

## INSTRUCTIONS FOR COMPLETION OF FORMS

### ALCOHOL & DRUG RECORDS:

#### 1. PREVIOUS PRE-EMPLOYMENT EMPLOYEE ALCOHOL AND DRUG TEST STATEMENT:

(40.25(j)) Motor carriers must ask employees whether they have tested positive or refused to test on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years. If the employee admits that he/she had a positive test or a refusal to test, the motor carrier must not use the employee to perform safety-sensitive functions until and unless the employee documents successful completion of the return-to-duty process. Though not required, the Previous Pre-Employment Employee Alcohol and Drug Test Statement may be used to document compliance with 40.25(j). (Form No. 886-FS-C2)

#### 2. DRUG AND ALCOHOL RECORDS REQUEST:

(40.329)(40.331(a))(382.405(b) and (f)) A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests. An employer that receives such a written request shall promptly provide the records requested by the driver. Though not required, the Drug and Alcohol Records Request is provided for drivers who wish to request their drug and/or alcohol records. (Form No. 847-FS-C3)

#### 3. ALCOHOL AND DRUG EMPLOYEE'S CERTIFIED RECEIPT:

(382.601(d)) Each employer must ensure that each driver signs a statement certifying that he or she has received a copy of the materials described in Section 382.601. Each employer must maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (Form No. 872-FS-C2)

#### 4. ALCOHOL AND/OR CONTROLLED SUBSTANCE TEST NOTIFICATION:

(382.113) Before performing each alcohol or controlled substances test under Part 382, each employer must notify the driver that the alcohol or controlled substances test is required by Part 382. No employer shall falsely represent that a test is administered under Part 382. Though not required, the Alcohol and/or Controlled Substance Test Notification form may be used to satisfy this notification requirement. (Form No. 375-FS-C2)

#### 5. DRUG TEST RESULTS:

(40.163) The medical review officer (MRO) is required to report all drug test results to the employer. The report must contain the information listed in Section 40.163(c). The report may be forwarded to the employer by a consortium/third party administrator (C/TPA) acting as an intermediary. (Form No. 873-FS-C4)

#### 6. OBSERVED BEHAVIOR REASONABLE SUSPICION RECORD:

(382.307) A written record must be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier. (Form No. 862-FS-C3)

#### 7. U.S. DOT ALCOHOL TESTING FORM:

(40.225) The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test beginning February 1, 2002. The ATF must be a three-part carbonless manifold form. Motor carriers are not permitted to modify or revise the ATF except as allowed in Section 40.225. (Form No. 570-FS-C3 or 476-FS-C3)

#### 8. FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM:

(40.45) The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. The CCF must be a five-part carbonless manifold form. You must not use a non-Federal form or an expired Federal form to conduct a DOT urine collection. Motor carriers are not permitted to modify or revise the CCF except as allowed in Section 40.45. (Form No. 472-FC-C5)

### DRIVER INVESTIGATION HISTORY RECORDS:

#### 1. SAFETY PERFORMANCE HISTORY RECORDS REQUEST:

(40.25)(391.23) Each motor carrier must investigate each driver's safety performance history with each of the driver's DOT-regulated employers during the preceding three years. The investigation may consist of personal interviews, telephone interviews, letters, or any other method for investigating that the carrier deems appropriate. A written record must be kept with respect to each previous employer contacted, or good faith efforts to do so, and must include the previous employer's name and address, date of contact or the attempts made, and the information received about the driver. The record must be placed in the driver investigation history file within 30 days of the date the driver's employment begins. The record must be maintained pursuant to Section 391.53. (Form No. 850-F or 850-FS-C3)

#### 2. PREVIOUS EMPLOYEE SAFETY PERFORMANCE HISTORY:

(391.23) Each motor carrier must investigate each driver's safety performance history with each of the driver's DOT-regulated employers during the preceding three years. The Previous Employee Safety Performance History form allows a driver's previous employer to document the driver's safety performance history upon termination of employment. The completed form can then be forwarded to the driver's prospective employer(s) upon request. The information must be forwarded within 30 days of the request. Previous employers must keep a record of each request and the response for one year, including the date, the party to whom it was released, and a summary identifying what was provided. The information on this form must be kept on file until three years after termination date. (Form No. 854-F)

NOTE: The Previous Employee Safety Performance History is not required for DOT compliance.

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# CONFIDENTIAL

All-in-One

Driver Qualification • Alcohol & Drug Testing  
and Driver Investigation History File

For Department of Transportation Compliance

#### FILE CONTENTS

- Driver Qualification File Contents Sheet
- Checklist for Qualification of Drivers
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- U.S. Department of Transportation Alcohol Testing Form
- Federal Drug Testing Custody and Control Form
- Safety Performance History Records Request
- Previous Employee Safety Performance History

DRIVER'S NAME

DATE OF HIRE

This file includes information that must be maintained in a secure location with controlled access in accordance with the Federal Department of Transportation, Code of Federal Regulations, Sections 382.405(b) and 391.53.

