerated liquefied methane or liquefied natural gas or other liquefied gas with a methane content of at least 85% in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases.

Do The Permitting Requirements Apply To Materials That Have Subsidiary Hazards That Fall In The Materials List, Even If Their Primary Hazard Does Not? Example: A Flammable Liquid, Class 3, Has A Subsidiary Poison Inhalation Hazard.

Materials poisonous by inhalation that meet the definitions in 171.8, 173.116(a) and 173.133(a) will require a permit regardless of other hazards the materials may exhibit. Materials will generally not have a subsidiary radioactive or explosive hazard as these hazards would be considered the primary hazard. Liquefied gases must have at least 85% methane content to require a permit, or meet the definitions of materials toxic by inhalation, explosive or radioactive.

Are Shipments Of LPG Covered Under The HM Safety Permit Program?

No. Only shipments of flammable gas containing at least 85% methane content are covered by the HM Safety Permit program.

Is Anhydrous Ammonia Covered Under The HM Safety Permit Program?

Yes, but only when transported internationally as UN1005, ammonia, anhydrous 2.3 Poison Inhalation Hazard or Toxic Inhalation Hazard, Zone D, and in a packaging having a capacity greater than 13,248 L (3,500 gallons).

When Do I Need To Have My HM Safety Permit?

Motor carriers will be required to apply for the HM Safety Permit, or a Temporary HM Safety Permit, the next time they renew their biennial update (fil¬ing the MCS-150). For a motor carrier, such as an intrastate carrier, that has not filed a MCS-150 form, they must hold the HM Safety Permit or a Temporary HM Safety Permit in order to transport the permitted hazardous materials (HM). Only carriers who actually transport a material requiring the Safety Permit are required to go through this process. Carriers no longer will be able to obtain a Safety Permit in the anticipation of the possibility of or with the desire to have to flexibility should the need arise. Should it come to the attention of FMCSA that a carrier no longer transports HM required to have an HMSP, their previously issued permit will be revoked and not be allowed to be retained.

How do I Apply for An HM Safety Permit?

When a motor carrier is required to submit their MCS-150 form, the motor carrier simply completes the MCS-150B form in the place of the MCS-150. This starts the permit application process. If a motor carrier has not previously submitted a MCS-150 form to FMCSA, then they would simply fill out the MCS-150B to start the application process.

Where Can I Obtain The MCS-150B Form?

Hard copies of the MCS-150B are available through each FMCSA District Office.
On-line applications can be completed by visiting the following link: https://www.fmcsa.dot.gov/regulations/hazardous-materials/hazardous-materials-safety-permit-program-hmsp

What Are Carriers Required To Do To Obtain And Keep An HM Safety Permit?

Carriers will be required to:

1. Maintain a "satisfactory" safety rating in order to obtain and hold a safety permit.
2. Maintain their crash rating, and their driver, vehicle, hazardous materials or out-of service rating so they are not in the worse 30 percent of the national average as indicated in FMCSA's Motor Carrier Management Information System (MCMIS).
3. Have a satisfactory security program (and associated training) according to 49 CFR 173.800 in place.
4. Maintain registration with PHMSA (800) 942-6990 or (617) 494-2545.

5. Develop a system of communication that will enable the vehicle operator to contact the motor carrier during the course of transportation and maintain records of these communications.
6. Have written route plan required for radioactive materials set forth in 49 CFR 397.101 and for explosives in Section 397.19 (currently required).
7. Perform a pre-trip inspection (North American Standard (NAS) Level VI Inspection Program for Radioactive Shipments) for shipments containing highway route controlled Class 7 (radioactive) materials.
8. Actively transport a commodity requiring a Safety Permit.

Required To Register?

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Pursuant to Title 49 CFR Part 107, Subpart G (107.601 - 107.620), certain offerors and transporters of hazardous materials, including hazardous waste, are required to file an annual registration statement with the U.S. Department of Transportation and to pay a fee. The fee provides funds for grants distributed to States and Indian tribes for hazardous materials emergency response planning and training. This program began in 1992 and is administered by the Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration (PHMSA).

The Instruction Brochure and Registration Form can be printed from the following link: http://www.hazmat.dot.gov/. This brochure contains extensive information about the registration requirements. You can call (617) 494-2545 or (800) 942-6990 to request additional copies of the brochure and form or to inquire about the status of registrations already submitted and certificates of registration. For questions concerning the program or its requirements, e-mail via the webpage or call (202) 366-4109.

Where can I get more information about Hazardous Materials?

There are many ways to get additional information about safe transportation of hazardous materials. The regulations and interpretations can be found on the Internet at www.hazmat.dot.gov or www.phmsa.dot.gov/hazmat. In addition, the Federal Motor Carrier Safety Administration has developed an informational booklet titled "How to Comply with the Federal Hazardous Materials Regulations" as well as a Spanish/English bi-lingual package which contains general awareness training for hazardous materials. These documents and more information can be found on the FMCSA web site at www.fmcsa.dot.gov/safetyprogs/hm.htm. The department also offers a hazardous materials information hotline at 1-800-HMR-4922. Registration and other hazardous materials questions may also be directed to Pipeline and Hazardous Materials Safety Administration (PHMSA) at (800) 467-4922 or (847) 294-8580 or at the above web site.

Hazardous Waste/Waste Tire

Transporters of Hazardous Waste (includes waste oil, combustible liquids, corrosives, poisons/toxins, flammable liquids, flammable solids, PCB's and infectious waste) are required to have a Hazardous Waste Transporter License Certificate. Transporters of Waste Tires (tires that are no longer suitable for its original intended purpose because of wear, damage, or defect with some exceptions) are required to have a Waste Tire Hauler Permit. The license/permit issued is valid for one year. This registration program allows the state to insure that the environment is protected and that the waste is being properly disposed. Register online @ www.modot.org/mcs or call (866) 831-6277.

Pipeline and Hazardous Materials Administration (PHMSA)
Central Region
2300 East Devon Avenue, Suite 478
Des Plaines, IL 60018
Phone: (847) 294-8580 Fax: (847) 294-8590

Farm Motor Carriers

Motor Carriers of Agricultural Products

Overview

Farmers and producers are mainly concerned with the operation of the farm. If your operation includes moving your commodities, products or supplies by commercial vehicle, you are a motor carrier in addition to being a farmer and may be subject to federal safety regulations. In order to determine the applicability of the safety regulations, we need to consider the following definitions:

Definitions

Interstate commerce is trade, traffic or transportation in the United States between states, or originating in one state and destined in another state, or between two points in a state through another state, or between two places in a state with the origin or destination outside the state.

Intrastate commerce means any trade, traffic or transportation in any state which does not meet the definition of interstate commerce.

Motor carrier is a for-hire motor carrier or a private motor carrier.

For-hire motor carrier means a person engaged in the transportation of goods for compensation.

Private motor carrier means a person who provides transportation of property by commercial motor vehicle and is not a for-hire motor carrier.

Commercial motor vehicle is a vehicle operated in interstate commerce with a Gross Vehicle Weight Rating, Gross Vehicle Weight, Gross Combination Weight Rating or Gross Combination Weight greater than 10,000 pounds, or, is any vehicle used to transport a type or quantity of hazardous materials required to be placarded. This definition is adopted into Missouri state statute and is applicable to vehicles operating in intrastate commerce.

