

CHECKLIST

Hiring and Driving Compliance for CDL Drivers

Provided by Horst Insurance



Date:

Review conducted by:

Commercial motor vehicle (CMV) drivers and motor carriers must comply with Federal Motor Carrier Safety Regulations (FMCSRs) to ensure safe and legal operation on public roadways. Compliance begins with hiring qualified drivers and ensuring they complete required training to obtain and maintain their commercial driver's license (CDLs). While operating CMVs, drivers must follow all rules of the road, avoid unsafe practices, and remain attentive and alert. This checklist provides a practical tool for carriers and drivers to verify compliance, identify gaps, reduce the risk of violations, and promote a strong culture of safety and accountability.

| HIRING QUALIFIED DRIVERS | YES | NO | N/A |
|---|--------------------------|--------------------------|--------------------------|
| Is the driver operating a CMV in interstate commerce at least 21 years old? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the driver possess a valid CDL or a commercial learner's permit (CLP)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver been provided with driving policies, including drug and alcohol policies and hour-of-service rules? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is a driver who is trying to obtain their CDL required to complete a skills test and a knowledge test? If so, is the testing applicable to the type of CMV group they will be operating? <i>Note: 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.</i> <i>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.</i> <i>Group C (small vehicle): Any single vehicle, or combination of vehicles, that does not meet the definition of Group A or Group B, but is designed to transport 16 or more passengers, including the driver, or is used in the transportation of hazardous materials as defined in 49 CFR 383.5.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the driver have only one valid commercial motor vehicle operator's license issued by one state or jurisdiction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the driver hired able to speak and read English satisfactorily to: <ul style="list-style-type: none"> • Converse with the general public; • Understand traffic signs and signals; • Respond to official questions; and • Make legible entries on reports and records. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver passed a road test or equivalent? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the driver exempt from some or all of the driver qualifications? The following categories are generally exempt: <ul style="list-style-type: none"> • Farm custom operation; • Beekeeping industries; • Certain farm vehicle drivers; | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| <ul style="list-style-type: none"> • Covered farm vehicles; and • Pipeline welding trucks. | | | |
| <p>Is the driver notify their employer of any state or local law convictions pertaining to motor vehicle traffic control (other than a parking violation) within 30 days of conviction? Is the notification in writing?</p> <p>Note: This must be done regardless of whether the vehicle is a CMV or a personal vehicle.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Does the motor vehicle conviction notification to the employer include the following information:</p> <ul style="list-style-type: none"> • Driver’s full name; • Driver’s license number; • Date of conviction; • The specific criminal or other offense(s), serious traffic violation(s), and other violation(s) of state or local law relating to motor vehicle traffic control for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges which resulted from such conviction(s); • An indication of whether the violation was in a commercial motor vehicle; • Location of offense; and • Driver’s signature. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver completed and signed the employment application furnished by the motor carrier? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the application include the name and address of the employing motor carrier? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver provided their full name, current address, date of birth and Social Security number? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver listed all residential addresses from the past three years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the date of application submission clearly indicated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver listed all unexpired CMV licenses or permits, including issuing authority, license number and expiration date? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver described their driving experience, including types of vehicles operated (e.g., buses, trucks, trailers)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver disclosed all motor vehicle accidents from the past three years, including dates, nature of accidents, and any injuries or fatalities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver listed all nonparking traffic violations from the past three years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver provided a statement detailing any denial, suspension or revocation of driving privileges—or confirmed that none have occurred? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Has the driver listed all employers from the past three years, including:</p> <ul style="list-style-type: none"> • Employer names and addresses; • Dates of employment; | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| <ul style="list-style-type: none"> • Reasons for leaving; • An indication of whether the driver was subject to FMCSRs; and • An indication of whether the job was safety-sensitive under Department of Transportation (DOT) drug/alcohol testing rules. | | | |
