

GETTING STARTED



VISION ZERO ★

zero deaths
zero serious injuries

MONTANA DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY ASSISTANCE PROGRAM

A **How To** booklet on getting your motor carrier company
in compliance with the transportation safety regulations.

March 2021

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INTRODUCTION

The Montana Motor Carrier Services Division has produced this “Getting Started” booklet for the benefit of those motor carriers who recently received their authorization to operate (their DOT number) or have their DOT number but have not received education in the transportation safety regulations pertaining to their motor carrier operations.

Our overall goal is to improve the safe transportation of passengers and goods on the State’s highways, through a coordinated effort of Federal, State, and industry organizations to reduce fatalities, injuries, property damage and hazardous materials incidents. This is accomplished through the main MCSAP office located in Helena, Montana, supported by six field offices:

Billings:	(406) 255-0120 / 255-0121	Bozeman:	(406) 556-4707 / 533-3663
Great Falls:	(406) 455-8326	Helena:	(406) 444-3300
Kalispell:	(406) 751-2051	Miles City:	(406) 233-3625
Missoula:	(406) 523-2689 / 523-5850		

Each section contains information sheets covering highlights of the regulations. Please feel free to reproduce any or all material in this booklet and to distribute copies as needed.

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable Federal Motor Carrier Safety Regulations (FMCSR). Safety compliance and safe operations translate into saved lives and property. We believe the information in this booklet, when effectively applied, will get you started on the road to compliance with the FMCSR and will contribute to safer motor carrier operations and highways.

Disclaimer

The purpose of this booklet is to provide the information and forms a motor carrier, residing in Montana, needs to get started in their quest to become compliant with the Motor Carrier Safety Regulations. This booklet is not intended to take the place of published Federal agency regulations. It only paraphrases the Federal Motor Carrier Safety Regulations published in Title 49 of the U.S. Code of Federal Regulations. The contents of this booklet may not be relied upon as a substitute for the official text. The regulations issued by the U.S. Department of Transportation and its Operating Administrations are published in the Federal Register and compiled in the U.S. Code of Federal Regulations (CFR). Copies of appropriate volumes of the CFR in book format may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, telephone #: (202) 512-1800 or at www.access.gpo.gov.

Montana Department of Transportation
Motor Carrier Services Division
2701 Prospect Avenue
PO Box 4639
Helena, MT 59604-4639
(406) 444-3300

HOW TO USE THIS BOOKLET

For your information, we have defined motor carrier operations for Interstate and Intrastate Carriers.

INTERSTATE:

Do you, the motor carrier, have a motor vehicle or a combination of motor vehicles which cross state lines (Interstate) and:

- Has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers in interstate (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver, and not for compensation; or
- Is used in transporting material found by the Secretary of Transportation to be hazardous in a quantity requiring placarding? Please refer to: <http://www.fmcsa.dot.gov/safety-security/hazmat/complyhmregs.htm>
-

Interstate Federal Regulations can be accessed at: www.fmcsa.dot.gov

INTRASTATE:

Do you, the motor carrier, have a motor vehicle or a combination of motor vehicles which is Montana commerce **only** (Intrastate) and:

- Has a gross combination weight rating of 26,001 pounds or more and that is not a farm vehicle operating solely in Montana; or
- Is designed or used to transport at least 16 passengers, including driver, not for compensation; or
- Is designed or used to transport at least 9 passengers, including the driver, for compensation; or
- Is of any size and used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with federal hazardous materials regulations in 49 CFR, part 172?

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SECTION ONE

Part 387	Minimum Levels of Financial Responsibilities (Insurance Requirements)
Part 390	General
Part 391	Driver Qualification
Part 392	Driving of Commercial Motor Vehicles
Part 395	Hours of Service
Part 396	Maintenance
Title 49 CFR	Hazardous Materials Regulations

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Financial Liability Requirements

Insurance Limits

49 CFR 387 and MCA 61-1-103

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

Every motor carrier of property and for-hire carrier of passengers operating commercial motor vehicles in intrastate, interstate and foreign commerce must have a minimum level of insurance coverage.

Proof

The motor carrier must have proof of minimum level of liability insurance at the carrier's principle place of business. All vehicles operated by the motor carrier must have a current insurance card (or policy) carried in the power unit.

Proof may be shown by any of the following:

- Endorsement(s) for Motor Carrier Policies of Insurance of Public Liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Form MCS-90 issued by an insurer(s);
- 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 written decision, order or authorization of the Federal Motor Carrier Safety Administration authorizing a motor carrier to self-insure under CFR 387.309, provided the motor carrier maintains a satisfactory safety rating as determined by the Federal Highway Administration under part CFR 385;
- Endorsement(s) for Motor Carrier 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(s) or
- Montana certificate of self-insurance.

Montana Code Annotated

61-6-103. Insurance for intrastate, non-hazmat, private property carriers: \$25,000 because of bodily injury or death of one person; \$50,000 because of bodily injury to or death of two or more persons; \$20,000 because of injury or property damage.

Financial Liability Requirements Insurance Limits 49 CFR 387 and MCA 61-1-103

Interstate Bodily & Property Damage Liability Insurance	<p>For-hire carrier, non-hazardous material Minimum: \$750,000</p> <p>For-hire or Private, any amount of Hazardous Material as defined in 49 CFR 171.8 and listed in 172.101 Table of Hazardous Materials Minimum: \$1,000,000</p>
Hazardous Material	<p>For-hire or Private property carriers of bulk (3,500 water gal) of hazardous oil, hazardous waste or hazardous substances as defined in 49 CFR 171.8 and listed in 172.101 Table of Hazardous Materials Minimum: \$1,000,000</p> <p>For-hire or Private, hazardous materials in bulk (3,500 water gal) or listed in 49 CFR 172.504(e), Table 1 Minimum: \$5,000,000</p> <p>For-hire or Private, Oil listed in 49 CFR 172.101; hazardous waste and hazardous substances as defined in 49 CFR 171.8 and listed in 172.101 Table of Hazardous Materials Minimum: \$1,000,000</p>
Intrastate Bodily Injury & Property Damage Liability Insurance	<p>For-hire or Private property carrier of non-hazardous materials must meet the minimum requirements of 61-6-103 of the Montana Code Annotated.</p> <p>For-hire or private property carriers of non-bulk hazardous materials, except those listed in 49 CFR 172.504(e), Table 1, must meet the minimum requirements of 61-6-103 of the Montana Code Annotated.</p>
Interstate For-hire Carrier of Passengers Requirements	<p>Seating capacity of 15 passengers or less Minimum: \$1,500,000</p> <p>Seating capacity of 16 passengers or more Minimum: \$5,000,000</p>
Tow Truck Operators Requirements	<p>Class A Tow Truck – minimum manufacturer’s boom or combined boom rating of 4 tons and must be mounted on a truck chassis with a minimum manufacturer’s rating of 10,000 lbs. GVW Minimum: \$300,000</p> <p>Class B Tow Truck – minimum manufacturer’s boom or combined boom rating of 8 tons and must be mounted on a truck chassis with a minimum manufacturer’s rating of 18,000 lbs. GVW Minimum: \$500,000</p> <p>Class C Tow Truck – minimum manufacturer’s boom or combined boom rating of 16 tons and must be mounted on a chassis that has a minimum manufacturer’s rating of 32,000 lbs. GVW Minimum: \$750,000</p>

USDOT Number: _____ Date Received: _____

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 burden for this collection of information is estimated to average 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-99A, Washington, D.C. 20590.



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)

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 of 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 http://www.fmcsa.dot.gov/urs.

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SCHEDULE OF LIMITS — PUBLIC LIABILITY
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Type of carriage	Commodity transported	January 1, 1985
(1) For-hire (in interstate or foreign commerce, with a gross vehicle weight rating of 10,000 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 10,000 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 10,000 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 10,000 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

*The schedule of limits shown does not provide coverage. The limits shown in the schedule are for information purposes only.

Title 49 CFR, Part 390

Federal Motor Carrier Safety Regulations; General

General Applicability

The Federal Motor Carrier Safety Regulations (FMCSR) applies to all employers, employees and commercial motor vehicles transporting property or passengers in interstate/intrastate commerce.

Commercial Motor Vehicle

Any self-propelled or towed vehicle used on public highways in interstate/intrastate commerce to transport passengers or property under one of the following conditions:

- Vehicles has gross vehicle weight rating (GVWR) or gross combination weight rating of 10,001 or more pounds, (interstate) or 26,001 or more pounds, (intrastate) or
- Designed or used to transport more than 8 passengers (including the driver) for compensation (interstate / intrastate); or
- Vehicle is designed to transport more than 15 passengers (including the driver) not for compensation or
- Vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Hazardous Materials Transportation Act (HMTA) Regulations (interstate / intrastate).

Exceptions to General Applicability

Transportation provided by Federal, State, Local or Congressionally approved interstate agencies is exempt from the FMCSR's. Occasional non-commercial transport, school buses, ambulance services, a hearse and fire and rescue vehicle operations are also exempt.

What is an accident?

An occurrence involving a commercial motor vehicle operating on a public road which results 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

For a period of three years after an accident occurs, motor carriers are required to maintain an accident register containing the following information:

- Date, time, and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials released if any, (other than fuel).

Motor Carriers are also required to maintain copies of all accident reports required by state or other governmental entities or insures for a period of one year after an accident occurs.

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

- Name of motor carrier, or trade name
- The motor carrier's identification number proceeded by USDOT for interstate carriers and followed by MT for intrastate carriers.

Title 49 CFR, Part 390
Federal Motor Carrier Safety Regulations; General

**Vehicle
Identification
Vehicle
Identification
(continued)**

- All markings must be in contrasting colors from the surface they are affixed to and must be visible from 50 feet with the vehicle stationary.

Relief from Parts 390-399 of the FMCSR's may be granted during declared emergencies to any motor carrier who provides emergency assistance. See definitions for applicability https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&ty=HTML&h=L&mc=true&=PART&n=pt49.5.390#se49.5.390_123

**Relief from
Regulations
During
Emergencies**

For **Intrastate carriers**, contact the Montana Motor Carrier Safety Assistance Program (MCSAP) at (406) 444-3300. A.R.M.18.8.1502.

For **Interstate carriers**, contact the Montana Federal Motor Carrier Safety Administration (FMCSA) at (406) 449-5304. 49 CFR 390.19.

ACCIDENT REGISTER (Maintain copies for 3 years)

COMPANY NAME:

Number	Time / Date	Description of Incident	Location: City / ST	Name of Driver	Vehicle ID # or License #	# of Injuries	# of Fatalities	Vehicles Towed	Hazmat Incident	Citation Issued? Time issued?	Post Accident Tests Performed	
											Alcohol date/time	Control Subst. date / time

NOTE: This form is not mandatory; however, the information contained herein is illustrative of information required in Part 390.15 & Part 382.303

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Title 49 CFR, Part 391

Federal Motor Carrier Safety Regulations; General

Who is subject?	<p>A carrier based in Montana is subject to the rules for driver qualifications if it operates vehicles that are:</p> <ul style="list-style-type: none">• Over 26,000 pounds GVWR operating in commerce (intrastate) or• Over 10,000 pounds GVWR operating in commerce (interstate) or• Any size vehicle transporting hazardous material of a type or quantity that requires the vehicle to be placarded or• Capable of hauling 8-15 or more passengers including the driver.
Requirements	<p>Under Part 391, a driver operating in interstate/intrastate commerce must:</p> <ul style="list-style-type: none">• Be physically qualified under 49 CFR 391.41;• Be 18 years old for intrastate transportation.• Be 21 years old for interstate transportation, or when hauling hazardous materials;• Speak and read English well enough to do the job;• Have a driver's license that is valid for the type of vehicle driven;• Be able to drive the vehicle safely;• Know how to properly load and secure cargo;• Not be disqualified from driving a commercial motor vehicle.
Medical Requirements For Non-CDL	<p>A driver is required to have in possession a current valid medical certificate showing that he or she is physically qualified to drive a commercial motor vehicle. Details for medical examinations are found in 49 CFR, 391.43. U.S.DOT medical certificate forms are available from a registered physician or private sources.</p>
Certificate Renewal	<p>A medical certificate must be renewed every two years. Some medical conditions may require more frequent recertification. Intrastate medical certifications are different than interstate certifications. Contact the Help Desk at: (406) 444-3244 for additional information on intrastate issues.</p>
Skills Performance Evaluation (SPE)	<p>Under certain circumstances, a driver may be granted a Skills Performance Evaluation (SPE) from the following physical qualification requirements: vision, insulin-dependent diabetes, deaf and hard of hearing, and limb impairment. An application requesting an SPE for intrastate drivers must be submitted to the Montana Driver's License Division. A request for an SPE for interstate drivers must be submitted to the Division Administrator, FMCSA. The medical examiner's certificate and the SPE document must be carried in the commercial vehicle at all times while being operated.</p>
Driver Qualification File (DQ)	<p>Part 391.51 - A carrier must maintain a driver qualification file for each of its drivers. The file is to be kept at the carrier's principal place of business for as long as the driver is employed by the carrier and for three years after the driver leaves the carrier's employ. Owner operators should note that as the owner/driver you must have a complete driver file.</p>

DRIVER QUALIFICATION FILE CHECKLIST

Every motor carrier must have a driver qualification (DQ) file for each regularly employed driver. The file must include the following:

- A. ___ Driver's Application for Employment (49 CFR 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.
- B. ___ Inquiry to Previous Employers -3- year (49 CFR 391.23(a) (2) & (c), and 391.53). This investigation must be made within 30 days of the date that his/her employment begins. Investigations shall include information concerning out-of-service violations, misuse of controlled substance or alcohol and accident history.
- C. ___ Inquiry to State Agencies – 3 years (49 CFR 391.23(a) (1) & (b). The driver's driving record (MVR) for the preceding three years.
- D. ___ Driver's Road Examination and Certificate (49 CFR 391.31). 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.
- E. ___ Medical Examiner's Certificate (49CFR 391.43). Driver must be issued a Medical Examiner's Certificate. Drivers of none-CDL CMV drivers must pose card at all times while operating CMV, be renewed every two years. (or before it expires)
- F. ___ Carrier verified Medical Examiner is Registered with National Registry
- G. ___ Annual Review of Driving Record (49 CFR 391.25). At least once every 12 months a motor carrier must review the driving record of each driver.
- H. ___ Annual Driver's Certificate of Violations (49 CFR 391.27). At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months.