Farmer means any person who operates a farm or is directly involved in the cultivation of land, crops or livestock which are owned or are under the direct control of that person.

Applicability of Federal Motor Carrier Safety Regulations to Farmers

The Revised Statutes of Missouri adopt the Federal Motor Carrier Safety Regulations. This means the FMCSRs apply to both interstate and intrastate commerce. Any vehicle meeting the definition of commercial motor vehicle is subject to the FMCSR. (See the definition on the left side of this page.)

However, as of October 1, 2012, some of the FMCSRs may not apply to **covered farm vehicles,** defined as:

- A motor vehicle owned and operated by a farm or ranch owner, family member or employee, and;
- Used to transport agricultural commodities, livestock, or machinery and supplies to and from the farm or ranch, and;
- Equipped with a special license plate or other designation issued by the state the vehicle is registered in clearly identifying the vehicle is a farm vehicle, and;
- Vehicles with a Gross Vehicle Weight Rating (GVWR) of 26,001 pounds or less are not subject to the requirements for commercial driver's license, drug testing, medical certification, hours of service, and vehicle inspection, repair and maintenance, or;
- Vehicles with a GVWR in excess of 26,001 pounds are not subject to the requirements for commercial driver's license, drug testing, medical certification, hours of service, and vehicle inspection, repair and maintenance when operated within the state or within 150 air-miles from the farm or ranch.

The above exceptions do not apply to a vehicle used in a for-hire operation or used to transport a type or quantity of hazardous materials that must bear a hazmat placard.

Also, a farm plated vehicle licensed for 42,000 pounds or less and operated solely in intrastate commerce is not subject to any part of the FMCSR. Vehicles must only transport the property of the farmer owner of a vehicle displaying an F-plate.

A vehicle with a GVWR OR GCWR of 26,000 or GCWR pounds or less (not identified as a farm vehicle) and operated solely in intrastate commerce is not subject to any part of the FMCSR unless:

- It transports any hazardous material, or;
- It is designed to transport more than 16 passengers including the driver.
- If either of the above apply, the vehicle is subject to the FMCSR when the GVWR or GCWR is over 10,000 pounds and not excepted as a covered farm vehicle.

In order to determine the applicability of the federal safety regulations to your commercial vehicle operations, you need to consider your scope of operation (interstate, intrastate, and distance traveled), the Gross Vehicle Weight Rating of the commercial vehicle and, in some cases, the licensed weight of the vehicle.

The following information will assist you to determine when the federal safety regulations apply:

Part 382 – Controlled Substance and Alcohol Testing

Covered farm vehicle; GVWR 26,001 pounds or less:
- *Interstate commerce* – the requirements for controlled substance testing are not applicable.
- *Intrastate commerce* – the requirements for controlled substance testing are not applicable.

Covered farm vehicle: GVWR exceeds 26,001 lbs:
- *Interstate commerce* – the requirements for controlled substance testing are applicable if the vehicle is operated beyond a 150 air-mile radius (172.6 land miles) of the farm or ranch.
- *Intrastate commerce* – the requirements for controlled substance testing are not applicable.

Farm-plated vehicle licensed at 42,000 pounds or less:
- *Interstate commerce* – the requirements for controlled substance testing is applicable if the vehicle has a GVWR or GCWR in excess of 26,000 pounds, unless subject to any exception for covered farm vehicles.
- *Intrastate commerce* – the requirements for controlled substance testing may not be applicable based on the GVWR or GCWR of the vehicle and any exception for covered farm vehicles.

Vehicles with GVWR or GCWR of 26,000 pounds and less (not identified as a farm vehicle):
- *Interstate commerce* – the requirements for controlled substance testing are not applicable.
- *Intrastate commerce* – the requirements for controlled substance testing are not applicable.

Any vehicle for which a commercial driver's license is required also makes the driver subject to controlled substance and alcohol testing requirements.

Part 383 – Commercial Driver's License

Covered farm vehicle; GVWR 26,001 pounds or less:
- *Interstate commerce* – the requirements for CDL are not applicable
- *Intrastate commerce* – the requirements for CDL are not applicable

Covered farm vehicle: GVWR exceeds 26,001 pounds
- *Interstate commerce* – the requirements for CDL apply to farmers, family members and employees of the farm if the vehicle is operated beyond a 150 air-mile radius (172.6 land miles) of the farm or ranch.
- *Intrastate commerce* – the requirements for CDL are not applicable to farmers, family members and employees of the farm.

Farm plated vehicle; licensed at 42,000 pounds or less:
- *Interstate commerce* – the requirements for CDL apply if the GVWR or GCWR of the vehicle exceeds 26,000 pounds unless subject to exceptions for covered farm vehicle or reciprocity agreements between Missouri and bordering states (does not include Kentucky).
- *Intrastate commerce* – the requirements for CDL do not apply to farmers, family members and employees of the farm.

Vehicles with GVWR or GCWR of 26,000 pounds or less (not identified as a farm vehicle):
- *Interstate and Intrastate commerce* – the requirements for CDL are not applicable.

Part 390 – General Applicability of the Safety Regulations

Covered farm vehicle; GVWR 26,001 pounds or less:

- Interstate commerce – vehicles with GVWR in excess of 10,000 pounds must be marked with USDOT number and legal name or a single trade name on both sides of the vehicle.
- Intrastate commerce – Vehicles are not required to have a USDOT number but must be marked on at least one side of the vehicle with legal name and address (City, MO).

Covered farm vehicle; with GVWR over 26,001 lbs:

- Interstate commerce – vehicles must be marked with USDOT number and legal name or single trade name on both sides of the vehicle.
- Intrastate commerce – Vehicles are not required to have a USDOT number but must be marked on at least one side of the vehicle with legal name and address (City, MO).

Farm plated vehicle licensed at 42,000 pounds or less:

- *Interstate commerce* – USDOT number and legal name or single trade name markings required for vehicles with a GVWR or GCWR in excess of 10,000 pounds.
- *Intrastate commerce* – Vehicles are not required to have a USDOT number but must be marked on at least one side of the vehicle with legal name and address (City, MO).

Vehicles with GVWR or GCWR 26,000 pounds or less (not identified as a farm vehicle):

- *Interstate commerce* – USDOT number and legal name or single trade name markings required for vehicles with a GVWR or GCWR in excess of 10,000 pounds.
- *Intrastate commerce* – Vehicles are not required to have a USDOT number but must be marked on at least one side of the vehicle with legal name and address (City, MO).

Part 391 – Driver Qualification

Covered farm vehicle; GVWR 26,001 pounds or less

- *Interstate and Intrastate commerce* – medical certification for drivers is not required.

Covered farm vehicle; GVWR over 26,001 pounds:

- *Interstate commerce* – drivers required to have a medical certificate if vehicle is operated beyond a 150 air-mile radius (172.6 land miles) of the farm.
- *Intrastate commerce* – drivers are not required to have a medical certificate.

Farm plated vehicle licensed at 42,000 pounds or less:

- *Interstate commerce* – drivers are required medical certification if GVWR or GCWR exceeds 10,000 pounds unless subject to exception for covered farm vehicles.
- *Intrastate commerce* – medical certificate is not required.

Vehicles with GVWR or GCWR 26,000 pounds or less (not identified as a farm vehicle):

- *Interstate commerce* – drivers are required medical certification if GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* – medical certification not required unless GVWR or GCWR exceeds 10,000 pounds and transporting hazardous materials of any kind or quantity.