| For CDL drivers, has the driver listed all CMV employers from the seven years prior to the three-year period above, including employment dates and reasons for leaving? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver signed the certification stating the application is complete and accurate to the best of their knowledge? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier informed the driver that their previous employers will be contacted to verify safety performance history? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier notified the driver of their due process rights under § 391.23(i)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DRIVER INVESTIGATION AND INQUIRY | YES | NO | N/A |
| Within 30 days of employment, has the motor carrier requested the driver's motor vehicle record from each state where the driver held a license in the past three years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier investigated the driver's safety performance history with DOT-regulated employers from the past three years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Have copies of motor vehicle records been placed in the driver qualification file and retained per § 391.51? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If no motor vehicle record was received, has the motor carrier documented a good-faith effort to obtain it? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Have replies or good-faith efforts related to safety performance history been placed in the driver investigation history file within 30 days of employment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier documented each contact attempt with previous employers, including: <ul style="list-style-type: none"> • Employer name and address; • Date of contact or attempt; • Information received; and • Any failures to respond. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier retained documentation of good-faith efforts to obtain safety history data per § 391.53? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If a previous employer failed to respond, has the motor carrier reported the issue to the Federal Motor Carrier Safety Administration (FMCSA) using § 386.12 procedures and retained a copy of the report? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| If the driver has no DOT-regulated employment history in the past three years, has the motor carrier documented that no investigation was possible? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier requested and received the following from previous CMV employers: <ul style="list-style-type: none"> • Driver identification and employment verification; and • Accident data per § 390.15(b)(1), including accidents defined under § 390.5 and any additional accident data retained under § 390.15(b)(2) or internal policies. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| INVESTIGATION OF PRIOR DOT-REGULATED EMPLOYERS | YES | NO | N/A |
| Has the motor carrier investigated whether the driver violated any alcohol or controlled substances prohibitions under 49 CFR Part 382, Subpart B or Part 40 within the past three years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the motor carrier determined whether the driver failed to undertake or complete a rehabilitation program prescribed by a substance abuse professional (SAP) under § 382.605 or Part 40, Subpart O? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the previous employer could not confirm SAP completion, has the motor carrier obtained documentation of successful completion directly from the driver? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| For drivers who completed SAP referral and remained employed, has the motor carrier obtained information on any of the following violations after rehabilitation: <ul style="list-style-type: none"> • Alcohol test results of 0.04 or higher; • Verified positive drug tests; or • Refusals to test, including adulterated or substituted samples. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DRUG AND ALCOHOL CLEARINGHOUSE USE | YES | NO | N/A |
| Has the motor carrier used the FMCSA Drug and Alcohol Clearinghouse to obtain required information from FMCSA-regulated employers? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the driver is subject to follow-up testing and has not completed it, has the motor carrier requested the follow-up testing plan from the previous employer per § 40.25(b)(5)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the driver was tested under a DOT mode other than FMCSA, has the motor carrier requested the relevant alcohol and controlled substances information from those employers? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DRUG AND ALCOHOL TESTING CONSENT AND AUTHORIZATION | YES | NO | N/A |
| Has the driver provided written consent (per § 40.321(b)) for the release of drug and alcohol testing information from previous employers? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the driver refused to provide consent or refused a Clearinghouse query, has the motor carrier disqualified the driver from operating a CMV? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PREVIOUS EMPLOYER RESPONSIBILITIES | YES | NO | N/A |