Additional required documentation **may** be maintained in the DQ file:

- I. ___ Alcohol and Controlled Substance Test Results (49 CFR 382.401). (These records must be maintained in a confidential and secure location with controlled access)
- J. ___ Inquiries for Alcohol and Controlled Substances information from previous employers for 3 years (49 CFR 382.413). This investigation must be made within 30 days of the date that his/her employment begins. (Investigations shall include requirements of CFR Part 40.25).
- K. ___ Full query in the Drug & Alcohol Clearing house

APPLICATION FOR EMPLOYMENT

COMPANY _____ **STREET ADDRESS** _____

CITY, STATE AND ZIP _____

NAME: _____ **HIRE DATE** _____
(First) (Middle) (Maiden Name, if any) (Last)

ADDRESS: _____ **# YEARS** _____
(Street) (City) (State & Zip Code)

DATE OF BIRTH _____ **SOCIAL SEC. NO.** _____

PREVIOUS THREE YEARS RESIDENCY

ADDRESS: _____ **# YEARS** _____
(Street) (City) (State & Zip Code)

ADDRESS: _____ **# YEARS** _____
(Street) (City) (State & Zip Code)

ADDRESS: _____ **# YEARS** _____
(Street) (City) (State & Zip Code)

(ATTACH SHEET IF MORE SPACE IS NEEDED)

LICENSE INFORMATION

	STATE	LICENSE NO.	TYPE	EXPIRATION DATE
DRIVERS LICENSES				

DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES		APROX. NO. OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK				
TRACTOR AND SEMI-TRAILER				
TRACTOR - TWO TRAILERS				
OTHER				

ACCIDENT RECORD FOR PAST 3 YEARS

(ATTACH SHEET IF MORE SPACE IS NEEDED)

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES

TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS

(OTHER THAN PARKING VIOLATIONS)

DATE CONVICTED (Month/Year)	STATE OF VIOLATION LOCATION	CHARGE/VIOLATION	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
- B. Has any license, permit or privilege ever been suspended or revoked? YES NO

(IF THE ANSWER TO EITHER A OR B IS YES, ATTACH STATEMENT GIVING DETAILS)

EMPLOYMENT RECORD

(ATTACH SHEET IF MORE SPACE IS NEEDED)

NOTE: Applicants that desire to drive in intrastate/interstate commerce must provide the following information on all employers during the previous 3 years. You must give the same information for all employers you have driven a commercial motor vehicle for the 7 years prior to the initial 3 years (total of 10 years employment record).

LAST EMPLOYER: NAME _____
ADDRESS _____
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 _____
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 _____
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

This certifies that this application was completed by me, 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.

REQUEST FOR INFORMATION FROM PREVIOUS EMPLOYERS

You are hereby authorized to give the following company all information regarding my services, character, and conduct while in your employ, and you are released from any and all liability which may result from furnishing such information to the company named below.

_____	_____
Print name	Social Security Number
_____	_____
Signature	Date

From: _____

To: _____

_____ has submitted an application to this company for a position as a _____ and states the he/she was employed by you as a _____ from _____ to _____. Will you please reply to the inquiry below regarding this applicant? Your reply will be held in strict confidence and will in no way involve you in any responsibility. For your convenience in replying, we have enclosed a stamped self-addressed envelope. Thank you.

1. Is the employment record with our company correct as stated above? Yes _____ No _____
2. What kind(s) of work did the applicant do? _____
3. Did the applicant drive motor vehicles for you? Passenger Car _____ Straight Truck _____ Bus _____
Tractor-Semitrailer _____ Other _____
4. Was the applicant a safe and efficient driver? _____
5. Give the dates of vehicle accidents in which he/she was involved. _____
6. Reason for leaving your employ: Discharged _____ Laid Off _____ Resigned _____
7. Was the applicant's general conduct satisfactory? _____
8. Was the driver ever placed out-of-service for hours of service violations? _____
9. Did the applicant misuse alcohol or use controlled substance? _____
10. What accidents was the driver involved in? _____

	Excellent	Good	Fair	Poor	Very Poor
Quality of Work	_____	_____	_____	_____	_____
Cooperation with others	_____	_____	_____	_____	_____
Safety habits	_____	_____	_____	_____	_____
Personal habits	_____	_____	_____	_____	_____
Driving Skill	_____	_____	_____	_____	_____
Attitude	_____	_____	_____	_____	_____

Remarks: _____

Date: _____ Signature: _____

Name of Company: _____

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**MOTOR VEHICLE DRIVER'S CERTIFICATION
OF VIOLATIONS 391.27
(Every 12 months)**

Driver Name: _____
(Please print or type)

DATE	OFFENSE	LOCATION	TYPE OF VEHICLE
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation required to be listed during the past 12 months.

Date of Certification

Drivers Signature

**U.S. DEPARTMENT OF TRANSPORTATION
MOTOR CARRIER SAFETY PROGRAM
ANNUAL REVIEW OF DRIVING RECORD 391.25**

Name of Driver

Social Security Number

This day I reviewed the driving record of the above named driver in accordance with 391.25 of the Federal Motor Carrier Safety Regulations (FMCSRs). I considered any evidence that the driver has violated applicable provisions of the FMCSRs and the Hazardous Materials Regulations. I considered the driver's accident record and any evidence that he/she has violated laws governing the operation of motor vehicles and gave great weight to violations such as, speeding, reckless driving, and operation while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public. Having done the above, I find that

- the driver meets the minimum requirements for safe driving, or
- the driver is disqualified to drive a commercial motor vehicle pursuant to 391.15

Date of Review

Reviewed By

Name of Motor Carrier

DRIVER'S ROAD TEST EXAMINATION

Driver's Name: _____ Phone: _____

Driver's Address: _____

City: _____ State: _____ Zip: _____

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

Rating of Experience

- _____ The pre-trip inspection. (As required by Sec. 392.7)
- _____ Coupling and uncoupling of combination units, if the equipment he/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: _____

_____ Date

_____ Examiner's Signature

If the road test is successfully completed, the person who gave it shall complete a certificate of driver's road test.

Remarks _____

CERTIFICATE OF DRIVER'S ROAD TEST

Instructions: If the road test is successfully completed, the person who gave it shall complete a certificate of the driver's road test. The original or copy of the certificate shall be retained in the employing motor carrier's driver qualification file of the person examined and a copy given to the person who was examined. (49 CFR 391.33(e)(f)(g)).

CERTIFICATION OF ROAD TEST

Driver's Name _____

Social Security Number _____

Operator's or Chauffeur's 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.

(Signature of Examiner)

(Title)

(Organization and Address of Examiner)

MULTIPLE-EMPLOYER DRIVERS

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in 49 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 State agency(s) and an investigation of the person's employment record during the preceding three years (391.23);
- (3) Perform annual review of the person's driving record (391.25); or
- (4) Require the person to furnish a record of violations or a certificate (391.27).

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

DRIVER QUALIFICATION FILE CHECKLIST

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



Driving Record Request

P.O. Box 201430, Helena, MT 59620-1430 • Phone (406) 444-3933 • Fax (406) 444-3816 • www.dojmt.gov • DriverLicense@mt.gov
Please PRINT.

[3]	1. Requested Information <input type="checkbox"/> A. Your Driving Record. <input type="checkbox"/> B. Another Person's Driving Record. Intended Use: To be completed if you checked B above.
[1]	<input type="checkbox"/> For use by a federal, state, or local government agency, including a law enforcement agency or any individual acting on behalf of the agency in carrying out its functions. You must complete "Consent to Release Driving Record to Another Person or Entity" on next page.
[2]	<input type="checkbox"/> For use by a business or its agents, employees, or contractors in their normal course of business to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors. If the submitted information is not correct or no longer correct, to obtain the correct information for the purposes of preventing fraud by pursuing legal remedies against or recovering on a debt or security interest against the individual.
[4]	<input type="checkbox"/> With written consent of the individual(s) who is the subject(s) of this search - The Personal Information Express Consent form on page two must be completed.
[5]	<input type="checkbox"/> For use as part of a civil, criminal, administrative, or arbitrage proceeding in any court or government agency or before any self-regulatory body, including the service of process, an investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, pursuant to an order of any court.
[6]	<input type="checkbox"/> For use by an insurer, insurance support agency, or self-insured entity in connection with the investigation of claims, antifraud activities, ratemaking, or underwriting.
[7]	<input type="checkbox"/> For use by a licensed private investigator or security service for any purpose authorized under Montana law.
[8]	<input type="checkbox"/> For use by an employer or its agent to verify information related to a holder of a commercial driver license required under federal or Montana law.
[9]	<input type="checkbox"/> For use in providing notice to the owners of towed, abandoned, or impounded vehicles.
[10]	<input type="checkbox"/> For use by a parent of a child under 18 years of age.
[11]	<input type="checkbox"/> For any other use that is specifically related to the operation of a motor vehicle or to public safety and is authorized under Montana law. Describe other use: _____

2. Requestor Information			
Name of Requestor: _____			
Employer/Company: (if applicable) _____			
Mailing Address: _____	City: _____	State: _____	Zip: _____
Residential Address: _____	City: _____	State: _____	Zip: _____
Daytime Phone #: _____	Fax #: _____	Driver License #: _____	State: _____

3. Search Information: This section must be complete. Full Name: _____ Date of Birth: _____ Driver License #: _____	4. Driving Records Fees Make checks payable to: Motor Vehicle Division <input type="checkbox"/> Driving record=\$4.12 per record <input type="checkbox"/> Certified driving record=\$10.30 per record *cannot be faxed* <input type="checkbox"/> Mail record=\$3.09 extra per mailing (unless self-addressed, stamped envelope is included) <input type="checkbox"/> Fax record=\$3.09 for the first five pages, \$1.03 for each additional page (provide your fax number in section 2 above) <div style="text-align: right;">Total = \$ _____</div>
---	---

5. Certification	
I certify under penalty of law (MCA 45-7-203 Unsworn Falsification to Authorities):	
<ul style="list-style-type: none"> • I have read the Montana Driver Privacy Protection Act, §61-11-501 through 61-11-516, Montana Code Annotated, and understand that I can only use the information in this driving record for limited purposes. • I am the person listed as the requestor. • If I am signing for an entity, the entity authorized me to do so. • The information I put on this form is true and correct to the best of my knowledge. 	
Signature of requestor: _____	
Printed Name: _____	Date: _____



Consent to Release Driving Record & Non-identifiable Personal Information Request

P.O. Box 201430, Helena, MT 59620-1430 • Phone (406) 444-3933 • Fax (406) 444-3816 • www.dojmt.gov • DriverLicense@mt.gov
Please **PRINT**.

This form authorizes the Department of Justice, Motor Vehicle Division, to release my driving record to another person or entity.

Name on Driving Record: _____

Driver License #: _____

Date of Birth: _____

Residing at: _____

I hereby authorize the Department of Justice to release my driving record to the following individual or entity:

Name: _____

Address: _____

Street

City

State

Zip

I certify under penalty of law (MCA 45-7-203 Unsworn Falsification to Authorities):

- I have read the Montana Driver Protection Act, § 61-11-501 through 61-11-516, Montana Code Annotated, and understand that I can only use the information in this driving record for limited purposes.
- I am the person listed as the requestor.
- If I am signing for an entity, the entity authorized me to do so.
- The information I put on this form is true and correct to the best of my knowledge.

Signature: _____

This is my legal signature

Printed Name: _____

Date: _____

Title 49 CFR, Part 392

Driving of Commercial Motor Vehicles

GENERAL: Every motor carrier, its officers, agents, representatives and employees responsible for the management, maintenance, operations or driving of commercial motor vehicles, or the hiring, supervising, training, assigning or dispatching of drivers shall be instructed and comply with these rules governing the driving of commercial motor vehicles.

Every commercial motor vehicle must be operated in accordance with the laws, ordinances and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Motor Carrier Safety Administration imposes a higher stand of care than that law, ordinance or regulation, the Federal Motor Carrier Safety Administration must be complied with.