Drivers operating solely in intrastate commerce are not required to be medically certified if the driver had a valid Missouri chauffeur's license on May 13, 1988.

Medical certification of drivers is a portion of Part 391, other sections of this specific part may be applicable (drivers operating vehicles with GVWR or GCWR over 10,000 pounds in interstate commerce required to be 21 years of age).

Part 392 – Driving Commercial Vehicles

Covered farm vehicle; GVWR 26,001 pounds or less:

- *Interstate commerce* – all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc., if the vehicle GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* - all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc., if the vehicle GVWR exceeds 10,000 pounds, unless subject to another exception.

Covered farm vehicle; GVWR over 26,001 pounds:

- *Interstate and intrastate commerce* – all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc.

Farm plated vehicle licensed at 42,000 pounds or less:
- *Interstate commerce* - all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc., if the vehicle GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* – requirements of Part 392 are not applicable.

Vehicle with GVWR or GCWR 26.000 pounds and less (not identified as a farm vehicle):
- *Interstate commerce* – all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc., if the vehicle GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* - all of Part 392 applies, such as: texting ban; cell phone restriction, radar detector ban; etc., if the vehicle GVWR or GCWR exceeds 10,000 pounds and transporting hazardous material of any type or quantity.

Part 393 – Equipment

Covered farm vehicle; GVWR 26,001 pounds or less:
- *Interstate commerce* – All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc. if the GVWR exceeds 10,000 pounds.
- *Intrastate commerce* - All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc. if the GVWR exceeds 10,000 pounds, unless subject to another exception.

Covered farm vehicle, GVWR over 26,001 pounds:
- *Interstate and intrastate commerce* – All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc.

Farm plated vehicle licensed at 42,000 pounds or less:
- *Interstate commerce* – All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc., if GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* – requirements of Part 393 are not applicable.

Vehicle with GVWR or GCWR 26,000 pounds or less (not identified as a farm vehicle):
- *Interstate commerce* – All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc., if GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* – All of Part 393 is applicable, such as: required lighting; brake systems; emergency equipment (fire extinguisher, reflective triangles); load securement; etc., if GVWR or GCWR exceeds 10,000 pounds and transporting hazardous material of any type or quantity.

Part 395 – Hours of Service

Covered farm vehicle; GVWR 26,001 pounds or less:
- *Interstate commerce* – drivers are not subject to the hours of service or log book requirements.
- *Intrastate commerce* – drivers are not subject to the hours of service or log book requirements.

Covered farm vehicle; GVWR over 26,001 pounds:
- *Interstate commerce* – drivers are subject to the hours of service and log book requirements if vehicle is operated beyond 150 air-mile radius (172.6 land miles) of the farm.
- *Intrastate commerce* – drivers are not subject to the hours of service or log book requirements.

Farm plated vehicle licensed at 42,000 pounds or less:
- *Interstate commerce* – drivers are subject to the hours of service and log book requirements if vehicle GVWR or GCWR exceeds 10,000 pounds, unless subject to covered farm vehicle exception.
- *Intrastate commerce* – drivers are not subject to the hours of service or log book requirements.

Vehicle with GVWR or GCWR of 26,000 pounds or less (not identified as a farm vehicle):
- *Interstate commerce* – drivers are subject to the hours of service and log book requirements if

GVWR or GCWR exceeds 10,000 pounds.
- *Intrastate commerce* – drivers are subject to the hours of service and log book requirements if GVWR or GCWR exceeds 10,000 pounds and if transporting hazardous materials of any type or quantity, unless subject to another exception (see exceptions for agricultural operations).

Other exceptions found in Part 395, such as 100 air-mile radius driver, may be applicable.

Part 396 – Inspection, Repair and Maintenance

Covered farm vehicle; GVWR 26,001 pounds or less:
- *Interstate and intrastate commerce* – annual DOT inspection and daily vehicle inspection requirements are not applicable.

Covered farm vehicle with GVWR over 26,001 pounds:
- *Interstate commerce* – annual DOT inspection and daily vehicle inspection requirements are applicable if vehicle is operated beyond a 150 air-mile radius (172.6 land miles) from the farm.
- *Intrastate commerce* – annual DOT inspection and daily vehicle inspection requirements are not applicable.

Farm plated vehicle licensed at 42,000 pounds or less:
- *Interstate commerce* – annual DOT inspection and daily vehicle inspection requirements apply if the vehicle GVWR or GCWR exceeds 10,000 pounds, unless subject to another exception.
- *Intrastate commerce* – annual DOT inspection and daily vehicle inspection requirements are not applicable.

Vehicle with GVWR or GCWR 26,000 pounds or less (not identified as a farm vehicle):
- *Interstate commerce* – annual DOT inspection and daily vehicle inspection requirements apply if the vehicle GVWR or GCWR exceeds 10,000 pounds, unless another exception applies.
- *Intrastate commerce* – annual DOT inspection and daily vehicle inspection requirements apply if the vehicle GVWR or GCWR exceeds 10,000 pounds and transporting hazardous material of any type or quantity, unless subject to another exception.

Carriers that operate only one vehicle are not required to comply with daily vehicle inspection requirements.

Transportation of Agricultural Commodities and Farm Supplies

Effective October 1, 2012, the hours of service regulations are not applicable to drivers used by motor carriers during planting and harvesting seasons when:

- Transporting agricultural commodities from the source of the commodities within a 150 air-mile (172.6 land miles) radius of the source, or;
- Transporting farm supplies for agricultural purposes from a wholesale or retail distribution point of the supplies to a farm or other location where the farm supplies are intended to be used within a 150 air-mile (172.6 land miles) radius of the distribution point, or;
- Transporting farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a 150 air-mile (172.6 land miles) radius of the wholesale distribution point.

The above exception is limited to hours of service only. The exception does apply to for-hire carriers and the transportation of hazardous materials. Other safety regulations may apply.

Motor Carriers of Passengers

Motor Carriers of Passengers

Historically, the predecessor agencies of the FMCSA only regulated "for-hire" transportation of passengers with a vehicle designed to transport more than 15 passengers, including the driver.

Private motor carriers of passengers (PMCPs) became subject to the FMCSRs on January 1, 1995. They are separated into two groups (business or nonbusiness) and are exempt from certain requirements of the FMCSRs.

For-Hire Carriers

- Any time a passenger carrier receives compensation for transporting passengers, it is considered for-hire. A not-for-profit organization can be a for-hire passenger carrier if the organization receives compensation.
- For-hire does not require the transportation to be available to the public.
- If a trip includes both private passengers and passengers providing compensation, it is a for-hire trip.

Business PMCPs

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose.

Examples of business PMCPs include companies that use buses to transport their own employees and professional musicians who use buses for concert tours.

Non-Business PMCPs

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose.

Examples of non-business PMCPs include churches, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.

North American Standard Out-Of-Service Criteria

Drivers who operate passenger vehicles are required to possess a valid medical certificate or will be declared out-of-service. (391.41(a))

What is a Business PMCP?

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose. Examples include companies that use buses to transport their own employees and professional musicians who use buses for concert tours. Commercial businesses that provide passenger transportation to the general public are not business PMCPs.