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| Has the previous employer responded to the motor carrier's request within 30 days, even if no data exists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the previous employer taken reasonable steps to ensure the accuracy of the records provided? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the previous employer included contact information for the driver to request corrections or submit rebuttals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the previous employer retained a record of the request and response for at least one year? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DRIVER NOTIFICATION AND RIGHTS | YES | NO | N/A |
| If the driver requested to review their records, was the information provided within five business days of receiving the request or the employer's receipt of the records? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If the driver failed to collect the records within 30 days of availability, has the motor carrier documented the waiver of review? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| GENERAL MEDICAL CERTIFICATION REQUIREMENTS | YES | NO | N/A |
| Has the motor carrier obtained an original or copy of the driver's medical examiner's certificate issued under § 391.43? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If applicable, has the motor carrier obtained documentation of any medical variance supporting the certification? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Was the medical examiner listed on the National Registry of Certified Medical Examiners as of the certificate's issuance date? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Have all medical certification records been placed in the driver qualification file before the driver operates a CMV? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| CMV DRIVING REQUIREMENTS | YES | NO | N/A |
| Is a driver prevented from driving a CMV when they are too tired or sick to drive safely? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is a driver allowed to discontinue operation at their discretion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the driver aware that they are forbidden to consume or be under the influence of alcohol within four hours of going on duty or operating a CMV? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is a driver who is found in violation of alcohol misuse placed out of service for 24 hours, effective immediately? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the driver free from being on duty while possessing or being under the influence of any prohibited substances, including any: <ul style="list-style-type: none"> • 21 CFR 1308.11 Schedule I substances; • Type/formulation of an amphetamine, any type/derivative of a narcotic; or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| <ul style="list-style-type: none"> Other substance (including misused/abused prescription drugs or marijuana, medicinal or otherwise) that could impair safe vehicle operation. <p><i>These rules do not apply to prescription drugs or substances given to a driver under the instruction of a licensed medical practitioner, as noted in 49 CFR 382.107, so long as the substance does not impede the driver's ability to safely operate a vehicle.</i></p> | | | |
| <p>Is the driver required to do a pre-trip driver vehicle inspection report (DVIR) on the vehicle they will be operating? During the pre-trip inspection, they should verify that the vehicle's parts and accessories are in good working order and that all emergency equipment is in place and ready for use. Minimally, the driver should look at the following:</p> <ul style="list-style-type: none"> Service brakes, including trailer brake connections; Parking (hand) brake; Steering mechanism; Lighting devices and reflectors; Tires; Horns; Windshield wipers; Rear-vision mirrors; Coupling devices; Wheels and rims; Emergency equipment; and Cargo securement to make sure it is properly distributed and sufficiently secured. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver required to fill out a daily vehicle check to identify any defects or issues after a trip is completed?</p> <p><i>Note: Drivers must document any defects on a DVIR, but if there are no defects found, property-carrying drivers don't need to submit a report. For-hire passenger CMVs must submit a report regardless.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is the driver (and passengers if applicable) using their seatbelt when operating their CMVs?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is the driver using their warning devices when stopped on the highway or shoulder for reasons other than a necessary traffic stop?</p> <p><i>The driver must turn on the vehicle's hazard warning system, which is to be left on until the vehicle's external warning devices are in position. The hazard warning system must again be utilized when the warning devices are being picked up before the vehicle moves on.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>When needed, are warning devices (warning triangles, fuse flares, or liquid-burning flares) placed within 10 minutes in the following three locations:</p> <ul style="list-style-type: none"> One on the traffic side, four paces (approximately 10 feet) from the vehicle, in the direction of approaching traffic; One in the center of the traffic lane or shoulder, 40 paces (approximately 100 feet) from the vehicle, in the direction of approaching traffic; and One in the center of the traffic lane or shoulder, 40 paces (approximately 100 feet) from the vehicle, in the direction away from approaching traffic? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| <p><i>Note: If flares are used, the driver is responsible for ensuring that at least one flare remains lit at each location as long as the vehicle is stopped.</i></p> <p><i>To review special rules for placement of warning devices, please see 49 CFR §392.22.</i></p> | | | |
| <p>Is a driver prevented from using radar detectors in CMVs or prohibited from operating any CMV that is equipped with or contains any radar detector?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver prohibited from using a hand-held mobile telephone or engaging in texting while driving a CMV, according to 49 CFR 392, Subpart H?</p> <p><i>The only occasion where either is permissible is when drivers are communicating with law enforcement officials or other emergency services.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver with a motor vehicle transporting passengers and certain types of hazardous materials, as cited in 49 CFR 392.10(a), forbidden from crossing railroad tracks without first stopping within 50 feet but no closer than 15 feet, listening and looking both ways for an approaching train?</p> <p><i>A driver may cross the railroad tracks once it is safe to do so, though they are not permitted to shift gears while crossing the tracks. See 49 CFR 392.10(b) for a list of exceptions where a stop need not be made.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver using extreme caution when hazardous weather conditions adversely affect visibility or traction when driving?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver reducing their speed under hazardous weather conditions?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Is a driver allowed to discontinue operations under hazardous weather conditions until the vehicle can be safely operated again?</p> <p><i>In a case where the danger to the driver, occupants or other users on the road would increase by stopping, the driver may continue operating the vehicle until they reach the nearest place where the danger can be eliminated.</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| CLP DRIVING REQUIREMENTS | YES | NO | N/A |
| <p>Has the driver provided proof that they are at least 18 years old?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Has the driver passed a general knowledge test that meets federal standards for the CMV group they intend to operate?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Has the driver certified that they are not disqualified under § 383.51 or any applicable state law, and that they do not hold a driver's license from more than one state or jurisdiction?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Has the driver submitted all required information to the state of issuance as specified in Subpart J, including their full legal name, date of birth, gender, physical description, mailing and residential addresses, driver's license number, and any medical certification or self-certification status required for CDL issuance?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>Has the driver provided proof of U.S. citizenship or lawful permanent residency, or obtained a nondomiciled CLP if applicable?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| Has the driver provided acceptable documentation proving that the state of application is their state of domicile? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver disclosed all states where they have held any type of driver's license in the past 10 years? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If applying for a passenger (P), school bus (S), or tank vehicle (N) endorsement, has the driver passed the required knowledge test for that endorsement? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Has the driver made the appropriate self-certification regarding their type of commercial driving—nonexcepted interstate, excepted interstate, nonexcepted intrastate or excepted intrastate—as required for CDL issuance under § 383.71(b)(1)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If applying for a Class A or B CDL, or a P, S, or H endorsement for the first time, has the driver completed the required entry-level driver training (ELDT) from a registered training provider? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Source: [FMCSA](#)