All regulations pertaining to ill or fatigued drivers, drugs and other substances, and alcohol prohibitions must be complied with. All drivers must be satisfied the vehicles being operated are in safe condition and all cargo is properly secured. A vehicle providing transportation requiring operating authority must not be operated without securing the proper authority or beyond the scope of that authority.

EQUIPMENT, INSPECTION AND USE: No commercial motor vehicle shall be driven unless the driver is satisfied 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 needed:

- Service brakes, including trailer brake connections • Parking brake
- Steering mechanism • Lighting devices and reflectors • Tires • Horn
- Windshield wiper or wipers • Rear-vision mirror or mirrors • Coupling devices

DRIVING OF VEHICLES: Extreme caution in the operation of a commercial motor vehicle shall be exercised when hazardous conditions, such as those caused by snow, ice, sleet, fog, mist, rain, dust, or smoke, adversely affect visibility or traction. Chains are required to be in use when signs are posted in Montana.

PROHIBITED PRACTICES:

- Written permission from the motor carrier is **required** for passengers to ride on a commercial motor vehicle. This permission must designate the name of the passenger, the points where the transportation is to begin & end and the date upon which such authority expires.
- No loaded bus shall be towed or pushed;
- No driver shall use a radar detector in a commercial motor vehicle or operate a commercial motor vehicle that is equipped with or contains any radar detector.
- No person shall ride within the closed container of a commercial motor vehicle unless there is a means to exit from the inside.
- No motor carrier shall allow or require its drivers to engage in texting while driving.
- No driver shall use a hand-held mobile telephone while driving a CMV.

For additional information go to SubPart A, General:

<http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrruletext.aspx?reg=392.1>

Title 49 CFR, Part 392

Driving of Commercial 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: <ul style="list-style-type: none">• Any schedule I drug or other substance listed in Appendix D;• Any amphetamine or formulation of any 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 influences 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.
Railroad Crossing/Stopping	Motor vehicles transporting a placarded hazardous materials and 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 tracks.
Seat Belts	A driver must not drive before correctly restraining him/herself, if the vehicle is equipped with seat belt assemblies.
Emergency Signals for Stopped Vehicles	A vehicle stopped upon a highway 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 and before the vehicle moves on.
Placement of warning devices	The warning devices must be placed as follows (except where special rules apply): <ul style="list-style-type: none">• 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	Radar detectors shall not be used by a driver in a commercial vehicle: <ul style="list-style-type: none">• 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

Title 49 CFR, Part 395

Property Carrying Hours-of-Service

Who is subject to the hours of service rules?

A carrier engaged in commerce within Montana if it is using:

- A vehicle or a vehicle combination with a gross vehicle weight rating over 10,000 lbs.(interstate) or over 26,000 lbs (intrastate);
- Transporting hazardous materials of a type or quantity that requires the vehicle to be placarded.

Definitions

“On duty time” is all time a driver spends performing work, or being ready to work, until being relieved by the carrier of all responsibility. “On duty” time also includes any compensated work performed by the driver for a non-motor carrier entity.

“Driving time” is all time spent at the driving controls of a commercial motor vehicle in operation.

“Off duty” means the driver has been relieved of all responsibilities, not being compensated by the carrier.

“Record of duty status” is the tracking of work hours by means of a graph, grid, log or an Electronic logging device.

“Time record” is a time card or other record showing the time the driver reports for duty each day, total hours the driver is on duty each day, time the driver is released from duty each day, and total time for preceding days if the driver is used for first time or intermittently. **See Short-haul note.**

A motor carrier may not permit or require a driver to drive after:

11 hours driving time following 10 consecutive hours off duty; being on duty 14 hours following 10 consecutive hours off duty; being on duty 60 hours in a 7-day period; being on duty 70 hours in any period of 8 consecutive days if the carrier operates every day of the week. Any 7 or 8-day period may restart after 34 consecutive hours off duty.

Time spent by a driver in a compensated non-motor carrier position is considered on duty time and must be included in the 14 and 60/70 hour rules. (Example: a part time position delivering pizza.)

Calculation of the 14-hour limit includes all time except any off duty time of at least 10 consecutive hours or longer or any sleeper-berth time of at least 7 consecutive hours or longer. Driver must show a 30 minute break before the 8th hour of driving.

What record keeping is required?

Electronic logging device a device or technology that automatically records a driver's driving time and facilitates the accurate recording of the driver's hours of service.

- Date & Time

Title 49 CFR, Part 395

Property Carrying Hours-of-Service

What your Electronic logging (ELD) device must record/retain

- Geographic location information which includes Longitude and latitude, Nearby city, compass direction and distance from city.
- Engine hours which includes Engine power up/shut down.
- Vehicle miles
- Driver identification
- Vehicle identification
- Motor Carrier identification
- Driver login/logout.
- Duty status changes which includes Personal use or yard moves
- Certification of driver's daily record.
- 60-minute intervals when the vehicle is in motion.
- Malfunction of diagnostic events.

Carriers can access FMCSA web site to view self-certified Manufactures of ELDs

<https://www.fmcsa.dot.gov/hours-service/elds/equipment-registration>

Exceptions to ELD

- 150 air-mile radius drivers may continue to use timecards as allowed by 395.1(e)(1).
- 150 air-mile radius non-CDL property drivers may continue to use time cards as allowed by 395.1(e)(2).
- Using paper RODS not more than eight days in any thirty-day period.
- Drive away-tow away operations.
- Driving vehicles manufactured before model year 2000.

Supporting Documents retention

Regulations state carrier must retain documents associated with driver activity each day. The records must be maintained for at least 6 months. The following is a list of the types of documents you must maintain.

- Bills of lading, itineraries, schedules, or equivalent, with origin and destination of each trip.
- Dispatch records, trip records, or equivalent.
- Expense receipts related to on-duty (not driving) periods.
- Electronic mobile communication records.
- Payroll records, settlement sheets, or equivalent

Short-haul operations CDL drivers: (ELD Exception)

Drivers are exempt from electronic logging device if all of the following requirements are met:

- Operates within 150 air-mile radius (172.06 miles) of the normal work reporting location.
- Returns to the same work reporting location and is relieved of duties within 14 hours (over 14 hours requires a logbook entry).

Title 49 CFR, Part 395

Property Carrying Hours-of-Service

Short-haul operations CDL drivers: (ELD Exception) (Continued)

- Does not exceed 11 hours driving;
- Ten consecutive hours off duty separate each 14 hours on duty
- Carrier maintains for a period of 6 months, true and accurate time records showing: start and ending times, total hours worked, total time for preceding seven days if driver is used for the first time or intermittently

150 air-mile provision for non-CDL drivers (ELD Exception)

Non-CDL drivers are exempt from keeping logbooks if all of the following requirements are met:

- Operates within 150 air-mile radius (172.06 miles) of the normal work reporting location;
- Does not exceed 11 hours driving;
- Ten consecutive hours off duty separate each on duty period;
- Does not drive after the 14th hour of coming on duty 5 days of any period of 7 consecutive days; and
- Carrier maintains for a period of **six months**, true and accurate time records showing: start and ending times, total hours worked, total time for preceding seven days (if driver is used for the first time or intermittently).

A driver may extend the 14 hour rule to 16 hours twice in every 7 consecutive days provided he does not drive after the 16th hour and keeps a log for that day.

Over hours and/or false logs

Drivers found driving in excess of maximum hours or failing to keep a proper record of duty status for current day and 7 prior consecutive days shall be put out of service. A driver that is out of service (OOS) shall not be required or permitted to drive and a driver may not drive a motor vehicle until the driver has hours available.

Rest Period Options

The driver may meet the rest requirements using one of the four options described in the table on the following page: Again, driver must take a 30-minute break before the end of the 8 hours of driving. Drivers can satisfy the 30-minute break with any consecutive 30 total minutes spent in one or more of the following statuses (off-duty, sleeper berth, and/or on-duty not driving).

Title 49 CFR, Part 395
Property Carrying Hours-of-Service

Provisions

Option 1	Off Duty Time 395.1(g)(1)(i)(A)(1)	At least 10 <u>consecutive</u> and <u>uninterrupted</u> hours off duty.
Option 2	Continuous Sleeper Berth Provision 395.1(g)(1)(i)(A)(1)	At least 10 <u>consecutive</u> and <u>uninterrupted</u> hours in the sleeper berth.
Option 3	Continuous Off Duty and sleeper Berth Provision 395.1(g)(1)(i)(A)(3)	At least 10 consecutive hours sleeper berth and off duty time combined and <u>uninterrupted</u> .
Option 4	Sleeper Berth Provision 395.1(g)(1)(i)(A)(4) and 395.1 (g)(1)(ii)	The equivalent of at least 10 consecutive hours off duty (1 rest period is at least 7 hours none maybe less than 2 hours the total must be at least 10 hours).

The provisions for Agricultural, Ground Water Well Drilling Operations, and Utility Service Vehicles can be found in CFR 395.1.

For additional information refer to:

<http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrruletext.aspx?reg=395.1>

Time Card – Log Book Combination (Part 395)

Company Name: _____

City: _____

Driver: _____

Date: _____

Job Name: _____ Total Miles: _____

Fuel: _____

Truck # _____ Pup # _____

Lunch: _____

Start Time: _____ End Time: _____

Total Hours: _____

Ticket #	Time Loaded	Weight/Time
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
Total		

DRIVERS INSPECTION REPORT

Oil _____ Antifreeze _____ Mileage _____

Power Unit

- | | |
|---|---|
| <input type="checkbox"/> Service brakes including trailer connections
<input type="checkbox"/> Parking (hand) brake
<input type="checkbox"/> Lighting devices & reflectors
<input type="checkbox"/> Horn
<input type="checkbox"/> Rear vision mirrors | <input type="checkbox"/> Steering mechanism
<input type="checkbox"/> Tires
<input type="checkbox"/> Windshield wipers
<input type="checkbox"/> Coupling devices
<input type="checkbox"/> Emergency equipment
<input type="checkbox"/> Wheel and rims |
|---|---|

Towed Unit(s)

- | | |
|--|--|
| <input type="checkbox"/> Service brakes including connections
<input type="checkbox"/> Brakes
<input type="checkbox"/> Lighting devices & reflectors
<input type="checkbox"/> Wheels and rims | <input type="checkbox"/> Tires
<input type="checkbox"/> Coupling devices
<input type="checkbox"/> Cargo securement |
|--|--|

Reporting Driver: _____

Maintenance Action: Repairs Made No Repairs Needed

Mechanics Signature: _____ Date: _____

Reviewing Driver: _____ Date: _____



When the exemption found in 395.1(e) is not met the above graph must be used. Example: when driver/operator exceeds the 12-hour exemption or travels beyond a 100-mile radius of home operation.

DRIVER'S DAILY LOG

One calendar day - 24 hours

ORIGINAL - File each day at home terminal
 DUPLICATE - Driver retains possession for one month

 (Month) (Day) (Year) (Total miles driving today)

 (Vehicle numbers - (Show each unit))

I certify these entries are true and correct:

 (Name of Carrier or Carriers)

 (Driver's signature in full)

 (Main Office Address)

 (Name of co-driver)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1. OFF DUTY																									
2. SLEEPER BERTH																									
3. DRIVING																									
4. ON DUTY (Not Driving)																									
REMARKS																									

Pro or Shipping No. _____

DRIVERS TIME RECORD FOR A PROPERTY CARRYING COMMERCIAL DRIVER

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

Driver's may prepare this report instead of the "drivers daily log" if the following applies:

- The driver operates within a 100 air-mile radius of the normal work reporting location;
- The driver returns to the work reporting location and is released from work within 12 **consecutive** hours;
- The driver has at least 10 **consecutive** hours off duty separating each 12 hours on duty;
- The driver does not exceed 11 hours maximum driving time following 10 **consecutive** hours off duty;
- The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
 - The time the driver reports for duty each day;
 - The total number of hours the driver is on duty each day;
 - The time the driver is released from duty each day; and
 - The total time for the proceeding 7 days in accordance with Part 395.8(j)(2) for drivers used for the first time or intermittently.

The driver may extend the 14 hour rule to 16 hours 1 day in a 7/8 day period provided he does not drive after the 16th hour of coming on duty and keeps a log for that day. **Carriers utilizing this document must not exceed 60/70 hour rule.**

Date	Start Time All Duty	End Time All Duty	Total Hours	Truck #	Driving CMV Yes/No	Comments
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						

DRIVERS TIME RECORD FOR A PROPERTY CARRYING NON-CDL COMMERCIAL DRIVER

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

Driver's may prepare this report instead of the "drivers daily log" if the following applies:

- The driver operates within a 150 air-mile radius of the normal work reporting location;
- The driver has at least 10 **consecutive** hours off duty separating each duty tour;
- The driver does not exceed 11 hours maximum driving time following 10 consecutive hours off duty;
- The driver does not drive after the 14th hour of coming on duty 5 days of any period of 7 consecutive days
- The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:
 - The time the driver reports for duty each day;
 - The total number of hours the driver is on duty each day;
 - The time the driver is released from duty each day; and
 - The total time for the proceeding 7 days in accordance with Part 395.8(j)(2) for drivers used for the first time or intermittently.