Applicability of FMCSRs

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Business Private Motor Carriers of Passengers (PMCPs):

Exemptions

Business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Road test requirements of Part 391

Part	Regulatory Topic	Applicable
380	Special Training Requirements Entry Level Driver Training Requirements	Yes
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Yes
396	Inspection, Repair, and Maintenance	Yes

What is a Non-business PMCP?

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose. Examples of non-business PMCPs include churches, civic organizations, scout groups, and other charitable organizations that may purchase or lease buses for the transportation of their respective groups.

Applicability of FMCSRs

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to non-business Private Motor Carriers of Passengers (PMCPs):

Exemptions

Non-business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Subpart C of Part 391
- Subpart D of Part 391
- Subpart F of Part 391
- Most paper work and record-keeping requirements of Parts 390, 391, 395, and 396

Part	Regulatory Topic	Applicable
380	Special Training Requirements	
	Entry Level Driver Training Requirements	Yes
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Partial
396	Inspection, Repair, and Maintenance	Partial

Applicability of the Minimum Financial Responsibility Regulations to Motor Carriers of Passengers

Applicability

Regulations covering minimum levels of financial responsibility (insurance) are found in 49 CFR Part 387, Subpart B. These regulations are only applicable to "for-hire" carriers transporting passengers in interstate commerce.

The chart below summarizes the applicability of the minimum levels of financial responsibility regulations to passenger carriers.

Exemptions

Minimum Financial Responsibility Regulations do not apply to:

- A motor vehicle transporting only school children and teachers to and from school
- A motor vehicle providing taxicab service, having a seating capacity of less than 7 passengers, and not operating on a regular route or between specified points
- A motor vehicle carrying less than 16 individuals in a single daily round trip to commute to and from work (van pool)

	"For-Hire" Passenger Carrier	Business PCMPs	Non-business PCMPs
Vehicle with a seating capacity of 16 or more	$5,000,000 insurance coverage required	Not Subject	Not Subject
Vehicle with a seating capacity of 15 or less	$1,500,000 insurance coverage required	Not Subject	Not Subject

Common Questions About the Applicability of the FMCSRs to Private Motor Carriers of Passengers (PMCPs)

Are PMCPs required to mark their vehicles as required by 49 CFR Section 390.21?

Yes. All PMCPs must register with the FMCSA as required by 49 CFR Part 385, and mark their vehicle with their name, city and state, and U.S. DOT number.

Are non-business PMCP drivers required to be medically examined?

No. Section 391.68 (a)(4) specifically states that much of Sections 391.41 and 391.45, which require a driver to be medically examined and to have a medical examiner's certificate on his/her person, do not apply to non-business PMCPs. However, non-business PMCP drivers are subject to the minimum physical qualification standards found in Section 391.41 (b) (1)-(13).

Non-business PMCPs should become familiar with the minimum physical qualification standards found in Section 391.41 and the driver waiver conditions of Section 391.49.

Non-business PMCP drivers may be placed out-of-service during terminal, en route, or destination inspections if they are required by Section 391.41 to have a waiver and do not possess one.

Are non-business PMCP drivers subject to the driver's hours of service regulations?

Yes. However, they are not required to prepare or maintain records of duty status. Non-business PMCP driver's hours of service will be evaluated by enforcement officers during terminal, en route, and destination inspections based on evidence available at the inspection location.

It is recognized that some individuals who volunteer to drive for non-business PMCPs may also drive for other motor carriers and in that capacity are required to maintain a record of duty status. All on-duty time performed for a non-business PMCP must be recorded on the records of duty-status submitted to that driver's regularly employing motor carrier.

Are non-business PMCPs required to have their vehicles inspected?

Yes. Section 396.17 requires that commercial motor vehicles be inspected at least once annually. The inspection must be completed by a qualified inspector and must include all components identified in Appendix G of the FMCSRs. Documentation of this inspection must be kept on the vehicle.

Applicability of the Federal Motor Carrier Safety Regulations to School Bus Transportation

Applicability of FMCSRs (Parts 390-399) to School Bus Transportation

	School to Home or Home to School	Extracurricular School Activities
Public School Transporting Students	Not Subject	Not Subject
Private School Transporting Pre-primary, Primary, and Secondary Students	Not Subject	Subject as PMCPs
Private School Transporting Post-secondary Students	Subject as PMCPs	Subject as PMCPs
"For-Hire" Contractors Transporting Pre-primary, Primary, and Secondary Students	Not Subject	Subject as "For-Hire" Carriers
"For-Hire" Contractors Transporting Post-secondary Students	Subject as "For-Hire" Carriers	Subject as "For-Hire" Carriers

Applicability of Minimum Financial Responsibility Part 387 Regulations to School Bus Transportation

	School to Home or Home to School	Extracurricular School Trips Organized and Paid for by the School	Extracurricular School Trips Organized and Paid for by an Independent Group (e.g., Athletic Booster Club)
"For-Hire" Contractors Transporting Pre-primary, Primary, and Secondary Students and Accompanying Teachers	Not Subject	Not Subject	Bus seating capacity of 16 or more: $5,000,000 insurance coverage required Bus seating capacity of 15 or less: $1,500,000 insurance coverage required
"For-Hire" Contractors Transporting Post-secondary Students	Bus seating capacity of 16 or more: $5,000,000 insurance coverage required Bus seating capacity of 15 or less: $1,500,000 insurance coverage required	Bus seating capacity of 16 or more: $5,000,000 insurance coverage required Bus seating capacity of 15 or less: $1,500,000 insurance coverage required	Bus seating capacity of 16 or more: $5,000,000 insurance coverage required Bus seating capacity of 15 or less: $1,500,000 insurance coverage required

Applicability of the Federal Motor Carrier Safety Regulations to Commercial Operators of Small Passenger-Carrying Vehicles

What requirements are applicable to operators of small passenger-carrying commercial motor vehicles?

Interstate passenger carriers are subject to the Safety Regulations if the vehicle is:

- Designed or used to transport 9 or more passengers (including the driver), for compensation;
- Designed or used to transport 16 or more passengers (including the driver) and is not used to transport passengers for compensation.
- Designed or used to transport any number of passengers in a vehicle with a GVWR or GCWR greater than 10,000 lbs.
- Designed or used to transport any number of passengers and a placardable amount of hazardous materials.
- Exceptions:

  390.3(f)(6) The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers (including the driver) not for direct compensation, provided the vehicle does not otherwise meet the definition of a commercial motor vehicle except for the texting provisions of 391.15(3) and 392.80, and except that motor carriers operating such vehicles are required to comply with 390.15, 390.19 and 390.21(a) and (b)(2).

Passenger carriers with a designed seating capacity of 15 or less are exempt form Part 382 – Controlled Substances and Alcohol Use and Testing, and Part 383 - Commercial Driver's License Standards.

For Missouri intrastate commerce, a **passenger commercial motor vehicle** is defined as a vehicle having a gross vehicle weight rating or gross combination weight rating in excess of 10,000 pounds, or a designed seating capacity of 9 or more passengers (including the driver) for compensation, or transporting placardable amounts of hazardous material.

