

Drivers of Commercial Motor Vehicles: Qualifications and Commercial Drivers License Requirements

Description:

Motor carriers must assure that all their drivers of commercial motor vehicles meet the minimum qualifications specified in 49 CFR Parts 380 and 391.

Regulatory Reference

49 CFR § 391.11	General qualifications of drivers
49 CFR § 391.13	Responsibilities of drivers
49 CFR § 391.15	Disqualification of drivers
49 CFR § 391.23	Investigation and inquiries
49 CFR § 391.25	Annual inquiry and review of driving record
49 CFR § 391.27	Record of violations
49 CFR § 391.41	Physical qualifications for drivers
49 CFR § 391.43	Medical examination; certificate of physical examination
49 CFR § 391.45	Persons who must be medically examined and certified
49 CFR § 391.47	Resolution of conflicts of medical evaluation
49 CFR § 391.49	Alternative physical qualification standards for the loss or impairment of limbs
49 CFR § 391.55	LCV Driver-Instructor qualification files [Longer Commercial Vehicles]
49 CFR Part 380	Special Training Requirements [Applicable to: <ul style="list-style-type: none"> • LCV Driver Training and Driver-Instructors 380.107,201-205 • Entry-Level Drivers 380.500-509]

Applies to:

Driver qualification regulations apply to all drivers of commercial motor vehicles (any vehicle requiring placarding) and to motor carriers, including companies that deliver propane or operate commercial motor vehicles. Special training requirements apply to LCV drivers and to entry-level drivers.

General Requirements:

- (1) Drivers of commercial motor vehicles must:
 - (a) Be in good health and physically able to perform the duties of a driver;
 - (b) Be at least 21 years of age;
 - (c) Speak and read English well enough to converse with the general public, understand highway traffic signs and signals, respond to official questions, and be able to make legible entries on reports and records;
 - (d) Be able to drive the vehicle safely;
 - (e) Know how to load and properly, block, brace and secure the cargo;
 - (f) Have only one valid commercial motor vehicle operator's [driver's] license;
 - (g) Provide an employing motor carrier with a list of all motor vehicle violations or a signed statement that the driver has not been convicted of any motor vehicle violations during the past 12 months; [A disqualified driver must not be allowed to drive a commercial motor vehicle for any reason.]

- (h) Pass a driver's road test or equivalent; [Possession of a valid CDL with appropriate endorsements is considered proof of equivalent road test.]
 - (i) Complete a valid application for employment;
 - (j) Possess a valid medical certificate.
- (2) A driver is disqualified from operating a commercial motor vehicle on public highways for the following offenses:
- (a) Revocation, suspension or withdrawal of an operator's license;
 - (b) Driving under the influence of alcohol, as prescribed by State law;
 - (c) Refusal to undergo such testing as required by any State or jurisdiction in the enforcement of laws prohibiting driving under the influence of alcohol.
 - (d) Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle,
 - 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 violate an Out-of-Service Order.
 - (e) A first offender is disqualified for 1 year following conviction or forfeiture; for a second offense within 3 years, a driver is disqualified for 3 years. Certain offenses may permanently disqualify the driver.
- (3) Physical disqualification. General physical requirements for drivers are found in 49 CFR § 391.41. Examples of physical requirements for a driver specify that the driver has:
- (a) No loss of a foot, a leg, a hand, or an arm;¹
 - (b) No established medical history or clinical diagnosis of diabetes requiring insulin for control;²
 - (c) No clinical diagnosis of any disqualifying heart disease;
 - (d) No clinical diagnosis of high blood pressure;