The driver may extend the 14 hour rule 2 days in any 7 consecutive day period provided he does not drive after the 16th hour of coming on duty and keeps a log for those days. **Carriers utilizing this document must not exceed 60/70 hour rule**

Date	Start Time All Duty	End Time All Duty	Total Hours	Truck #	Driving CMV Yes/No	Comments
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						

DRIVER STATEMENT OF ON-DUTY HOURS

INSTRUCTIONS: Motor carriers, when using a driver for the first time or intermittently, shall obtain from the driver a signed statement giving the total time on duty during the immediately preceding 7 days and time at which the driver was last relieved from duty prior to beginning work for the motor carrier as per Part 395.8(j)(2) Federal Motor Carrier Safety Regulations (FMCSR). NOTE: Hours for any compensated work during the preceding 7 days, including work for a non-motor carrier entity, must be recorded on this form.

Driver Name (Print): _____

Driver's License Number: _____ Class: _____ Endorsement(s): _____ Restriction(s): _____

Type of License: _____ Issuing State: _____

DAY	1 <small>(Saturday)</small>	2	3	4	5	6	7	
DATE								
HOURS WORKED								TOTAL HOURS

I hereby certify that the information given above is correct to the best of my knowledge and belief and that I was last relieved from work at:

_____ On _____
 Time Day Month Year

_____ Date
 Driver's Signature

INSTRUCTIONS: When employed by a motor carrier, a driver must report to the carrier all on duty time including time working for other employers. The definition of on duty time found in Section 395.2(8)(9) of the FMCSR's includes time performing any other work in the capacity of, or in the employ or service of, a common, contract or private motor carrier, also performing any compensated work for any non-motor carrier entity.

Are you currently working for another employer? Yes No

At this time, do you intend to work for another employer while still employed by this company? Yes No

I hereby certify that the information given above is true and I understand that once I become employed with this company, if I begin working for any additional employers for compensation, I must inform this company immediately of such employment activity.

Drivers Signature

Date

Title 49 CFR, Part 395

Passenger Carrying Hours-of-Service

Who is subject to the hours of service rules?

A carrier engaged in commerce within MT if it is using:

- A vehicle or a vehicle combination with a gross vehicle weight rating over 10,000 lbs.(interstate) / over 26,000 lbs.(intrastate).
- A vehicle able to transport 9 or more passengers, including the driver for compensation; (interstate or intrastate);
- A vehicle able to transport 16 or more passengers, including the driver. (interstate or intrastate)

Definitions

“On duty time” is all time a driver spends performing work, or being ready to work, until being relieved by the carrier of all responsibility. “On duty” time also includes any compensated work performed by the driver for a non-motor carrier entity.

“Driving time” is all time spent at the driving controls of a commercial motor vehicle in operation.

“Off duty” means the driver has been relieved of all responsibilities and not being compensated.

“Record of duty status” is the tracking of work hours by means of a graph, grid, log or an Electronic logging device.

“Time record” is a time card or other record showing the time the driver reports for duty each day, total hours the driver is on duty each day, time the driver is released from duty each day, and total time for preceding days if the driver is used for first time or intermittently.

A motor carrier may not permit or require a driver to drive and no driver shall drive after:

10 hours driving time following 8 consecutive hours off-duty; being on duty 15 hours following 8 consecutive hours off duty; being on duty 60 hours in a 7 day period; being on duty 70 hours in any period of 8 consecutive days if the carrier operates every day of the week.

What record keeping is required?

Electronic logging device a device or technology that automatically records a driver's driving time and facilitates the accurate recording of the driver's hours of service.

What your Electronic logging (ELD) device must record/retain

- Date & Time
- Geographic location information which includes Longitude and latitude, Nearby city, compass direction and distance from city.
- Engine hours which includes Engine power up/shut down.
- Vehicle miles
- Driver identification
- Vehicle identification
- Motor Carrier identification

Title 49 CFR, Part 395

Passenger Carrying Hours-of-Service

What your Electronic logging (ELD) device must record/retain (continued)

- Driver login/logout.
- Duty status changes which includes Personal use or yard moves
- Certification of driver's daily record.
- 60-minute intervals when the vehicle is in motion.
- Malfunction of diagnostic events.

Carriers can access FMCSA web site to view self-certified Manufactures of ELDs

<https://www.fmcsa.dot.gov/hours-service/elds/equipment-registration>

Supporting Documents retention

Regulations state carrier must retain documents associated with driver activity each day. The records must be maintained for at least 6 months. The following is a list of the types of documents you must maintain.

- Trip logs, itineraries, schedules, or equivalent, with origin and destination of each trip.
- Dispatch records, trip records, or equivalent.
- Expense receipts related to on-duty (not driving) periods.
- Electronic mobile communication records.
- Payroll records, settlement sheets, or equivalent

Exceptions to ELD

- 100 air-mile radius drivers may continue to use timecards as allowed by 395.1(e)(1).
- Using paper RODS not more than eight days in any thirty day period.
- Drive away-tow away operations.
- Driving vehicles manufactured before model year 2000.

Over hours and/or false logs

Drivers found driving in excess of maximum hours or failing to keep a proper record of duty status for current day and 7 prior consecutive days shall be put out of service. A driver that is out of service (OOS) shall not be required or permitted to drive and a driver may not drive a motor vehicle until the driver has hours available.

Title 49 CFR, Part 396 Vehicle Maintenance Standards

Vehicle inspections, repair and maintenance are critical to the safe operation of commercial motor vehicles. They are designed to reduce accidents, injuries and fatalities resulting from unsafe vehicles operating on the highways. Maintenance standards cover systematic maintenance, pre-trip/post-trip inspection reports and annual inspections.

General Standards

393 (Parts and Accessories) and 396 (Inspection, Repair and Maintenance)

- A carrier is responsible for ensuring that it properly inspects, repairs and maintains vehicles under its control.
- A motor vehicle may not be operated when its mechanical condition is likely to cause an accident or breakdown.
- Parts and accessories must be in safe operating condition at all times.
- A vehicle must be maintained according to the vehicle manufacture's recommended schedule, or an improved schedule based on actual operating conditions, and
- Push out windows, emergency doors and emergency door markings, and lights in buses must be inspected at least every 90 days.

Motor Carriers who must comply

The following carriers, operating in interstate/intrastate commerce must comply with the systematic maintenance standards.

- Vehicles with a gross vehicle weight rating (GVWR) or gross combination weight rating of 10,001 or more pounds (interstate);
- Vehicles with a gross vehicle weight rating (GVWR) or gross combination weight rating of 26,001 or more pounds (intrastate);
- Capable of hauling 8-15 or more passengers, including the driver;
- Vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Hazardous Materials Transportation Act (HMTA) Regulations.

Required Records

For each vehicle a carrier controls for 30 consecutive days or more, the carrier must ensure the proper vehicle maintenance records are maintained. Each vehicle record must contain:

- Vehicle identification including company number, make, serial number, year and tire size.
- If the vehicle is leased, the person furnishing the vehicle must be identified.
- Due date and type of inspections and maintenance operations to be performed.
- A record of inspections and maintenance operations to be performed.
- A record of tests conducted on push out windows, emergency doors, and emergency door marking lights on buses.

Where records must be maintained?

Vehicle maintenance records must be retained where the vehicle is maintained for a period of one year and for six months after the vehicle leaves the carrier's control. (Sold)

Title 49 CFR, Part 396 Vehicle Maintenance Standards

Roadside Inspection Reports

Any driver who receives a roadside inspection report must deliver it to the motor carrier. An official of the motor carrier is to examine the roadside inspection report and ensure that the violations or defects noted on the report are corrected before the vehicle is re-dispatched. Within 15 days after the inspection, the carrier must sign the completed roadside inspection report to certify that all violations have been corrected and then return it to the indicated address on the report. **A copy must be retained for 12 months from the date of inspection.**

Driver Vehicle Inspection Report (DVIR)

The motor carrier shall require a driver vehicle inspection report to be completed at the end of each day's work on each vehicle operated and the report shall cover the following: A Driver inspection report only needs to be filled out if a defect is discovered or reported to the driver.

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

When defects are noted on the Driver Vehicle Inspection Report

The report shall identify the vehicle, any defect or deficiency discovered by the driver, which would affect the safety of the operation of the vehicle or result in its mechanical breakdown. If no defect is discovered, the report shall so indicate. In all instances, the driver shall sign the report.

Prior to requiring or permitting a driver to operate a vehicle, the motor carrier shall repair any defect or deficiency listed on the driver vehicle inspection report, which would likely affect the safety of operation of the vehicle. Every motor carrier or its agent shall certify on the original driver vehicle inspection report any listed defect that has been repaired or that repair is unnecessary before the vehicle is operated again. **These reports shall be maintained for a period of three months.**

Before driving a motor vehicle, the driver shall: be satisfied that the vehicle is in safe operating condition; review the last driver vehicle inspection report; and sign the report if defects or deficiencies were noted by the driver who prepared the report, to acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been performed.

Periodic Inspection

Every commercial vehicle shall have a periodic inspection that must be performed at least once every 12 months.

Title 49 CFR, Part 396 Vehicle Maintenance Standards

Periodic Inspection (continued)	At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix G, Subchapter B, Part 396. Carriers may perform required annual inspections themselves, with a qualified inspector. The original or copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.
Inspector Qualifications	<p>Documentation of the most recent periodic inspection must be kept on the vehicle (report, sticker or decal).</p> <p>A motor carrier must ensure that the individual(s) performing an annual inspection is qualified. The inspector must:</p> <ul style="list-style-type: none">• Understand the inspection standards of Part 393 and Appendix G.• Be able to identify defective components.• Have knowledge and proficiency in methods, procedures and tools.
What experience or training qualifies an inspector?	<p>Inspectors may have gained experience or training by:</p> <ul style="list-style-type: none">• Completing a State/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 (See 396.19 for reference). (Sample certificate following).
Evidence of Qualifications	Evidence of the inspector's qualification must be maintained until one year after the inspector ceases to perform inspections for the carrier.
Brake Inspectors	The motor carrier is responsible for ensuring that all inspections, maintenance, repairs and service to brakes of commercial motor vehicles comply with these regulations. Employees responsible for brake inspections, maintenance, service or repairs must meet minimum brake inspector qualifications. (Sample certificate following).

MAINTENANCE FILE

49 CFR

Reference

Item

- 396.3(b)** **Maintenance File** required for each vehicle under control for 30 days or more.
- 396.3 (b)(1)** **Labeling:** Must contain:
- 1. Identification of the vehicle to include:
 - a. Company number if so marked
 - b. Make
 - c. Serial number (VIN)
 - d. Year
 - e. Tire size
 - f. Leased vehicles-identify the owner/provider
- 396.3(b)(2)** 2. **Schedule of maintenance** (Written Maintenance Plan).
- 396.3(b)(3)** 3. **Record** of Inspection, Repairs and Maintenance.
(indicating their date and nature of repair/inspection)
- 396.3(c)** 4. **Record retention-** Keep all of the above on file until 1 year and for 6 months after vehicle leaves company.
- 396.9(d)** 5. Copy of all **roadside inspections**.
- 396.9(d)(3)(ii)** **Retain copy** for 12 months from date of inspection.
- 396.11** 6. Daily Vehicle Inspection Reports (**DVIR**).
- 396.11(c)(2)** **Maintain on file** for 3 months.
(certificate of repairs and certification of driver's review)
- 396.17** 7. Documentation of **periodic inspection**
- required every 12 months.
(report or other document such as a sticker or decal)
- 396.21** Retain for 14 months from date of inspection.
- 396.19** 8. Evidence of individual's **qualification to conduct annual inspections**.
(Maintain while perform inspections and 1 year after leaving or no longer performing inspections.)
- 396.25** 9. Evidence of a **brake inspector's qualifications**.
(Retain for while doing inspections and 1 year after leaving or no longer performing inspections.)
***However, motor carriers do not have to maintain evidence of qualifications to inspect brake systems by persons who have passed the air brake knowledge and skills tests for the commercial driver's license.**

Driver's Vehicle Inspection Report

Check any defective item and give details under "Remarks".

