

## Commercial Motor Vehicles: Files and Records

### **Description:**

Federal regulations require motor carriers to maintain files that demonstrate systematic inspection, repair, and maintenance of all motor vehicles subject to their control.

### **Regulatory Reference**

49 CFR § 396.3      Inspection, repair, and maintenance  
49 CFR § 396.5      Lubrication

### **Applies to:**

The regulations apply to all motor carriers and motor vehicles under their control.

### **General Requirements:**

49 CFR § 396.3 requires that, "Every motor carrier shall systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles subject to its control."

- (1) **Required records.** For vehicles controlled for 30 consecutive days or more, except for a private motor carrier of passengers (non-business), the motor carriers shall maintain, or cause to be maintained, the following record for each vehicle:
  - (a) An identification of the vehicle including company number, if so marked, make, serial number, year, and tire size. In addition, if the motor vehicle is not owned by the motor carrier, the record shall identify the name of the person furnishing the vehicle;
  - (b) A means to indicate the nature and due date of the various inspection and maintenance operations to be performed;
  - (c) A record of inspection, repairs, and maintenance indicating their date and nature; and
  - (d) Lubrication records to document compliance with § 396.5. The lubrication records may be incorporated into the record described in item (c), above.
- (2) **Record retention.** The records required by this section shall be retained where the vehicle is either housed or maintained for a period of 1 year and for 6 months after the motor vehicle leaves the motor carrier's control.

### **Training Requirements:**

49 CFR § 396.1 requires, "Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with the inspection or maintenance of motor vehicles shall comply and be conversant with the rules of this part." Therefore, operating managers, supervisors, drivers, fleet mechanics, and inspectors should be trained on vehicle inspection, maintenance and record keeping requirements for commercial motor vehicles.

## **Maintenance and Review**

Periodic review of commercial motor vehicle files is an important compliance measure. Specific attention should be paid to ensuring that equipment deficiencies reported on DVIRs (driver vehicle inspection reports) that require repairs or other corrective actions can be matched to actual repair work orders or other documentation of corrective action. (Many motor carriers find that it is a good practice to retain DVIRs only for the required period—90 days from the current date.)

Files should demonstrate that a system that ensures inspection, maintenance, and prompt repairs of vehicles is in place. A current copy of annual vehicle inspection should be included in each commercial motor vehicle file.