Motor carriers and drivers of commercial vehicles with a passenger capacity of 9 to 15 passengers are subject to the federal safety regulations. The extent to which these regulations apply depends on the type of operation the carrier is engaged in. The following are typical operational types:

- Interstate – Operation across state lines.
- Intrastate – Point to point operations within the state boundaries of Missouri.
- For hire for direct compensation – Passenger service such as for-hire limo operations, taxi operations, etc. The passenger pays a fee to ride in the vehicle.
- For hire not for direct compensation – The transportation fee is included in the cost of a package deal. For example, a group sponsors a trip to a sporting event and the associated costs include tickets to the event, transportation to and from the event, and other amenities of the trip.
- Private motor carrier of passengers – business – This type of transportation service is not available to the public at large and an example would be a bus used by a band to travel to a performance.
- Private motor carrier of passengers – non-business – This type of transportation service is not available to the public at large. Examples include buses used to transport Scout groups, church members, etc.

The following information is included to assist carriers using these types of vehicles in the above operation types determine when the federal safety regulations apply and when they may not.

Controlled Substance and Alcohol Testing
Part 382 of Title 49, Code of Federal Regulations

The requirement for controlled substance and alcohol testing is directly related to the requirement for commercial driver's licensing. If the driver is not required to have a commercial driver's license to operate the vehicle, the driver is not subject to the controlled substance and alcohol testing requirements.

Commercial Driver's License
Part 383 of Title 49, Code of Federal Regulations

The requirement for a commercial driver's license is based on either the Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) of the vehicle, designed to transport a certain number of passengers or is used to transport hazardous materials. Unless the vehicle:

- Has a GVWR or GCWR in excess of 26,000 pounds; or
- Is designed to transport more than 16 passengers, including the driver; or
- Is of any size and used to transport a type or quantity of hazardous materials required to be placarded;

the driver would not be required to have a commercial driver's license. A Missouri resident may need a Class E license to operate this type of vehicle.

Financial Responsibility

Part 387 of Title 49, Code of Federal Regulations
7, Code of State Regulations 265-10.030

The federal regulations regarding insurance apply to for-hire carriers operating in interstate commerce. Any vehicle in that type of operation with a capacity of 15 passengers or fewer requires $1.5 million coverage.

For private motor carriers of passengers (either business or non-business operations), state insurance coverage applies:

- Insurance requirements for vehicles designed to carry 12 passengers and less is $100,000 personal injury, $300,000 bodily injury, and $50,000 property damage.
- Insurance requirements for vehicles designed to carry 13 passengers and more is $100,000 personal injury, $500,000 bodily injury and $50,000 property damage.

General Applicability
Part 390 of Title 49, Code of Federal Regulations

The regulations in this part deal with obtaining and marking a USDOT number on the vehicle, motor carrier records, and the extent of the applicability of the federal safety regulations.
There are some general exceptions from the federal safety regulations for:

- School bus operations transporting pre-primary, primary and secondary school students from home to school and from school to home in vehicles designed or used to transport more than 10 passengers in addition to the driver.
- Transportation performed by the Federal government, State government or political subdivision of the State.
- The operation of commercial vehicles designed or used to transport between 9 and 15 passengers, not for direct compensation, unless the vehicle otherwise meets the definition of a commercial motor vehicle, except the motor carrier and driver must comply with assisting in investigations and special studies (maintain a register of vehicular crashes), obtaining and marking a USDOT number on the vehicle, drivers subject to disqualification for convictions of using a hand-held cell phone during vehicle operation, the prohibition against texting and the hand-held cell phone restriction.

Motor Carriers that are directly compensated or indirectly compensated and otherwise meet the definition of a commercial motor vehicle:

- *Interstate commerce* – Interstate carriers are subject to this entire Part. Marking of the carrier's motor vehicles requires vehicles to be marked on both sides with the carrier's legal or single trade name and, in association with that name, their USDOT number.
- *Intrastate commerce* – Intrastate carriers are subject to this whole Part but have different marking requirements. The carrier must mark their vehicle with the name of the owner and location from

where the vehicle is operated on at least one side of the vehicle. For hire operations require authority and will be assigned a USDOT number. For hire vehicles with a total seating capacity of 13 or less have an exception from marking requirements. These vehicles are only required to mark their vehicle with their USDOT number and can display it on the rear of the vehicle instead of the vehicle side.

Part 391 – Driver Qualification

The regulations in this Part deal with determining the qualification of drivers and the documents necessary to prove a driver meets minimum qualifications.

Carriers not directly compensated are only subject to minimal regulation as follows:

Interstate commerce – Disqualification for drivers convicted of texting while driving a commercial motor vehicle. Drivers of vehicles that have a gross vehicle weight rating of 10,001 pounds or more are subject to all of this Part.

Intrastate commerce – Only subject to the regulation within this Part when the vehicle being operated has a gross vehicle weight rating of 10,000 pounds or more.

Carriers that are directly compensated are generally regulated by this Part but with some exceptions. Those exceptions are as follows:

Interstate commerce

- Private Motor Carriers of Passengers (Business) are not subject to employment application, previous employer, and road test requirements.
- Private Motor Carrier of Passengers (Non-Business) are not subject to most of this Part. However, they must be at least 18 years of age and meet physical standards even though no medical certification is required.

Intrastate commerce

- For hire Carriers of Passengers must be at least 18 years of age and are not required to be medically certified if the driver had a chauffeur's license on May 13, 1988.
- Private Motor Carriers of Passengers (Business) must be at least 18 years of age, are not required to be medically certified if the driver had a chauffeur's license prior to May 13, 1988 and are not subject to employment application, previous employer, road test requirements.
- Private Motor Carriers of Passengers (Non-Business) are not subject to most of this Part. However, they must be at least 18 years of age and, unless the driver qualifies for exception from medical requirements by having a chauffeur's license before May 13, 1988, meet physical standards even though no medical certification is required.

Part 392 – Driving Commercial Vehicles

The regulations in this Part apply to both interstate and intrastate carriers equally.

Carriers not directly compensated are excepted from this Part except must comply with the texting ban and cell phone restriction. Should the vehicle in question meet the definition of a commercial motor vehicle by gross vehicle weight rating or placardable quantities of hazardous materials, this whole Part would apply.

Carriers that are directly compensated are subject to this entire Part.

Part 393 – Equipment

The regulations in this Part apply to both interstate and intrastate carriers equally.

Carriers not directly compensated - are excepted from this Part except must comply with Missouri state equipment requirements. Should the vehicle in question meet the definition of a commercial motor vehicle by gross vehicle weight rating or placardable quantities of hazardous materials, this whole Part would apply.

Carriers that are directly compensated are subject to this entire Part.

Part 395 – Hours of Service

The regulations in this Part apply to both interstate and intrastate carriers equally.
Carriers not directly compensated are excepted from this Part. Should the vehicle in question meet the definition of a commercial motor vehicle by gross vehicle weight rating or placardable quantities of hazardous materials, this whole Part would apply.
Carriers that are directly compensated are subject to this Part except that Private Motor Carriers of Passengers (Non-Business) are not required to maintain hours of service records.

Part 396 – Inspection, Repair, and Maintenance

The regulations in this Part apply to both interstate and intrastate carriers equally.
Carriers not directly compensated are excepted from this Part. However, Missouri state inspection requirements are applicable. Should the vehicle in question meet the definition of a commercial motor vehicle by gross vehicle weight rating or placardable quantities of hazardous materials, this whole Part would apply.
Carriers that are directly compensated are subject to this Part except that Private Motor Carriers of Passengers (Non-Business) are not subject to the driver vehicle inspection report requirements and are not required to maintain maintenance records.