The definition of high blood pressure is "measured blood pressure consistently above 160/90 mm. Hg." It is not uncommon for physical examination reports to show blood pressures higher than 160/90, for example, 138/98. Drivers are not disqualified based on one measurement, and DOT regulations allow for control of blood pressure by medication and on going monitoring of blood pressure under a health care professional's supervision. It is important, however, that the motor carrier take steps to ensure that if the health care profession who performs the physical examination records a high blood pressure measurement and proceeds to certify the driver as physically qualified, the driver's blood pressure is monitored and a health-care program is effective in reducing the driver's blood pressure to acceptable measured levels.
 - (e) No clinical diagnosis of epilepsy;

¹ 49 CFR § 391.49 provides for an exemption to a disqualification for certain physical conditions if the individual is otherwise qualified to drive

² The Federal Motor Carrier Safety Administration announced in the 9/3/2003 issue of the *Federal Register* a program whereby drivers who meet specific conditions could apply for a two-year exemption to the insulin dependent diabetes prohibition.

- (f) 20/40 vision or better with corrective lenses;
 - (g) Distant binocular acuity of at least 20/40 in both eyes;
 - (h) Ability to recognize the colors (red, green and amber) of traffic signals;
 - (i) Ability to hear a forced whisper;
 - (j) No history of Schedule I drug use or any other substance identified in Appendix D of the controlled substances testing regulations;
 - (k) No clinical diagnosis of alcoholism.
- (4) In addition to the other required qualifications, drivers in propane delivery operations must have current CDLs that document the correct classification (Gross Vehicle Weight Rating) and endorsements (tanker, air brakes, combination vehicles, etc.) for the vehicles types they will operate, and a hazardous materials endorsement.

Special training and qualification requirements apply to

- (a) drivers of longer combination vehicles (LCVs), defined as any combination of a truck tractor and 2 or more trailers or semi-trailers that has a gross vehicle weight greater than 80,000 pounds. Generally known as doubles and triples, LCVs transporting propane are most frequently found in western states of the United States.

Only training meeting the requirements set out in Subpart B (§§ 380.201-205) under the direction of qualified LCV training instructors (Subpart B §§ 380.301-303) may be used to comply with the regulations. Drivers must obtain a Longer Combination Vehicle (LCV) Driver Training Certificate.

- (b) Motor carriers must ensure that all entry-level drivers (a driver with less than one year of experience operating a CMV in interstate commerce) are trained as required by 49 CFR § 380.503 and their training documented as required by 49 CFR §§ 380.505, 380.509-380.513.

Required training elements found in 49 CFR § 380.503 include:

- Driver qualification requirements
- Hours of service of drivers
- Driver wellness
- Whistleblower protection

The training provider must provide a training certificate or diploma to the entry-level driver containing the following items of information:

- (a) Date of certificate issuance
- (b) Name of training provider
- (c) Mailing address of training provider
- (d) Name of driver
- (e) A statement that the driver has completed training in driver qualification requirements, hours of service of drivers, driver wellness, and whistleblower protection requirements substantially in accordance with the following sentence:
I certify _____ has completed training requirements set forth in the Federal Motor Carrier Safety Regulations for entry-level driver training in accordance with 49 CFR 380.503.
- (f) The printed name of the person attesting that the driver has received the required training
- (g) The signature of the person attesting that the driver has received the required training

Training Requirements:

The only driver training qualification requirements for propane industry drivers are the specified training for LCV drivers and for entry-level drivers. Drivers in the propane industry must complete initial hazmat employee training within the first 90-days of their performance of safety sensitive functions, and they cannot perform those functions except in the presence and under the supervision of a qualified person until their hazmat employee training is completed and documented.

Some operating companies provide awareness training in safety meetings or by other communications to remind drivers of the offenses and physical conditions that can lead to disqualification, and special training requirements set out for drivers of high center-of-gravity and liquid cargo vehicles.

Maintenance and Review

Periodic review of driver qualification files and checking for expiration dates of driver CDLs and current driver physical certifications are important compliance measures.

Additional Information and Resources

Driver forms and guidance information is available on the Federal Motor Carrier Safety Administration on the Internet at www.fmcsa.dot.gov.