DATE: _____

TRUCK/TRACTOR NO. _____

- | | | |
|--|--|--|
| <input type="checkbox"/> Air Compressor | <input type="checkbox"/> Lights | <input type="checkbox"/> Springs |
| <input type="checkbox"/> Air Lines | Head - Stop | <input type="checkbox"/> Starter |
| <input type="checkbox"/> Battery | Tail - Dash | <input type="checkbox"/> Steering |
| <input type="checkbox"/> Brake Accessories | Turn Indicators | <input type="checkbox"/> Tachograph |
| <input type="checkbox"/> Brakes | <input type="checkbox"/> Mirrors | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Carburetor | <input type="checkbox"/> Muffler | <input type="checkbox"/> Transmission |
| <input type="checkbox"/> Clutch | <input type="checkbox"/> Oil Pressure | <input type="checkbox"/> Wheels |
| <input type="checkbox"/> Defroster | <input type="checkbox"/> On-Board Recorder | <input type="checkbox"/> Windows |
| <input type="checkbox"/> Drive Line | <input type="checkbox"/> Radiator | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Engine | <input type="checkbox"/> Rear End | <input type="checkbox"/> Other |
| <input type="checkbox"/> Fifth Wheel | <input type="checkbox"/> Safety Equipment | |
| <input type="checkbox"/> Front Axle | Fire Extinguisher | |
| <input type="checkbox"/> Fuel Tanks | Flags-Flares-Fuses | |
| <input type="checkbox"/> Heater | Spare Bulbs & Fuses | |
| <input type="checkbox"/> Horn | Spare Seal Beam | |

TRAILER(S) NO(S). _____

- | | | |
|--|---------------------------------------|------------------------------------|
| <input type="checkbox"/> Brake Connections | <input type="checkbox"/> Hitch | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Brakes | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Coupling Chains | <input type="checkbox"/> Lights-All | <input type="checkbox"/> Wheels |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Roof | <input type="checkbox"/> Other |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Springs | |

Remarks: _____

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE _____

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE _____ DATE _____

DRIVER'S SIGNATURE _____ DATE _____

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 <input type="checkbox"/> YES
CITY, STATE, ZIP CODE	VEHICLE IDENTIFICATION (✓) AND COMPLETE <input type="checkbox"/> LIC. PLATE NO. <input type="checkbox"/> VIN <input type="checkbox"/> OTHER
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> (OTHER)	INSPECTION AGENCY/LOCATION (OPTIONAL)

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

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.

INSPECTOR QUALIFICATIONS

Certification – 49 CFR – Part 396.19

Motor carriers are responsible for ensuring that individual(s) performing an annual inspection under 396.19 are qualified as follows:

- Understands the inspection criteria set forth in Part 393 and Appendix G and can identify defective components
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment used when performing an inspection
- Is capable of performing an inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):

I. Successfully completed a State or Federal training program or has certificate: from a State or Canadian Province which qualifies the person to perform commercial vehicle safety inspections. Specify:

_____ or _____

II. Have a combination of training or experience totaling at least one year as follows (check all that apply):

A. Participation in a truck manufacturer-sponsored training program or similar commercial training program designed to train students in truck operation and maintenance. Where and Date:

B. _____ (years) experience as a mechanic or inspector in a motor carrier maintenance program. Name and Date:

C. _____ (years) experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:

D. _____ (years) experience as a commercial vehicle inspector for a State, Provincial, or Federal Government. Where and Dates:

I certify the above information is true and accurate to the best of my knowledge.

Employee _____
Signature of Mechanic/Inspector Date

Motor Carrier/Company _____
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:

BRAKE INSPECTOR QUALIFICATIONS

Certification - 49 CFR - Part 396.25

"Brake Inspector" means any employee of a motor carrier who is responsible for ensuring all brake inspections, maintenance, service, or repairs to any commercial motor vehicle, subject to the motor carrier's control, meet the applicable Federal standards.

No motor carrier shall require or permit any employee who does not meet minimum brake inspector qualifications to be responsible for the inspection, maintenance, service or repairs of any brakes on its commercial motor vehicles.

Minimum Qualifications

- Understands and can perform brake service and inspection
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment necessary to perform brake service and inspection
- Is capable of performing brake service or inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):

- I. Has successfully completed an apprenticeship program sponsored or approved by a State, Canadian Province, a Federal agency or labor union, or has a certificate from a State or Canadian Province which qualifies the person to perform brake service or inspections. Specify:

or

- II. Has brake-related training or experience or a combination thereof totaling at least one year as follows (check all that apply):

- A. Participation in brake maintenance or inspection training program sponsored by a brake or vehicle manufacturer or similar commercial training program. Where and Date:

- B. _____ (years) experience performing brake maintenance or inspection in a motor carrier maintenance program. Name and Date:

- C. _____ (years) experience performing brake maintenance or inspection at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:

I certify the above information is true and accurate to the best of my knowledge.

Employee _____
Signature of Mechanic/Inspector Date

Motor Carrier/Company _____
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:

Title 49 CFR Hazardous Materials Regulations

Applicability

The hazardous materials regulations are applicable to the transportation of hazardous materials in commerce and their offering to:

- Interstate, intrastate, and foreign carriers by rail car, aircraft, motor vehicle and vessel.
- The representation that a hazardous material is present in a package, container, rail car, aircraft, motor vehicle or vessel.
- The manufacture, fabrication, marking, maintenance, reconditioning, repairing or testing of a package or container which is represented, marked, certified or sold for use in the transportation of hazardous materials (49 CFR 171.1(a)).

Who is required to have HM Registration (PHMSA)?

Persons who offer for transportation or transport in foreign, interstate or intrastate commerce: (a) any highway route controlled quantity of a Class 7 (radioactive) material; (b) more than 55lbs of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car or freight container; (c) more than 1 L per package of a material extremely poisonous by inhalation; (d) a hazardous material in a bulk packaging having a capacity of 3,500 gallons for liquids or gases, or more than 468 cubic feet for solids; (e) a shipment in other than bulk packaging of 5,000 lbs. gross weight or more of one class of hazardous material for which the transport vehicles requires placarding; (f) any quantity of materials requiring placarding.

Hazardous Materials Safety Permits

After January 1, 2005, the Federal Motor Carrier Safety Administration (FMCSA) requires motor carriers to obtain a Hazardous Materials Safety Permit (HMSP) prior to transporting certain highly hazardous materials . A HMSP is required to transport any of the following materials:

- A highway route-controlled quantity of a Class 7 (radioactive material) ;
- More than 55 lbs. of a Division 1.1 , 1.2 or 1.3 (explosive) material or any amount of a Division 1.5 (explosive) material requiring placarding under 49 CFR 172;
- More than one liter per package of a "material poisonous by inhalation", that meets the criteria for "hazard zone A";
- A "material poisonous by inhalation", that meets the criteria for "hazard zone B", in a bulk packaging (greater than 119 gallons) ;
- A "material poisonous by inhalation", that meets the criteria for "hazard zone C", or "hazard zone D", in a packaging having a capacity equal to or greater than 3,500 gallons.
- A shipment of compressed or refrigerated liquefied methane or liquefied natural gas, or other liquefied gas with a methane content of at least 85 percent, in a bulk packaging having a capacity equal to or great than 3,500 gallons.

If applicable, motor carriers will be required to apply for a HMSP the next time they are scheduled to file the MCS-150 form after January 1, 2005.

Title 49 CFR Hazardous Materials Regulations

Hazardous Materials Shipper/Carrier Responsibilities

Shipper Responsibilities

- Determine whether a material meets the definition of a “hazardous material”
- Proper Shipping Name
- Class/Division
- Identification Number
- Hazard Warning Label
- Packaging
- Marking
- Employee Training
- Shipping Paper
- Emergency Response Information
- Emergency Response Telephone Number
- Certification
- Compatibility
- Blocking & Bracing
- Security Plan
- Incident Reporting

Listed above are the major responsibilities of HM shippers. General shipper responsibilities are contained in 49 CFR 173. Identification of a hazardous material is the first step, and, frequently the most difficult. Of all the shippers' (offerors) responsibilities, the requirement to properly classify a hazardous material is very important. It is from the proper identification of the hazardous material that the other requirements are based. A list of all material regulated by the DOT is located in section 172.101.

Carrier Responsibilities

- Shipping Paper
- Placard & Mark Vehicle
- Loading and Unloading
- Compatibility
- Blocking & Bracing
- Incident Reporting
- Security Plan
- Employee Training

The list above contains some of the major responsibilities of HM carriers. Carrier and offeror (ship) responsibilities frequently overlap. When a motor carrier performs a shipper function, the carrier is responsible for performing that function in accordance with 49 CFR.

HM Classes

- Class 1 = Explosives
- Class 2 = Gases
- Class 3 = Flammable Liquid
- Class 4 = Flammable Solids
- Class 5 = Oxidizing Substances; Organic Peroxides
- Class 6 = Poisonous (Toxic) and Infectious Substances
- Class 7 = Radioactive Material
- Class 8 = Corrosives
- Class 9 = Misc. Dangerous Goods

Title 49 CFR

Hazardous Materials Regulations

Definitions

"Bulk packaging" means a packaging other than a vessel or barge, including a transport vehicle or freight container, in which hazardous materials are loaded with no intermediate form of containment and which has:

- A maximum capacity greater than 119 gallons as a receptacle for a liquid:
- A maximum net mass greater than 882 pounds and a maximum capacity greater than 119 gallons as a receptacle for a solid:
- A water capacity greater than 1000 pounds as a receptacle for a gas as defined in 173.115.

"Consumer commodities" are materials that are packaged and distributed in a form intended for, or suitable for sale through retail sales. In order to determine if a particular hazardous material may qualify as a consumer commodity, refer to the section number in Part 173 identified in column 8 of the 172.101 Table for that material.

"Materials of Trade" transportation (see 49 CFR 171.8) by highway may be excepted from many of the requirements of the HM regulations when transported in accordance with the procedures contained in 49 CFR 173.6.

"ORM-D" materials are materials such as a consumer commodity, which is subject to the regulations, presents a limited hazard during transportation due to its form, quantity, and packaging. Each ORM-D material and category of ORM-D material is listed in the 49 CFR 172.101 Table and 173.144.

Shipping Papers

Each person who offers hazardous materials for transportation shall describe the hazardous materials on a shipping paper that conforms to the requirements of the HMR. No carrier may transport a hazardous material unless it is accompanied by a shipping paper that is prepared in accordance with the HMR. A properly prepared shipping paper must contain at least the following in the proper sequence:

- Identification Number
- Proper Shipping Name
- Hazardous Class
- Packing Group
- Total Quantity (Weight, Volume, Gallons, etc.)
- Emergency Phone Number

The emergency response telephone number may be anywhere on the shipping paper as long as it does not violate other rules and must be monitored at all times while the shipment is in transit.

Labeling

The basic marking requirements consist of the identification number, proper shipping name, class, packing group, quantity of the hazardous materials contained in the package with emergency number. Markings must be durable, in English and not obscured by other markings or labels.

Title 49 CFR Hazardous Materials Regulations

**Labeling
(continued)**

General labeling requirements are contained in 49 CFR Subpart E, Part 172. Each person who offers for transportation or transport a hazardous material shall ensure the package is properly labeled. There are a number of exceptions to the labeling requirements contained in 172.400a.

Placarding

General placarding requirements are contained in 172.504. Each bulk packaging, freight container, unit load device, transport vehicle or rail car containing any quantity of hazardous materials must be placarded on each side and each end with placards specified in tables 1 & 2.

Table 1 (Placard Any Quantity)

<u>Hazard class or division</u>	<u>Placard Name</u>
1.1.....	Explosives 1.1
1.2.....	Explosives 1.2
1.3.....	Explosives 1.3
2.3.....	Poison Gas
4.3.....	Dangerous When Wet
5.2 (Organic Peroxide, Type B, liquid or solid, Temperature Controlled) ..	Organic Peroxide
6.1 (Inhalation Hazard, Zone A or B)	Poison Inhalation Hazard
7.0 (Radioactive Yellow III label only)	Radioactive

Table 2 (Placard 1,001 lbs or more)

<u>Hazard class or division</u>	<u>Placard Name</u>
1.4.....	Explosives 1.4
1.5.....	Explosives 1.5
1.6.....	Explosives 1.6
2.1.....	Poison Gas
3.0.....	Non-Flammable Gas
Combustible Liquid	Combustible
4.1.....	Flammable Solid
4.2.....	Spontaneously Combustible
5.1.....	Oxidizer
5.2 (Other than Organic Peroxide, Type B, liquid or solid, Temperature Controlled) ..	Organic Peroxide
6.1 (Other than Inhalation Hazard, Zone A or B)	Poison
6.2.....	(None)
8.0.....	Corrosive
9.0.....	Class 0 (172.504 (f) (9))
ORM-D	(None)

Title 49 CFR Hazardous Materials Regulations

HM Training

"General awareness" training is intended to raise the hazmat employees' awareness of the HMR and the purpose and meaning of the hazard communication requirements. All hazmat employees must have this training.

HM Training (Continued)

"Function-specific" training is intended to teach the necessary knowledge, skills and abilities for an individual's job function.

"Safety" training provides information concerning the hazards posed by materials in the workplace and personal protection measures.

"Security" training must include an awareness of security risks associated with hazardous materials transportation and methods designed to enhance transportation security.

Security Plan

It is the hazmat employer's responsibility to determine the adequacy of the training being presented. Training may be in any appropriate format including lecture, conference, self-paced instruction, interactive video, etc. All new hazmat employees must be trained within 90 days of employment and must be supervised until properly trained. Recurrent training must take place every three years.

A record of current training, inclusive of the preceding three years, in accordance with this subpart, shall be created and retained by each hazmat employer for as long as that hazmat employee is employed.

Each hazmat employer subject to the security plan requirements (CFR 172.800) is required to establish and implement a security plan. The purpose of this requirement is to enhance the security of hazardous materials transported in commerce. Employers must also train each employee on the security plan and its implementation.

Your Security Plan should be a complete document and should include: (a) information on your security assessment; (b) how you address any vulnerabilities identified in the assessment; (c) what security measures you have adopted; (d) how, when, and by whom they will be implemented; (e) your organizational structure; and (f) the responsibilities of the various employee positions. In essence, your security plan is the detailed map of how you address the security assessment.

