

Federal Motor Carrier Safety Administration

49 CFR 391 Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors

Subpart F — Files and Records

§391.51 General requirements for driver qualification files.

- (a) Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.
- (b) The qualification file for a driver must include:
- (b)(1) The driver's application for employment completed in accordance with §391.21;
- (b)(2) A copy of the response by each State agency concerning a driver's driving record pursuant to §391.23(a)(1);
- (b)(3) The certificate of driver's road test issued to the driver pursuant to §391.31(e), or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to §391.33;
- (b)(4) The response of each State agency to the annual driver record inquiry required by §391.25(a);
- (b)(5) A note relating to the annual review of the driver's driving record as required by §391.25(c)(2);
- (b)(6) A list or certificate relating to violations of motor vehicle laws and ordinances required by §391.27;
- (b)(7) The medical examiner's certificate of his/her physical qualification to drive a commercial motor vehicle as required by §391.43(f) or a legible photographic copy of the certificate; and
- (b)(8) A letter from the Field Administrator, Division Administrator, or State Director granting a waiver of a physical disqualification, if a waiver was issued under §391.49.
- (c) Except as provided in paragraph (d) of this section, each driver's qualification file shall be retained for as long as a driver is employed by that motor carrier and for three years thereafter.
- (d) The following records may be removed from a driver's qualification file three years after the date of execution:
- (d)(1) The response of each State agency to the annual driver record inquiry required by §391.25(a);
- (d)(2) The note relating to the annual review of the driver's driving record as required by §391.25(c)(2);
- (d)(3) The list or certificate relating to violations of motor vehicle laws and ordinances required by §391.27;
- (d)(4) The medical examiner's certificate of the driver's physical qualification to drive a commercial motor vehicle or the photographic copy of the certificate as required by §391.43(f); and
- (d)(5) The letter issued under §391.49 granting a waiver of a physical disqualification.

(Approved by the Office of Management and Budget under control number 2126-004)

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