Motor Carriers of Household Goods

Motor Carriers of Household Goods

What requirements are applicable to operators of household goods?

In Interstate Commerce

Under the federal regulation §375.103, the definition of household goods means "… the personal effects or property used, or to be used, in a dwelling, when part of the equipment or supplies of the dwelling. Transportation of the household goods must be arranged and paid for by the individual shipper or by another individual on behalf of the shipper. Household goods includes property moving from a factory or store if purchased with the intent to use in a dwelling and transported at the request of the householder, who also pays the transportation charges."

Motor common carriers of household goods must apply for authority to operate in interstate commerce, show that the applicant is fit, willing and able to provide the transportation and to comply with all of the regulatory provisions and that the transportation service will be consistent with the public interest and the national transportation policy.

In addition, the household goods carrier must:

- Maintain a tariff
- Furnish copies of tariff publications
- Subject to hazardous materials requirements when hazardous materials are transported and other safety requirements as indicated in the code of federal regulations
- May provide service options of space reservation, expedited service, exclusive use of a vehicle, guaranteed service for agreed dates and liability insurance
- Must provide a non-binding written estimate based on a physical survey (if goods are beyond a 50 mile radius or survey is waived) of the household goods to be transported
- May provide a binding estimate upon request if provided in the tariff
- Prepare an order of service
- Prepare an inventory for each shipment
- Issue a bill of lading
- Weigh each shipment on a non-binding estimate
- Dispose of claims
- Liable for loss and damage when accepting goods
- Provide information to prospective customers
- Maintain proof of insurance

In Intrastate Commerce

Under state regulation, the definition of household goods is very similar to the federal definition. Under Missouri law, household goods means "…personal effects and property used or to be used in a dwelling when part of the equipment or supplies of such dwelling and similar property, if the transportation of such effects or property, is either arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in his or her dwelling, or arranged and paid for by another party. The term "household goods" shall not include personal property which when tendered to a motor carrier is crated or otherwise packaged to make it suitable for transportation by motor carriers of general commodities, freight or property".

Motor carriers wanting to transport household goods wholly within the state must apply for the authority and show that the applicant is fit, willing and able to provide the service. In addition, other requirements must be complied with that are similar to interstate requirements. These requirements include but are not limited to:

- Maintaining a tarrif.
- Compliance with hazardous materials requirements when hazardous materials are transported and other safety requirements as indicated in the code of state regulations.
- May provide service options of space reservation, expedited service, exclusive use of a vehicle, guaranteed service for agreed dates and liability insurance.
- May provide a binding estimate upon request if provided in the tariff.

- Issue a bill of lading.
- Weigh each shipment for movements where the rates and charges are not on an hourly basis.
- Dispose of claims.
- Liable for loss and damage when accepting goods.
- Provide information to prospective customers.
- Maintain proof of insurance.
- Must include specific state information when advertising service as a household goods mover.
- Filing an annual financial statement.
- Pay an annual intrastate per vehicle license fee (not required if interstate authority is also held by the carrier).

References to the various state statute and regulations can be found on the web at www.modot.org/mcs.

Leasing

Leasing

A. Leasing Equipment With or Without a Driver to an Authorized Carrier

1. When a person who is not authorized by this division, leases equipment with or without a driver to an authorized carrier or if an authorized carrier leases equipment to another authorized carrier, the lease must be reduced to writing with at least two executed copies. One copy must be retained by the lessee (the person to whom property is leased) and the other must accompany the driver of the leased vehicle.

When the vehicle is leased (except if subleased as explained below), the lessee is considered the operator of the vehicle. The lease should state that the leased equipment is to be operated solely by the lessee during the term of the lease and that the lessee maintains control over the operation of the equipment including licensing, markings, insurance, drivers' qualifications, drivers' hours of service and all related items, to the same extent as if the lessee was the actual owner of the vehicle.

The lessee must accept responsibility to the public for any injury caused in the operation of leased equipment during the term of the lease, display appropriate vehicle markings and shall maintain and operate the leased equipment in accordance with all state requirements. Upon termination of the lease, lessee markings and copies of all leases must be removed from all vehicles.

B. Leasing Equipment to Shippers, Receivers, Passenger, Chartering Groups or Other Person Not Authorized by the Division.

1. If a person who is not authorized by this division to engage in intrastate transportation, leases equipment and driver to a shipper, receiver, passenger or chartering group, the intrastate transportation is presumed to be private carriage if:
   a) The lessee accepts full control and responsibility over the operation of the equipment and drivers;
   b) The lease includes all required items as listed in A above; and
   c) The period for which the lease applies must be (30) consecutive days or more.

The resulting operation will not be presumed to be private if the lease does not meet these requirements.

2. An authorized motor carrier shall not lease vehicles with or without a driver to shippers or receivers of property nor to passengers or chartering groups.

C. Subleasing Equipment With or Without a Driver to Another Authorized Carrier

An authorized motor carrier shall not sublease a leased vehicle with or without a driver unless the lease expressly authorizes the lessee motor carrier to sublease the vehicle to another authorized motor carrier. When a vehicle is subleased, the new lessee is exclusively responsible for the complete operations of the vehicle and it cannot be further subleased.

D. Leasing of Authority

A motor carrier cannot lease an operating authority, unless approved by the division.

For more detailed information concerning leasing, refer to 7 CSR 265-10.040.

International Registration Plan

International Fuel Tax Agreement

Hazardous Waste/Waste Tire Transporter

Intrastate Regulatory Authority

Oversize Overweight

Safety and Compliance

Unified Carrier Registration (UCR)

IFTA/IRP Recordkeeping/ Retention Requirements

Motor Carrier Services

Motor Carrier Services strives to improve the safety and traffic flow on Missouri's transportation system by working closely with the public and our stakeholders.

Motor Carrier Services

MoDOT Motor Carrier Services provides a service for the commercial motor vehicle industry so carriers can receive what they need in one physical location or in their place of business via web applications. The motor carrier's business is to deliver goods as quickly, safely, efficiently and cost-effectively as possible – MCS works with the carriers to do just that. MCS provides information, credentials, permits and education on safety and economic regulations for businesses and individuals operating commercial vehicles on the public highways in and through Missouri. MCS is headquartered in Jefferson City. There are safety and compliance offices located within MoDOT's districts across the state. MCS partners with state, national and international entities to meet public and carrier needs.

Specific responsibilities of MCS are as follows:

International Registration Plan (IRP)

The IRP is a registration reciprocity agreement among 48 contiguous states of the United States, District of Columbia, and 10 provinces of Canada. Apportioned registration for qualified vehicles is based upon the percentage of miles traveled in two or more jurisdictions. The unique feature of the Plan is that, license fees are paid to the base jurisdiction and a single license plate and cab card is issued for each apportionable vehicle registered. The license fees are distributed on a pro-rata basis by the base jurisdiction to other jurisdictions in which the vehicle operates. An apportionable vehicle is can be operated both interstate and intrastate.See Intrastate Regulatory Authority in the next column if using an apportioned vehicle for intrastate work.

International Fuel Tax Agreement (IFTA)

The IFTA is an agreement among 48 contiguous states of the United States and 10 Canadian provinces to promote and encourage the most efficient use of the highway system by making the administration of motor fuels taxation for motor vehicles operating in multiple member jurisdictions uniform. Under the agreement, one license is issued per licensee and one set of door decals for each registered vehicle. Licensees are required to file quarterly tax returns with the base jurisdiction, showing all miles traveled, fuel purchased, fuel consumed and tax liability or credit for each member jurisdiction.