Each motor carrier should evaluate the threats it faces and its vulnerabilities based on its unique operations and facilities and should recognize that a cookie-cutter approach is not appropriate. The measures adopted by your company to address your vulnerabilities do not need to be complex or expensive to be effective, but the justification and rationale to support them needs to be sound and documented. The key to developing adequate security measures is to think "prevention".

Title 49 CFR
Hazardous Materials Regulations

**Security Plan
(Continued)**

Understand that the threat is very real and try to think like a terrorist when assessing your security weaknesses. More information on security plans can be obtained at www.fmcsa.dot.gov

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SECTION TWO

Part 382	Alcohol and Drug Testing Requirements
Part 383	Commercial Driver's License Requirements

Title 49 CFR, Part 382 Controlled Substance and Alcohol Testing

Most drivers of commercial motor vehicles (CMV) engaged in interstate and intrastate transportation are subject to controlled substances and alcohol testing under the Code of Federal Regulations, Title 49 Parts 40 and 382. Employers are required to have a program and procedures in place to insure that all drivers who are required to possess a commercial driver's license (CDL), and who operate a commercial vehicle, are tested for drug and alcohol use. The purpose of controlled substance testing is to reduce highway accidents that result from driver use of these substances. Carrier should note; As of this printing, Marijuana use of any kind, including marijuana prescribed by a medical professional, that results in a positive test will disqualify a driver. A Carrier may not knowingly allow a CMV driver to drive a CMV who is in possession of or using any controlled substances

commercial motor vehicle (CMV)

A commercial motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating or more than 10,000 pounds; or
- Has a gross vehicle rating of 26,001 pounds; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in transportation of hazardous materials which requires a placard on the vehicle.

This law applies to:

This law applies to:

- For hire and private companies;
- Federal, state and local governments;
- Civic and church organizations;
- Farmers and custom harvesters unless exempted from CDL;
- Apiarian industries (Beekeeping)

Alcohol Definitions

“**Alcohol**” is the intoxication agent in beverage alcohol, ethyl alcohol, or low molecular weight alcohol including methyl and isopropyl alcohol.

“**Alcohol use**” is the consumption of any beverage, mixture or preparation (including medication) that contains alcohol.

Alcohol Prohibitions

The alcohol rule prohibits any alcohol use that could affect performance of a safety-sensitive function, including:

- Reporting for duty or remaining on duty to perform safety-sensitive functions with alcohol concentration of 0.04 BAC or greater;
- Use while performing safety-sensitive functions ;
- Use during the 4 hours before performing safety-sensitive functions;
- Possession of alcoholic substances, unless transported and manifested as part of a shipment
- Use during 8 hours following an accident, or until driver undergoes a post-accident test, whichever occurs first.
- Refusal to take a required test

Title 49 CFR, Part 382 Controlled Substance and Alcohol Testing

Tests Required	<p>Drivers required to have a commercial driver's license (CDL) are subject to:</p> <ul style="list-style-type: none">• Pre-employment testing (a verified negative test result before first trip) Part 382.301;• Post-accident testing (see chart in Part 382.303)• Random testing (must include more than one driver, use a scientifically valid method and each driver has an equal chance of being tested each time);• Reasonable suspicion testing (supervisor receive 60 min. each drug and alcohol training);• Return to duty (a verified negative test result must be received before performing a safety sensitive function(driving a CDL vehicle))• Follow up (SAP to determine a substance abuse plan to include a minimum 6 unannounced follow-up tests in the first 12 months)
Controlled Substance Testing	<p>Employers are required to do a five-panel test for the following controlled substances:</p> <ul style="list-style-type: none">• Marijuana• Cocaine• Opiates• Amphetamines• Phencyclidine(PCP)
Drug Prohibitions	<p>A driver may not report for duty (or remain on duty) to perform safety-sensitive functions if:</p> <ul style="list-style-type: none">• The driver uses any of the above-mentioned drugs unless prescribed by a doctor who has told the driver that the use will not adversely affect the driver's ability to operate a CMV safely.• The driver tests positive for controlled substance use; or• The driver refuses to take a required test.
Consequences	<p>A driver who violates any of the above provisions must:</p> <ul style="list-style-type: none">• Not perform, nor be permitted to perform, a safety-sensitive function• Be referred to a substance abuse professional (SAP) for evaluation to determine what assistance is needed.• Undergo a return-to-duty test for alcohol or drugs resulting in a verified negative result• Be subject to unannounced follow-up testing after returning to work
Access to Records	<p>An employer must obtain, pursuant to a driver's written consent, the driver's alcohol and drug compliance records from previous (3 yrs.) employers. A previous employer, pursuant to a driver's written consent, must release a driver's alcohol and drug compliance records to a prospective employer. Carriers must make all records related to the administration of their testing programs and individual test results available to agencies with regulatory jurisdiction. Requests may be placed in drivers qualification file.</p>

Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing

Medical Review Officer

A carrier must use a Medical Review Officer (MRO) to review and verify individual controlled substance test results. It is the MRO who must notify the carrier whether a driver's drug test was positive or negative, and which controlled substance tested positive.

Education Material and Company Policy

Employers must provide educational materials to each driver explaining the requirements and employer policies and procedures with respect to drug and alcohol testing, and shall ensure all persons who supervise drivers receive 60 minutes training on alcohol and 60 minutes training on substance abuse as required in Part 382 and maintain evidence of such training.

Carrier Responsibility

Parts 40 and 382 standards allow carriers to contract with outside services and consortiums that assist with administration of the carrier's program. Frequently contracted services include company policy development, random selections, collection site, and testing services. Responsibility for compliance is ultimately the responsibility of the employer.

Drug & Alcohol Clearing house

Employers and drivers must register in the Drug & Alcohol clearing house.

Driver's will utilize the Clearing house to confirm their information is correct and to provide permission to carrier to complete a full query.

Employers must complete a full query on all new CDL drivers. Employers must also complete a limited query on existing CDLs drivers annually.

Note: any annual queries that result in a finding in the Clearing House will obligate the employer to complete a full query.

Other responsibilities for Carrier and driver

Employers should note as of this publication their responsibility related to collecting drug & alcohol information for CDL drivers has not changed, employers must obtain for all new driver's drug & alcohol history. How the employer can gather the info has changed. As per regulation an employer must obtain, pursuant to a driver's written consent, the driver's alcohol and drug compliance records from previous (3 yrs.) employers. A previous employer, pursuant to a driver's written consent, must release a driver's alcohol and drug compliance records to a prospective employer. Carriers must make all records related to the administration of their testing programs and individual test results available to agencies with regulatory jurisdiction, requests may be placed in driver's qualification file.

To complete the drug & alcohol review for CDL drivers all employers must complete a full query of driver in the Drug & Alcohol Clearing house. (note to complete the full query driver must sign in to Clearing House and provide permission to employer) In addition to the clearing house query the employer must contact all previous employers in writing until January 6, 2023. After the aforementioned date employers will only need to complete a full query in the Drug & Alcohol Clearing house

**Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing**

**Web link to
FMCSA
Clearing House**

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

Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing

**PRE-EMPLOYMENT RELEASE FOR INFORMATION FROM PREVIOUS EMPLOYER
OF ALCOHOL AND CONTROLLED SUBSTANCE TESTING**

To: _____ Date: _____

The person identified below is seeking employment with this company, as a driver who is subject to the alcohol/controlled substance testing provisions of the Federal Motor Carrier Safety Regulations of 49 CFR Part 40.25 and Part 382.413. Pursuant to the aforementioned codes, with the driver's written consent, we request the results of related testing of this individual while in your control. The Federal Regulations mandate that we receive your reply within 14 days from request.

REQUESTED PERSONS INFORMATION

NAME: _____ SSN: _____

ADDRESS: _____

CDL Information: _____
Number state class endorsements

RELEASE: I hereby authorize release of information to the inquiring named company.

Driver Signature Date

TEST RESULTS: Please provide the results and date of most recent drug/alcohol tests, or indicate that driver was not subject to requirements.

Alcohol (0.04 or higher) Date: _____ Result: Yes _____ No _____

Alcohol Refusals Date: _____

Controlled Substance Date: _____ Result: Neg _____ Pos _____

Controlled Substance
Refusals Date: _____

Other violations of DOT Drug & Alcohol testing regulations Yes _____ No _____
Explain _____

Reason not subject to drug/alcohol testing _____

PLEASE RETURN THIS INFORMATION TO: (please mark envelope "Confidential")

NAME _____ TITLE _____

COMPANY _____

ADDRESS _____

If you would prefer to reply by telephone, call: _____ FAX: _____

Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing

(Please give information to listed person)

Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing

CONTROLLED SUBSTANCES and ALCOHOL USE AND TESTING

PROGRAM IMPLEMENTATION CHECKLIST

- Do you have at least one person familiar with the controlled substances and alcohol testing requirements?
- Do you have written company policies and procedures describing your company's alcohol and its implementation?
- Have you informed employees in writing of the company's substance use and abuse policy and its implementation?
- Have you provided educational materials relating to the effects of alcohol and controlled substance use and abuse to your affected employees?
- Have you identified which job positions need to be tested?
- Have you selected qualified personnel to implement and monitor your program?
- Do you have a Drug and Alcohol Clearing house Account?
- Does your program include testing for five prohibited substances: marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP)?
- Have you established or contracted for a secure specimen collection site with appropriately trained personnel and clearly written procedures?
- Have you established or contracted with a certified laboratory to analyze specimens?
- Have you designated a qualified alcohol-testing technician to conduct alcohol tests?
- Does your program include pre-employment controlled substance testing?
- Does your pre-employment Drug & Alcohol program include a full query of new driver in Drug & Alcohol Clearing House?
- Does your program include at the very least an annual limited query of all drivers in the Drug & Alcohol Clearing House?
- Does your program include random, reasonable cause, post-accident, return to duty and follow-up testing for alcohol and controlled substances?
- Have you identified substance abuse professionals and rehabilitation resources for referral?
- Have you made arrangements for a minimum 120 minutes of training for supervisors required to make reasonable suspicion determinations?
- Have you made record keeping and reporting provisions? Do they protect the right to privacy and prevent unauthorized release of test results?

Title 49 CFR, Part 382
Controlled Substance and Alcohol Testing

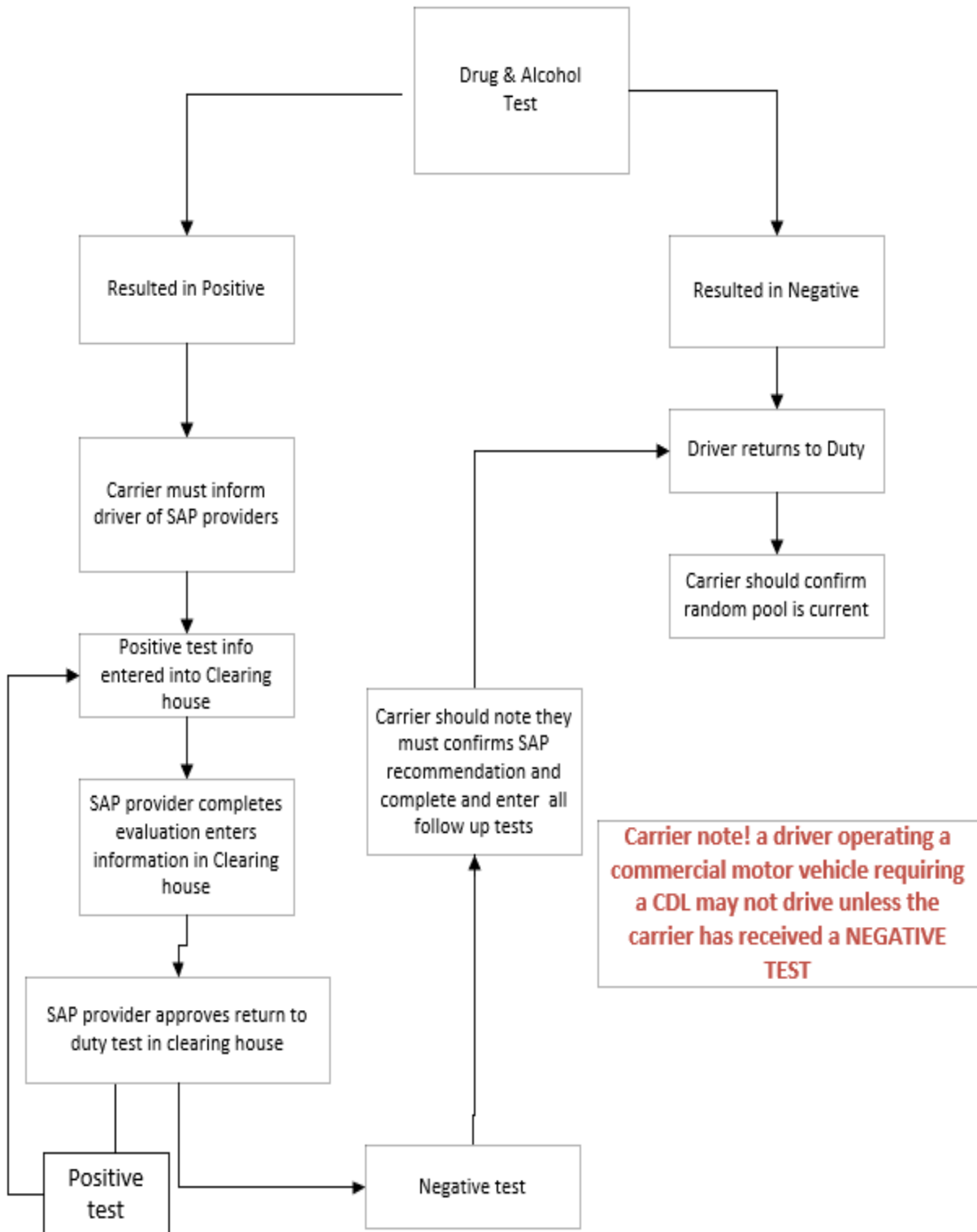
For additional assistance contact:

Montana Department of Transportation, Office of MCSAP
Federal Motor Carrier Safety Administration - Montana Division

(406) 444-3300
(406) 449-5304

CONTROLLED SUBSTANCE FLOW CHART

Part 382



Title 49 CFR, Part 383

CDL Standards - Requirements and Penalties

Standards

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 commercial motor vehicles (CMV) safely.

