Driver Qualifications

You're Qualified to drive a commercial motor vehicle if you ….

- Are at least 21 years old.
- Can read, write and speak English well enough to converse, read signs and fill out forms.
- Have experience or training to safely operate your vehicle.
- Have a valid motor vehicle operator's license.
- Have provided to your employer a list of violations you have been convicted of in the last 12 months.
- Pass a required physical exam and are physically qualified to drive.
- Have passed a road test.
- Are not disqualified to drive a CMV.

Know the requirements to stay qualified!

Driver Qualification

"Entry-Level Driver Training Requirements," located in Part 380, Subpart E of the Federal Motor Carrier Safety Regulations (FMCSRs).

All entry-level drivers who drive in interstate commerce and are subject to the commercial driver's license (CDL) requirements must receive training in four areas:

- driver qualification;
- hours of service;
- driver wellness; and
- whistleblower protection.

An entry-level driver is defined in Sec 380.502 as a driver with less than 1 year of experience operating a commercial motor vehicle with a CDL in interstate commerce.

This training will focus on the driver qualification and disqualification requirements as mandated in Part 391 of the FMCSRs.

When performing this portion of the training, keep in mind that if a driver possesses a CDL, he/she is also subject to the disqualifications provisions in Sec. 383.51 and can be disqualified for offenses committed in any type of vehicle (work or personal) at any time (this includes off-duty time). See Sec 383.51 of the FMCSRs for complete details.

As well as aiding in training entry-level drivers, this training blueprint can be used as a review of the requirements for your veteran drivers.

General Qualifications:
Section 391.11 of the FMCSRs states that an individual must meet certain requirements in order to operate a commercial motor vehicle (CMV). An individual is qualified if he/she:

- is at least 21 years old;
- can read, write, and speak English well enough to converse, understand traffic signs, respond to official inquiries, and fill out required reports;
- has experience or training to safely operate the type of vehicle he/she drives;
- passes a required physical exam and is physically qualified to drive;
- has a valid motor vehicle operator's license;
- has provided to his/her employer a list of any violations of traffic laws (other than parking violations) he/she has been convicted of in the last 12 months.
- is not disqualified to drive a CMV; and
- has passed a road test.

He/she must also be able to determine whether the cargo being transported is properly loaded, distributed, and secured. He/she must be familiar with the methods and procedures for securing cargo on the CMV he/she operates. This applies to both goods and passengers.

Physical Qualifications:
Part 391, Subpart E of the FMCSRs states that an individual may not drive a CMV unless he/she passes a physical exam. A driver must carry a certificate signed by a medical examiner that states he/she is physically qualified. The employer must also keep a copy of this certificate in the driver's qualification file (per Sec. 391.51 of the FMCSRs).

A driver is not qualified to operate a CMV if he/she has:

- lost a foot let hand, or arm (and has not been granted a sill performance evaluation (SPE) certificate);
- an impairment of a hand, finger, arm foot, or leg which interferes with the ability to perform normal tasks associated with driving a CMV (and has not been granted an SPE certificate);
- diabetes requiring insulin for control;
- heart disease, which causes chest pain, fainting, or shortness of breath;
- chest or breathing problems like chronic asthma, emphysema, chronic bronchitis;
- high blood pressure likely to interfere with driving
- loss of movement of feeling in part of the body;

- any sickness which is likely to cause loss of consciousness or any loss of ability to control a CMV;
- any mental problems likely to interfere with the ability to drive a CMV safely;
- poor vision that affects the ability to see objects that re far away, objects to the side, or traffic signal colors;
- poor hearing
- use of certain drugs and dangerous substances, except that the driver may use such a substance or drug if the substance or drug is prescribed by a doctor who is familiar with the driver's medical history and assigned duties and who has advised the driver that the prescribed substance or drug will not adversely affect his/her ability to safety operate a CMV; or
- a current clinical diagnosis of alcoholism.

A medical exam, conducted by licensed medical examiner who is familiar with the regulations, is required if the driver;

- has not been medically examined and physically qualified to drive a CMV;
- has not had a medical exam in the past 24 months; or
- has suffered a disease or injury that affected his/her ability to drive a CMV.

Driver Disqualification:
Under Sec 391.15 of the FMCSRs, a driver is disqualified from driving if he/she is convicted (including forfeiture of bond or collateral) of any of the following while operating a CMV:

- driving with an alcohol concentration of 0.04 percent or more, or driving under the influence of alcohol as prescribed by state law, or refusing to undergo testing;
- operating und the influence of a controlled substance;
- transporting, possessing, or unlawfully using drugs;
- leaving the scene of an accident involving a CMV; or
- committing a felony involving a CMV.

The disqualification period ranges from 6 months to 3 years depending on the severity of the offense and the driver's previous disqualification record.

During a trip, a driver may be placed out of service by an enforcement officer for a certain period of time until a give problem has been corrected. Conviction for violating such an out-of-service order subject the driver to disqualification period.

The disqualification period ranges from 90 days to 5 years with penalties for drivers of vehicles carrying passengers or hazardous materials being more severe.

Effective September 30, 2002, you can be disqualified — forbidden from operating a commercial motor vehicle (CMV) — if you are convicted of certain traffic violations committed in *any type of vehicle*, including a family car. Just two speeding tickets in your car could put you face-to-face with unemployment.

The offenses that can disqualify you are separated into "major offenses" and "serious traffic violations." Be sure to steer clear of these offenses when driving any type of vehicle.

Major offenses *in any type of vehicle* that will disqualify a CDL driver include:

- Being under the influence of alcohol (as prescribed by state law);
- Being under the influence of a controlled substance;
- Refusing to take a required alcohol test;
- Leaving the scene of an accident;
- Using a vehicle to commit a felony;
- Using a vehicle in the commission of a felony involving the manufacturing, distributing, or dispensing of a controlled substance; and
- Committing two or more serious traffic violations (see below).

In addition, CDL holders will be disqualified for the following offenses if the offense was committed *while operating a CMV*:

- Having an alcohol concentration of 0.04 or greater;
- Driving a CMV when the driver's CDL is revoked, suspended, or canceled, or the driver is disqualified from operating a CMV; and
- Causing a fatality through the negligent operation of a CMV.

The period of disqualification ranges from one year to life (but only 60 – 120 days for serious traffic violations) depending on the type of violation and number of times a driver has been convicted of a certain violation.

Serious traffic violations *in any type of vehicle* that would disqualify a driver include two or more convictions within a three-year period for:

- Speeding 15 mph or more above the posted speed limit;
- Driving recklessly;
- Making improper or erratic lane changes;
- Following the vehicle ahead too closely; and
- Violating state or local law relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal accident.

Serious traffic violations *in a CMV* that would disqualify a driver include two or more convictions within a three-year period for:

- Driving a CMV without obtaining a CDL;

- Driving a CMV without a CDL in the driver's possession; and
- 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.

The period of disqualification for serious traffic violations ranges from 60 days to 120 days depending on the type of violation and the number of times a driver has been convicted of a certain violation.