Hazardous Waste/Waste Tire Transporter

MCS licenses hazardous waste and waste tire transporters in coordination with the Missouri Department of Natural Resources. This process requires registration and required insurance verification. MCS collects and deposits fees into the DNR fund.

Intrastate Regulatory Authority

For-hire motor carriers transporting property or passengers in intrastate commerce (wholly within the state) are required to apply for authority to operate in Missouri. MCS issues certificates, permits, and property carrier registrations. This process requires registration and required insurance verification.

Housemover Licenses

For-hire motor carriers moving houses are required to apply for a housemover license to move houses within or through Missouri. MCS issues a one-year license upon verification of required insurance.

Oversize Overweight (OSOW) Permits

MCS issues permits for the transportation of vehicles, machinery, equipment, structures, buildings, or other units or components that exceed the legal limits for width, length, height and weight. Careful consideration is given to the legal and physical limitations applicable to all forms of transportation between point of fabrication and subsequent destinations.

Safety, structure, capacities and clearances, roadway widths, and traffic volumes will all be considered in route determination. Routing is chosen using the designated state highway system as shown on the Missouri Vehicle Route Map and is designed to be as direct as possible.

Loads in excess of routine permit limits (16 feet wide, 16 feet high or 150 feet in overall length and/or over 160,000 lbs.) will be considered when air, rail, or water terminal points are not available. These applications can be obtained by request or online.

MCS ensures the these superloads and the routes they take are evaluated and that the loads meet fuel, licensing, safety and insurance requirements.

Apply for an OSOW permit online at *www.modot.org/OSOW*. Learn about OSOW issues at *www.modot.org/mcs/OSOW/index.htm*. MoDOT's OSOW toll free number is 1-800-877-8499.

Safety and Compliance

MCS Safety and Compliance section provides for the education and enforcement of Missouri state laws and federal safety and hazardous materials regulations for the transportation of freight and passengers. The section has an extensive outreach training program to benefit the industry, conducting more than one hundred sessions per year. These efforts promote motor carrier safety, including the agricultural community, industry productivity, and encourage safer transportation practices by ensuring operating requirements for commercial vehicle drivers, carriers, vehicles and equipment are met. Through the medical waiver program, Missouri provides an opportunity for drivers who cannot meet the minimum medical qualifications to have an alternate method to obtain a skill performance evaluation certificate (federal and state). The enforcement of hazardous materials regulations is designed to ensure safe and secure transportation, proper packaging, employee training, hazard communication and operational requirements are followed. Staff relies on the inspection of commercial vehicles at terminals and destinations, compliance reviews, new entrant safety audits to new applicants, hazardous material package compliance, and investigation of complaints to ensure compliance. The generation of a safety rating for the company, prosecution of penalty cases when serious violations are discovered, improved homeland safety and security, and crash reduction are the benefits of the program. The section also provides oversight for the settlement of state safety, hazardous materials and economic prosecution cases.

UCR

Unified Carrier Registration Agreement is a base-state system for registering interstate motor carriers, motor private carriers of property, freight forwarders, brokers and leasing companies. Annual registration fees fund state motor carrier safety programs and enforcement. Registrants file and pay fees annually to their base state.

Unified Registration System

The Unified Registration System (URS) is an electronic on-line registration system that streamlines and simplifies the Federal Motor Carrier Safety Administration's (FMSCA) registration process. The URS will combine multiple registration processes, information technology systems and forms into a single electronic registration process. The URS will identify motor carriers, brokers, freight forwarders, intermodal equipment providers, hazardous materials safety permit applicant/holders and cargo tank manufacturing and repair facilities by a single USDOT number.

For more information, including implementation dates visit the FMCSA website at *www.fmcsa.dot.gov/registration/unified-registration-system*.

International Fuel Tax Agreement and International Registration Plan Record Keeping and Retention Requirements

Qualified Vehicles

In accordance with the International Fuel Tax Agreement (IFTA) Articles of Agreement Section R245 and the International Registration Plan (IRP) Section 204, licensees shall report all vehicle activity for qualified vehicles. A qualified motor vehicle is defined as follows:

1. Having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds.
2. Having 3 or more axles regardless of weight.
3. Being used in combination where the combined weight exceeds 26,000 pounds.
4. IFTA qualified motor vehicles do not include recreational vehicles.
5. IRP qualified vehicles do not include recreational vehicles, vehicles displaying restricted plates (i.e. farm vehicles), city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles.

Distance Accounting

Section P540 of the IFTA Procedures Manual and Section 500 of the IRP Audit Procedures Manual require every carrier to maintain detailed distance records, which show operations on an individual vehicle basis. Carriers may use Individual Vehicle Mileage Records (IVMR), also known as trip sheets or trip reports, for all qualified motor vehicles. All travel (loaded, empty, deadhead, and bobtail) must be reflected on an IVMR. IVMRs must be summarized monthly by vehicle and for the licensee's fleet. Monthly records must be recapped in quarterly summaries.

Section P500 of the IFTA Procedures Manual states that the licensee is required to preserve the records upon which the quarterly tax return or annual tax return is based for four years from the tax return due date or filing date, whichever is later. Section 1500 of the IRP indicates any registrant whose application for apportioned registration has been accepted shall preserve the records on which it is based for a period of three years after the close of the registration year. Upon request, records must be made available to any member jurisdiction. In the event the carrier fails to retain and preserve such records, assessments and penalties shall be imposed. Failure to comply could result in suspension or revocation of the licensee's operating credentials.

Mileage should be determined using consistent internal controls and cutoff dates and recorded on standardized trip reports. At a minimum, the following information should be maintained:

1. Trip dates (beginning and ending);
2. Trip origin and destination;
3. Route of travel;
4. Beginning and ending odometer readings;
5. Total trip distance traveled;
6. Miles by jurisdiction;
7. Vehicle identification and unit number; and
8. Licensee's name.

If a licensee fails to maintain records from which their true liability can be determined, Section R1210.300 of the IFTA Articles of Agreement states the base jurisdiction shall, after adding the appropriate penalties and interest, serve an assessment upon the licensee in the same manner as an audit assessment.

Fuel Accounting

Under Section P550 of the IFTA Procedures Manual, every carrier must maintain complete records of all motor fuel purchased, received, and used. Separate totals must be compiled for each motor fuel type. Retail fuel and bulk fuel purchases are to be accounted for separately.

Any receipts or vendor invoices containing erasures or alterations will not be accepted for tax-paid credits unless the licensee can demonstrate the receipt is valid. When tax paid fuel documentation is unavailable, all claims for tax paid fuel will be disallowed.

Retail Fuel

As stated in Section P560 of the IFTA Procedures Manual, retail purchases must be supported by a receipt or invoice, credit card receipt, automated vendor generated invoice or transaction listing, or microfilm/microfiche of the receipt or invoice. At a minimum this documentation must include:

1. Date of purchase;
2. Seller's name and address;
3. Numbers of gallons (liters) purchased;
4. Fuel type;
5. Price per gallon or amount of sale;
6. Unit numbers; and
7. Purchasing company's name.

Recording fuel purchased on the IVMR is recommended to ensure accurate recording and reporting.