Commercial Driver's License Information System (CDLIS)

CDLIS enables the State to exchange information about the driving records and driver's licenses of CMV drivers. This helps assure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL. Employers have access to the CDLIS clearinghouse through their State's vehicle licensing agency

Vehicles requiring commercial driver's license

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

- With a gross vehicle weight rating (GVWR) or gross combination weight (GCVW) of at least 26,001 pounds towing a trailer of at least 10,001 lbs or
- Designed to transport at least 16 passengers including the driver or
- Transporting a quantity of hazardous material requiring placarding. Because the CDL is a state-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

LCV Certification Requirements

CDL Drivers of Longer Combination Vehicles (LCV) must meet minimum requirements for special training through Part 380. LCV Driver-Training Certificate.

Notification to employer and licensing state

Upon conviction for any State or local traffic violations, 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.

Title 49 CFR, Part 383

CDL Standards - Requirements and Penalties

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;
- Leaving the scene of an accident that involves a CMV;
- Using a CMV to commit a felony;
- 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

The following tables have been provided for carriers and drivers to provide information regarding CDL and motor vehicle traffic citations **convictions** and the impact these **convictions** have on a drivers CDL privileges.

Major Offense Table

Major Offenses	Disqualifications
<ol style="list-style-type: none"> 1. Driving a motor vehicle while under the influence of alcohol as prescribed by state law (A08, A10, A11[Where BAC \geq.08], A20, A21, A23, A90, A91 [Where BAC \geq.08], and A98) 2. Driving a motor vehicle while under the influence of a controlled substance (A20, A22, A23) 3. Driving a commercial motor vehicle while the person's blood alcohol concentration is 0.04% or more (A04, A11[When BAC $>$.04 but$<$.08], A91[When BAC $>$.04 but$<$.08], and A94) 4. Refusing to take an alcohol or drug test as required by a State or jurisdiction under its implied consent laws or regulations as defined in § 383.72 (after operating a motor vehicle) (A12) 5. Leaving the scene of an accident (driving a motor vehicle) (B01, B02, B03, B04, B05, B06, B07, and B08) 6. A felony involving the use of a motor vehicle, other than as described in #9 in this table. (U03) 7. Driving a commercial motor vehicle when as a result of prior violations committed operating a CMV, the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV (B20, B21, B22, B23, B24, B25, and B26 [see section 3.2.96.2] — the CMV Indicator must equal '1') 8. Causing a fatality through the negligent operation of a commercial motor vehicle, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle, and negligent homicide (U07, U08, U09, and U10 — the CMV Indicator must equal '1') 9. Use of a motor vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance (A50) 	<p>For 1st Major Offense:</p> <ul style="list-style-type: none"> • 1 year Disqualification - if the vehicle <u>was not</u> transporting hazardous materials required to be placarded • 3 years Disqualification - if the vehicle was transporting hazardous materials required to be placarded <p>2nd and separate incident of any major offense:</p> <ul style="list-style-type: none"> • Lifetime disqualification, but eligible for 10 year reinstatement (W40) <p>Incident after reinstatement</p> <ul style="list-style-type: none"> • Lifetime disqualification, not eligible for reinstatement (W41) <p>For Conviction Group 9</p> <ul style="list-style-type: none"> • Lifetime disqualification, not eligible for 10 year reinstatement (A50)

**Title 49 CFR, Part 383
CDL Standards - Requirements and Penalties**

Serious Offense Table

Serious Offenses	Disqualifications
<ol style="list-style-type: none"> 1. Speeds excessively, involving any speed of 15 mph or more above the posted speed limit (S15, S16, S21, S26, S36, S41, S71, S81, S91, S92 [if detail on S92 shows >15 over limit]) 2. Drives recklessly, as defined by State or local law or regulation, including but not limited to offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property (M84) 3. Makes improper or erratic traffic lane changes (M42) 	<p>For 1st Conviction:</p> <ul style="list-style-type: none"> • No disqualification <p>2nd and separate incident of any offense in this table, during a 3 year period:</p> <ul style="list-style-type: none"> • 60 days disqualification (W30)
<ol style="list-style-type: none"> 4. Follows the vehicle ahead too closely (M34) 5. Violates State or local law relating to motor vehicle traffic control arising in connection with a fatal accident (U31) 6. Driving a CMV without obtaining a CDL (B56) 7. Driving a CMV without a current CDL in the driver's possession (B51) 8. Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported (B91) 	<p>3rd or subsequent conviction of any incident of any offense in this table, during a 3 year period:</p> <ul style="list-style-type: none"> • 120 days disqualification (W31)

Railroad-Highway Grade Crossing Offenses Table

Railroad-Highway Grade Crossing Offenses	Disqualifications
<p>If the driver operates a commercial motor vehicle in violation of a federal, state or local law and:</p> <ol style="list-style-type: none"> 1. The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train (M20) 2. The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear (M21) 3. The driver is always required to stop, but fails to stop before driving onto the crossing (M22) 4. The driver fails to have sufficient space to drive completely through the crossing without stopping (M23) 5. The driver fails to obey a traffic control device or the directions of an enforcement official at the crossing (M10) 6. The driver fails to negotiate a crossing because of insufficient under-carriage clearance (M24) 	<p>For 1st Conviction:</p> <ul style="list-style-type: none"> • No less than 60 days <p>For 2nd Conviction of any offense in this table in a separate incident within a 3-year period:</p> <ul style="list-style-type: none"> • No less than 120 days CMV disqualification (W60) <p>3rd or subsequent conviction of any offense in this table in a separate incident within a 3-year period:</p> <ul style="list-style-type: none"> • No less than 1 year CMV disqualification (W61) <p>Note: An employer who is convicted of a violation of a Federal, State, or local law or regulation, pertaining to railroad-highway grade crossings must be subject to a civil penalty of not more than \$10,000.</p>

Title 49 CFR, Part 383
CDL Standards - Requirements and Penalties

Violating Out-Of-Service Order

<p>Other Penalties:</p> <p>A driver who is convicted of violating an out-of-service order shall be subject to a civil penalty of not less than \$2,500 for a first conviction and not less than \$5,000 for a second or subsequent conviction, in addition to disqualification under §383.51(e).</p> <p>An employer who is convicted of a violation of an out-of-service order shall be subject to a civil penalty of not less than \$2,750 nor more than \$25,000.</p>	<p>For 2nd Conviction of a separate incident of an offense in this table, during a 10 year period in a HAZMAT CMV and/or a Passenger CMV (B19):</p> <ul style="list-style-type: none">• 3 year to five disqualification (W51) <p>For 2nd Conviction of a separate incident of an offense in this table, during a 10 year period in a CMV that was not a Passenger CMV or a HAZMAT CMV (B27)</p> <ul style="list-style-type: none">• 2 year to five disqualification (W50) <p>For 3rd Conviction of a separate incident of an offense in this table, during a 10 year period</p> <ul style="list-style-type: none">• 3 to 5 year disqualification (W52)
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Title 49 CFR, Part 383
CDL Standards - Requirements and Penalties

Endorsements

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

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

Air Brake Restrictions

If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes

Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.

Note: Other Montana CDL information may be obtained from Dept. of Motor Vehicles at the help desk: (406) 444-3244.

Please note at the time of this publication FMCSA has established a Entry Level Driving program for new driver of CDL driver upgrading their CDLs this program will be in effect on 02/07/2022

Title 49 CFR, Part 383 CDL Standards - Requirements and Penalties

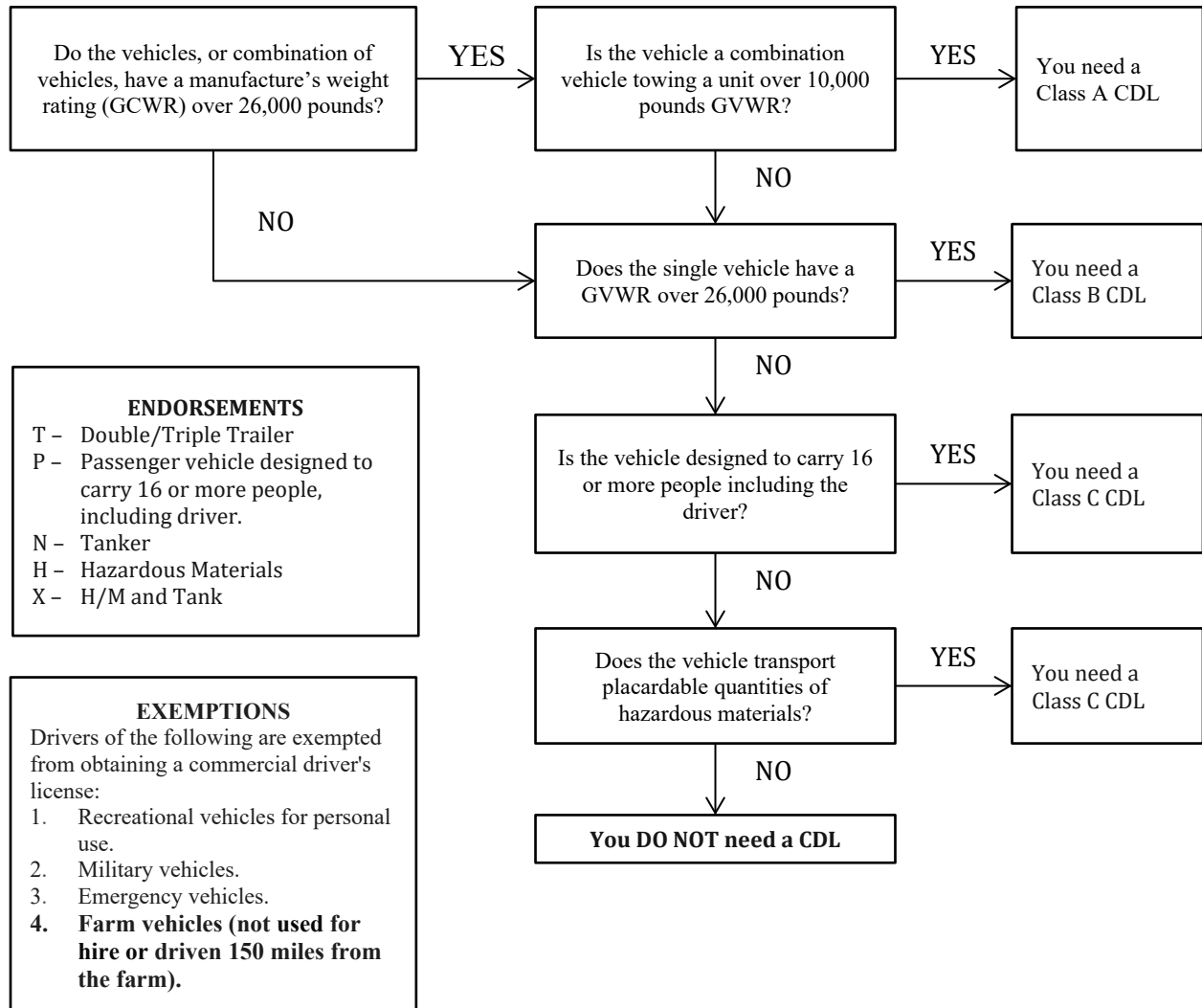
There are three types of commercial driver's licenses: **Class A, B, and C**. Drivers of light vehicles- passenger cars and pickup trucks- will be issued an operator's license.

- **Class A** – Combination of vehicles with a gross combined weight rating (GCWR) over 26,000 pounds, provided the GVWR of the vehicle(s) being towed is greater than 10,000 pounds. A driver with a Class A license will be able to drive Class A, B, and C commercial vehicles with proper endorsements when required.
- **Class B** – Single vehicles with a GVWR over 26,000 pounds, or any such vehicle towing a vehicle under 10,000 GVWR. A driver with a Class B license will be able to drive Class B and C Commercial vehicles with proper endorsement when required.
- **Class C** – Vehicles with a GVWR less than 26,001 pounds. Class C's strictly for vehicles designed to carry 16 or more people or carry hazardous material in quantities large enough to require a placard. A class C license holder will be able to drive Class C commercial vehicles only.

