

DRIVER QUALIFICATION FILES

It should come as no surprise that more workers are killed in vehicle accidents every year than by any other cause. Employers should carefully screen employees who will drive company vehicles, to ensure that only the most qualified, and safest drivers are allowed to drive.

One of the most effective means of controlling the qualifications of drivers is the use of Driver Qualification Files, in which pertinent information is stored, updated, and periodically reviewed by management.

For drivers of *commercial vehicles**, Part 391.51 of the United States Department of Transportation Federal Motor Carrier Safety Regulations *requires* the maintenance of these files, and specifies what should be in them. These qualification files may be combined with a drivers' personnel file.

Drivers of non-commercial vehicles, or "incidental drivers" should also be fully qualified, and items 2, 10, and 11 as a minimum should be maintained.

The following is a summary of the DOT driver qualification file requirements, combined with generally recognized standards of good practice:

1. **WRITTEN APPLICATIONS** - The DOT requires an application dated and signed by the driver, with a 10-year employment history. 3-years commercial driving experience is preferred as a minimum standard.
2. **MVR CHECK** - The DOT requires that Motor Vehicle Records be checked at hiring. Also, to facilitate the required annual review of drivers' records, MVR's should be obtained at least annually thereafter. More intensive driving exposures (such as ready-mix concrete) may warrant 6-month MVR checks. It is preferable that the employer obtain MVR's himself, through the State Police, Drivers' License Bureau, or any of a number of fee services. In some cases, insurance agents or brokers may help a client obtain MVR's. This is acceptable, provided the employer physically receives hard copy of the MVR for filing, and the report is received in a timely manner. The DOT requires MVR checks within 30 days of hiring, but common sense dictates that this may be too late--a poor driver can do immense damage in this time. One method used to ensure adequate pre-hiring data is to require prospective drivers to bring their own MVR's with them at the first interview, and if hired, an additional MVR check can be made to verify the one brought in by the employee. Relying on the insurance carrier to check MVR's is unacceptable. A consistent and reasonable criteria (see last page for example) for evaluating MVR's should be developed by the employer, and consistently applied to all drivers records.
3. **ROAD TEST AND CERTIFICATIONS** - By DOT guidelines, road tests should be conducted and documented by a supervisor, lead driver, or other person qualified to judge the performance of drivers. The format for these tests is prescribed by the DOT.
4. **WRITTEN TESTS AND CERTIFICATIONS** - Per DOT specifications.
5. **DOT PHYSICAL** - Both a copy of the medical card, and the examination form should be on file. Two-year renewal
6. **DRUG TEST** - For CDL** drivers, evidence of controlled substance abuse testing should be maintained. For confidentiality, actual results may be filed elsewhere, but drug testing activity should be documented in the file.

7. **CHECK WITH EMPLOYERS--3 YEARS** - Evidence should be maintained in file of the results of inquires of previous employers about an individual. May take the form of letters, phone conversation notes, or interview notes.
8. **CERTIFICATION OF VIOLATIONS** - The DOT requires that all drivers prepare, on an annual basis, a report of all moving violations, and submit it to the employer. For CDL drivers, moving violations should be reported in writing within 30 days of occurrence.
9. **REVIEW OF DRIVING RECORDS** - A member of management should review each drivers' records, including at least items #2 and # 8 above, annually, and place a dated note to this effect in the file. If any action is taken (i.e. warning notices, removal from driving status, probationary status, terminations, etc.) as a result of this review, such actions should also be documented in the file.
10. **COPY OF DRIVERS' LICENSE** - There are several miscellaneous requirements that are most easily accomplished by keeping a photocopy of the drivers' license in the file, updating it annually.
11. **MISCELLANEOUS, STRONGLY RECOMMENDED** - Records of any training, commendations or disciplinary action, Driver's receipt of copy of DOT regulations. For CDL drivers, training records pertaining to substance abuse prevention. For drivers hauling loads of DOT hazardous materials, records of hazardous materials training, emergency procedures, etc. should be included in the file.

* A Commercial Motor Vehicle:

- a. Has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds, or
- b. Is designed to transport more than 15 passengers (including the driver), or
- c. Is used in the transportation of hazardous materials (DOT definition) in placardable quantities.

** CDL (Federal Commercial Drivers License) drivers operate vehicles requiring a commercial driver license as specified in part 383 of the U.S. Department of Transportation Federal Motor Carrier Safety Regulations

Suggested MVR Evaluation Criteria Guidelines:

1. Valid, current drivers' license, with **no** major convictions within the past 3 years. Major convictions include DWI, DUI, Hit and Run, Homicide or Assault, Suspension or Revocation, Reckless Driving.
2. No more than 2 moving violations or at-fault accidents or combinations of violations / accidents within past 3 years.
3. Drivers should be licensed for at least 3 years.