Bulk Fuel

The IFTA Procedures Manual Section P570 defines bulk fuel as fuel delivered into a storage tank owned, leased or controlled by the licensee and not delivered directly to the fuel tank of a qualified vehicle. The licensee must retain copies of all delivery tickets and/or receipts. Bulk fuel inventory reconciliations must be maintained.

A licensee may claim a tax-paid credit on the IFTA tax return for bulk fuel from the aforementioned tank when the fuel is placed into the fuel tank of a qualified motor vehicle and either the purchase price of the fuel includes tax paid to the member jurisdiction where the tank is located or the licensee has paid fuel tax to the member jurisdiction where the tank is located. The licensee must maintain the following records:

1. Date of withdrawal;
2. Number of gallons or liters;
3. Fuel type;
4. Unit number; and
5. Purchase and inventory records to substantiate that tax was paid on all bulk purchases.

MoDOT Audit Contacts

Questions regarding IFTA or IRP recordkeeping, record retention, or other issues may be addressed with Motor Carrier Audit Unit at 573-518-1782.

Other IFTA or IRP questions can be addressed by calling MoDOT Motor Carrier Services at 1-866-831-6277.

Individual Vehicle Mileage And Fuel Record

NOTE: The following form is not an official record. It is provided as an example of information required for IFTA and IRP compliance. IVMRs may vary due to specific business needs.

Carrier	ABC Carriers, Inc.	Account Number	999999999	Driver Name	John Doe, Jr.	Unit Number	58
Load Information	Origins:	1/2/04 Pickup Maplewood, MO 1/3/04 Pickup Springfield, IL	Destinations:	1/2/04 Delivery Springfield, IL 1/3/04 Delivery Dayton, OH		Driver Comments:	

Date	Town Origin-Jurisdiction Lines-Town Destination	State	Ending Odometer	Miles by Jurisdiction	Highways or Routes Traveled	Name of Fuel Stop and Location	Gallons Purchased
1/2/04	Beginning State & Odometer Reading	MO	45,869				
	Maplewood MO - IL Line	MO	45,878	9	64		
	MO Line - Springfield IL	IL	45,976	98	55-29	Ted's I-72 Fuel Springfield, IL	98
1/3/04	Springfield IL - IN Line	IL	46,101	125	29-97-72-57-74		
	IN Line - OH Line	IN	46,259	158	74-32-65/465-70		
	OH Line - Dayton OH	OH	46,297	38	70-49		
	Total Trip Miles **			428	Total Fuel Purchases		98

Example

Odometer Miles, Total Trip Miles & Total Jurisdictional Miles Must Agree	
Ending Odometer	46,297
Beginning Odometer	45,869
Total Odometer Miles **	428

→ OFFICE USE →

Total Jurisdictional Miles **			
Jurisdiction	Miles	Jurisdiction	Miles
MO			
IL			
IN			
OH			

Note: Beginning odometer reading on this trip must match ending reading from prior trip and ending reading from this trip must be the beginning reading on the next trip.

Blank copies of the document are available on the Motor Carrier Services web site, www.modot.org/mcs, on the Forms and Manuals page.

Individual Vehicle Mileage And Fuel Record

Carrier		Account Number		Driver Name		Unit Number	
Load Information	Origins:		Destinations:			Driver Comments	
Date	Town Origin-Jurisdiction Lines-Town Destination	State	Ending Odometer	Miles by Jurisdictiion	Highways or Routes Traveled	Name of Fuel Stop and Location	Gallons Purchased
	Beginning State & Odometer Reading			**All other odometer reading will be ending readings.**			
	Total Trip Miles **					**Total Fuel Purchases**	

	Odometer Miles, Total Trip Miles & Total Jurisdictional Miles Must Agree	→	**Total Jurisdictional Miles ****				←
			Jurisdiction	**Miles**	**Jurisdiction**	**Miles**	
							OFFICE USE ONLY
	Ending Odometer	OFFICE USE					
	Beginning Odometer						
	Total Odometer Miles **	→					←

Motor Carrier Services' Office Directory

Missouri Department of Transportation
Motor Carrier Services Division
www.modot.mo.gov
www.modot.org/mcs

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Motor Carrier Investigations Specialist
Case Settlement/Medical Exemption
E-mail: *bryan.loudermilk@modot.mo.gov*

Travis Ellis
Motor Carrier Investigations Specialist
Hazardous Materials/ Training
E-mail: *travis.ellis@modot.mo.gov*

Brandon Oaks
Motor Carrier Investigations Specialist
Training Specialist
E-mail: *brandon.oaks@modot.mo.gov*

Missouri Department of Transportation
Motor Carrier Services Division

Field Offices

Chesterfield Office
1590 Woodlake Drive
Chesterfield, MO 63017
Fax: (573) 522-4283

Jefferson City Office
830 MoDOT Drive
Jefferson City, MO 65109
Fax: (573) 522-4260

Lee's Summit
Physical Address
2050 NE Independence Ave.
Mailing Address
600 NE Colbern Road
Lee's Summit, MO 65086
Fax: (573) 522-4261

Springfield Office
3025 E. Kearney
Springfield, MO 65803
Fax: (573) 522-4282

To speak to the first available Safety & Compliance Investigator:

1-866-831-6277, Option 6

Local and Bordering Federal Motor Carrier Safety Administration Field Offices

Federal Motor Carrier Safety Administration

Arkansas
2527 Federal Building
700 West Capitol Ave.
Little Rock, AR 72201
(501) 324-5050

Illinois
3250 Executive Park Drive
Springfield, IL 62703-4514
(217) 492-4608

Iowa
105 6th Street
Ames, IA 50010-6337
(515) 233-7400

Kansas
1303 SW First American Place, Suite 200
Topeka, KS 66604-4040
(785) 271-1260

Kentucky
330 West Broadway, Room 124
Frankfort, KY 40601
(502) 223-6779

Missouri
3219 Emerald Lane, Suite 500
Jefferson City, MO 65109
(573) 636-3246

Nebraska
100 Centennial Mall North, Room 406
Lincoln, NE 68508
(402) 437-5986

Oklahoma
300 N. Meridian, Suite 106 South
Oklahoma City, OK 73107
(405) 605-6047

Tennessee
640 Grassmere Park, Suite 111
Nashville, TN 37211
(615) 781-5781

FMCSA Information Line 1-800-832-5660

The automated response asks the caller to choose one of the five numbers for further information as follows: (rotary callers may stay on the line)

- o apply for a USDOT # or operating authority, press 1.
- For a safety rating, a carrier profile or other safety data or to check the status of your application for a USDOT #, press 2 and stay on the line while your call is connected.
- For insurance filing information, press 3.
- To check the status of your application for operating authority or for other operating authority information, press 4.
- For household goods movement complaints and related issues, press 5.
- For all other questions or complaints, please contact the Federal Motor Carrier Safety Administration office nearest you, for the telephone number of that office, press 6.

FMCSA' s Household Goods Consumer Complaint Hotline

1-888-368-7238

OSHA's Whistle Blower Protection # For Employee Complaints

(301) 515-6796

PHMSA (Pipeline and Hazardous Materials Administration)
(800) 467-4922 or (847) 294-8580

U.S. DOT Number and MC Number are also available online:



Missouri Department of Transportation
Motor Carrier Services

1-866-831-6277
www.modot.org/mcs

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