Check the chart below to see what kind of commercial driver's license you will need

Title 49 CFR, Part 383

CDL Standards - Requirements and Penalties






Title 49 CFR, Part 383

CDL Standards - Requirements and Penalties




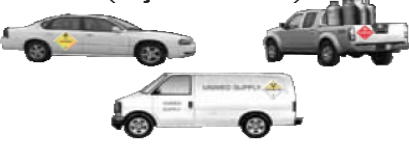


Commercial Driver's License (CDL)

COMMERCIAL MOTOR VEHICLE GROUPS


<p>Group A (Combination Vehicle) Any combination of vehicles with a gross combination weight rating (GCWR) of 26,001 pounds or more, provided the gross vehicle weight rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds.</p> 	<p>Group B (Heavy Straight Vehicle) Any single vehicle with a GVWR of 26,001 pounds or more, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.</p> 	<p>Group C (Small Vehicle) Any single vehicle, or combination of vehicles, that meets neither the definition of Group A nor Group B, but is designed to transport 16 or more passengers including the driver, or is used in the transportation of materials found to be hazardous which require the motor vehicle to be placarded. This includes any quantity of chemical or biological material or agent posing a threat to national security, including toxins.</p>  <p style="text-align: right; font-size: small;">Revised 01/06</p>
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Commercial Driver's License (CDL)

CDL ENDORSEMENTS

<p>Double/Triple Trailers (T)</p> 	<p>Passenger Vehicles (P)</p> 	<p>Tank Vehicles (N)</p> 
<p>Hazardous Materials (H) (any size vehicle)</p> 	<p>School Buses (S)</p> 	<p>Tank & Hazardous Materials (X)</p> 

Federal Motor Carrier
Safety Administration



U.S. Department of Transportation
www.fmcsa.dot.gov

SECTION THREE

Safety Fitness Procedures

Resources

Web Sites

Permit & Weight Station Information

Title 49 CFR, Part 385 Safety Fitness Procedures

A motor carrier receives a safety rating when a safety investigator conducts an on-site investigation of the carrier's compliance with the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. The investigator reviews records, evaluates roadside vehicle inspection data and accidents to determine whether a motor carrier demonstrates compliance as described in Section 385.5 Safety Fitness standards.

Safety Ratings

The Safety Ratings are:

- **Satisfactory** – A motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in Section 385.5. Safety management controls are adequate if they are appropriate for the size and type of operation of the particular motor carrier.
- **Conditional** – A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in the occurrences listed in Section 385.5 (a) through (h).
- **Unsatisfactory** – A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standards that has resulted in occurrences listed in Section 385.5 (a) through (h). Motor carriers receiving an "unsatisfactory safety rating" may be subject to the provisions of Section 385.13.

Carrier Investigation

Carrier Investigation:

- Investigations are conducted various ways depending on carrier score. The variations are off-site, on-site focused or on-site comprehensive examination of the motor carrier's records and operation to determine whether the carrier meets the safety fitness standard. The investigation may include an examination of the following aspects of the motor carrier's operations:
 - Alcohol and controlled substance testing
 - Driver's hours of service
 - Driver qualifications
 - Vehicle inspection and maintenance
 - Financial responsibility
 - Accidents
 - Hazardous materials
 - Other safety and transportation records
 - Roadside vehicle out-of-service rate

A carrier investigation is conducted to investigate potential safety violations, to investigate complaints or is in response to a carrier's request for a change in safety rating. The results of the intervention review may result in the initiation of an enforcement action.

For additional information refer to: <http://ai.fmcsa.dot.gov/default.aspx>

SUPPLIES, FORMS AND SERVICES

Supplies, forms and training required by the FEDERAL MOTOR CARRIER SAFETY REGULATIONS, such as medical exam forms and cards, log books, drivers daily vehicle inspection reports and supervisor training etc, may be purchased from one of the following sources:

J. J. KELLER ASSOCIATES

3003 W. Breezewood Lane
P.O. Box 368
Neenah, WI 54957-0368
(877) 564-2333
www.jjkeller.com

MONTANA MOTOR CARRIERS

509 N. Sanders #201
Helena, MT 59601
Phone (406) 442-6600
www.mttrucking.org

LABELMASTER

5724 N. Palaske Rd
Chicago, IL 60646-6797
(800) 621-5808
www.lablemaster.com

SUPERINTENDENT of DOCUMENTS

U.S. Government Printing Office
Washington D.C. 20402
(202) 512-1800
<http://bookstore.gpo.gov>

FOLEY SERVICES INC

655 Winding Brook Drive,
Glastonbury, CT 06033
(800) 253-5506
www.FoleyServices.com

HAZARDOUS MATERIALS REGULATIONS are contained in the book called "The Code of Federal Regulations," Title 49, Parts 100-185. This book may be purchased from the government printing office.

Sources of HAZARDOUS MATERIALS LABELS and PLACARDS

J. J. Keller Associates	(800) 558-5011
American Trucking Association	(800) ATA-LINE
Montana Motor Carriers Association	(406) 442-6600

SUPERVISOR TRAINING

This required training can be obtained at a number of sources. A few are: Foley Services, J.J. Keller and LabelMaster. (Telephone numbers are located above).

SUBSTANCE ABUSE and ALCOHOL TESTING

A very basic list of consortiums has been provided. (For a complete list of available services in your area, an on line search "Drug Detection & Testing" or the local yellow pages.) These companies provide various services related to drug and alcohol testing. **The Office of Motor Carriers Safety Assistance Program does not endorse any individual program.** It is the responsibility of the employers to ensure that their program is administered in compliance with the regulations. Many companies offer remote testing and training of both drivers and company officials. Most companies also have out of area contracts for testing of drivers away from a central area.

SUPPLIES, FORMS AND SERVICES

CONSULTING GROUPS (SAPS)

There are a number of government agencies and private companies which specialize in mental health and rehabilitation therapies. For local consortiums in your city, check web or written publication searching “Drug Detection and Testing.” All Substance Abuse Provider Services (SAPS) must be certified and Registered with FMCSA.

Consortium List

The following is not a complete listing. Other sources may be identified through professional organizations, industry publications, telephone directories, web sites and contact with other carriers.

American Drug Testing Consortium	6279 Main St. Trumbull, CT 06611	800-528-9075
Billings Deaconess Clinic	1020 N. 27 th Billings, MT 59102	406-247-6220
Bozeman Deaconess Clinic	915 Highland Blvd Bozeman, MT 59715	406-414-4600
Checker Inc.	PO Box 899 Sidney, MT 59270	406-488-5500 877-488-5901
Chemnet (MT, ND, SD & WY)	302 Ave D, Suite 103 Billings, MT 59102	406-256-2037 800-597-7103
CMCI-OOIDA	PO Box 1000 Grain Valley, MO 64029	800-288-3784
Drug Free Alliance (Am Mobile Drug Testing)	3475 West Broadway Missoula, MT 59801	406-543-8111 Fax 406-543-1801
Drug Free Business Consortium	11511 N.E. 195 th St, #102 Bothell, WA 98011	866-448-0651
Drug Information Systems Inc	2625 Broadway Helena, MT 59601	406-444-5001
Drug Intervention Services Of America	10750 Hammerly Blvd Houston, TX 77042	800-752-6432
Foley Services Inc.	140 Huyshope Ave Hartford, CT. 06106	800-253-5506
Great Falls Medical Services	1201 Central Avenue W Great Falls, MT 59405	406-454-3247
HireRight	14002 East 21 st St. Suite 1200 Tulsa, OK 74134	800-288-8504
Intermountain MRO Services	PO Box 9800 Salt Lake City, UT 84109	801-486-5400
Labworks USA	10940 SW Barnes Rd, #115 Portland, OR 97225	888-582-8001
Lab Corp	4022 Willow Lake Blvd Memphis, TN 38175	800-833-3984

Consortium List

Lane & Associates	14 Fish Hatchery Rd Ennis, MT 59729	406-682-7718
Medical Enterprises Inc.	10404 Essex Court, Suite 200 Omaha, NE 68114-3771	402-393-8826
Missoula Medical	1805 Bancroft ST Suite 2 Missoula, MT 59801	406-543-6850
Occupational Health Services	205 Sunnyview Lane Kalispell, MT 59901	406-751-4189 Fax 406-751-4527
SafeTrac Solutions	1125 2 nd Ave North, Suite 3 Great Falls, MT 59405	406-727-9000
Sinnett Consulting Services	10580 N McCarran Blvd, #115-212 Reno, NV 89503-1896	775-746-1616
St. Vincent Health Care	1233 North 30 th St. Billings, MT 59102	406-237-4114
V-TEC (Valley Truckers Consortium)	1550 E Conley RD. Ripon, CA 95366	209-599-7617

Websites & Explanation of Services Provided For Carriers

Below is a list of useful websites to help you, the carrier, with many different types of questions. Some of these email addresses may also provide you with training tools and/or help you update vital information required by FMCSA from time to time.

Federal Motor Carriers Safety Administration

www.fmcsa.dot.gov

Information the Web Page Provides:

[Apply for DOT Number](#)

[Questions about CDLs](#)

[Update your MCS 150 \(Interstate\)](#)

[Answers to rules & regulations](#)

This link takes you to the Lead agency for motor carriers.

Commercial Vehicle Safety Alliance

www.cvsa.org

Information the Web Page Provides:

[Brake training](#)

[Upcoming National Specials](#)

[Copy of the OOS Criteria](#)

[Contact to Committees](#)

CVSA provides the training and certification for both state and federal inspectors for roadside inspections and intervention reviews.

A&I

ai.fmcsa.dot.gov

Information the Web Page Provides:

[SafeStat Online](#)

[Crash Statistics](#)

[Program Measures](#)

[NAFTA Safety Stats](#)

[Passenger Carrier Safety](#)

[Data Quality](#)

[Analysis Results & Reports](#)

A&I was set up for both government and the public to use to gather information about many types of information with regards to crash, inspection, safety program and many other items at the national and state levels.

DataQs

dataqs.fmcsa.dot.gov

Information the Web Page Provides:

The above site is for carriers to electronically dispute roadside inspections. If a carrier files a dispute via DataQs, they receive a confirmation of the dispute and both FMCSA and the state that performed the inspection are notified. Both the carrier and government entities can track and respond to the dispute and all correspondence is tied to a dispute number you, the carrier, can track. DataQs automatically tracks response and reminds both FMCSA and the state if they have not responded within 14 days to the dispute.

Obtain a Copy of Your Company's Profile:

Websites & Explanation of Services Provided For Carriers

www.safersys.org

MDT, MCS email Contact Address:

mdtmcscontact@mt.gov

Apply for Online Permitting: http://www.mdt.mt.gov/business/mcs/permit_online.shtml

Obtain a Driving Record for Myself or My Employees in Montana:

www.doj.mt.gov/driving/drivingrecords.asp

Fingerprinting for HazMat Endorsement:

The locations and service providers continue to change based on contractors. The following web site will lead you to the most up to date service provider for finger printing

<https://universalenroll.dhs.gov/locator?serviceCode=111168&service=pre-enroll>

CDL Help Desk:

Helena: (406) 444-3244

Permit & Weigh Station Information

For permit information, come to the Motor Carrier Services, located at 2701 Prospect Avenue, Helena, MT or call: 406-444-7262. Facsimile: 406-444-0800.

Internet page: http://www.mdt.mt.gov/publications/docs/manuals/truckers_handbook.pdf

General Information on Size & Weight

Width	8' 6"
Height	14'
Length	55' Single Vehicle 53' Semi Trailer 61' Double Trailer Combination 75' Stinger-Steered Automobile Transporters 75' Saddle mount 75' Truck trailer Combination 75' All Other Combinations

If you are over any of these dimensions, please call the permitting office at 406-444-7262 to inquire about the availability of permits.

Single Axle - two tires	11,000 lbs
Single Axle - four tires	20,000 lbs
Tandem Axle	34,000 lbs
Tridem Axle	<i>See Bridge Formula</i> (In Truckers Handbook)
Gross Weight	<i>See Bridge Formula</i> (In Truckers Handbook)

If you are over any of these weights with a Non-Divisible load, please call the permitting office at 406-444-7262 to inquire about the availability of permits.

After business hours, Motor Carrier Services Officers **may be** able to issue permits.

Weigh Station Phone #s

All area codes are (406) unless otherwise noted:

Armington Jct	738-4261	Culbertson	787-5323
Billings EB	657-0204	Dietz	307 674-2350
Billings WB	657-0203	Haugan	678-4257
Haugan	678-4258	Broadus	436-2531
Havre	265-9033	Butte WB	533-3699
Clearwater	244-5460	Lima	276-3429
Coutts	403 344-5063	Wibaux	795-9972
Coutts	403 344-3755		

"Alternative accessible formats of this document will be provided on request. Persons who need an alternative format should contact the Civil Rights Bureau, Department of Transportation, 2701 Prospect Avenue., PO Box 201001, Helena, MT 59620. Telephone 406-444-9229. Those using a TTY may call 1(800)335-7592 or through the Montana Relay Service at 711."

"Alternative accessible formats of this document will be provided upon request. Please contact Mona Patera at 406-444-3300 /TTY 1(800)335-7592, or by email at lpatera@mt.gov to request this document in a different format.

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