### RECORD RETENTION

#### Driver Qualification Records:

1. Annual Employment (Section 391.21). **Retain until 3 years after employment with motor carrier ceases.**
2. State agencies' responses concerning the driver's 3-year driving record pursuant to Section 391.23. **Retain until 3 years after employment with motor carrier ceases.**
3. The Record of Road Test form and Certificate of Road Test (Section 391.31(g)). NOTE: In lieu of the road test and certificate, a copy of the commercial driver's license or certificate may be acceptable as equivalent to the driver's road test (Section 391.33). **Retain until 3 years after employment with motor carrier ceases.**
4. Driver's Medical Examiner's Certificate (Section 391.43(h)). **May be removed after 3 years from execution date.**
5. State agencies' responses concerning the driver's annual driving record pursuant to Section 391.25. **May be removed after 3 years from execution date.**
6. Certification of Violations / Review of Driving Record (Sections 391.25 and 391.27). **May be removed after 3 years from execution date.**
7. A letter granting a waiver of a physical disqualification (Section 391.49). **May be removed after 3 years from execution date.**

#### Alcohol & Drug Testing Records:

1. Previous Pre-Employment Employee Alcohol and Drug Test Statement (Section 40.25(j)). **Retain per company policy.**
2. Alcohol and Drug Records Request (Sections 40.329, 40.331). **Retain per company policy.**
3. Alcohol and Drug Employee's Certified Receipt (Section 382.601(d)). **Retain until 2 years after driver ceases to perform regulated function.**
4. Alcohol and/or Controlled Substance Test Notification (Section 382.113). **Retain per company policy.**
5. Drug Test Results (Section 40.163). **Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.**
6. Observed Behavior Reasonable Suspicion Record (Section 382.307). **Retain for 2 years.**
7. U.S. DOT Alcohol Testing Form (Section 40.225). **Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.**
8. Federal Drug Testing Custody and Control Form (Section 40.45). **Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.**

#### Driver Investigation History Records:

1. Safety Performance History Records Request (Section 391.23). **Retain until 3 years after employment with motor carrier ceases.**
2. Previous Employee Safety Performance History (Section 391.23). **Retain until 3 years after employment with motor carrier ceases.**



**J. J. Keller & Associates, Inc.**

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Neenah, Wisconsin

# INSTRUCTIONS FOR COMPLETION OF FORMS

## CHECKLIST FOR QUALIFICATION OF NEW DRIVERS:

Use of this form provides a handy checklist for orderly recording of completion of documents. Complete the driver information, name, social security number, and address. Enter the dates the requests were forwarded and then completed for the driver's qualification file. The supervisor's signature completes each entry. List other company documents added. Alcohol and controlled substance program documents may be recorded, but must be retained in a separate file if this driver qualification file is not handled in a confidential manner. (Form No. 21-F or 21-FS-C2)

NOTE: The Checklist for Qualification of New Drivers Form is not required for DOT compliance.

## 1. DRIVER'S APPLICATION FOR EMPLOYMENT:

(391.21) An employment application must be completed by every applicant seeking to drive a commercial motor vehicle. The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed and signed by the applicant, and must contain the information as outlined in Section 391.21. Before an application is submitted, the motor carrier shall inform the applicant that the information he/she provides may be used and the applicant's prior employers may be contacted, for the purpose of investigating the applicant's background. The form must be retained in the driver's qualification file for 3 years after the person's employment by the motor carrier ceases. (Form No. 15-F)

## 2. FAIR CREDIT REPORTING ACT DISCLOSURE STATEMENT:

Fair Credit Reporting Act, (Public Law 91-508) as amended by the Consumer Reporting Act of 1996 (Title II, Subtitle D, Chapter I, of Public Law 104-208) The 16-F-A/116-FS-C2, Fair Credit Reporting Act Disclosure Statement, has been created to comply with new FCRA requirements. It provides a "separate" disclosure statement to all job applicants for which a consumer report (driver's record) will be requested. It also provides space for the applicant to authorize

acquisition of the consumer report, another FCRA requirement. Effective 1/31/1999, written authorization on the 16-F-A/116-FS-C2 is no longer mandated for drivers' records. (Form No. 16-F-A or 116-FS-C2)

NOTE: The Fair Credit Reporting Act Disclosure Statement is not required for DOT compliance.

## 3. REQUEST FOR CHECK OF DRIVING RECORD:

(391.23)(391.25) Each motor carrier is required to investigate the driving record, for the preceding 3 years, of each driver-applicant. The appropriate agency of every state in which the driver held a motor vehicle operator's license or permit during those 3 years must be contacted. A copy of the response by each state agency showing the driver's driving record or certifying that no driving record exists for that driver, must be placed in the driver's qualification file within 30 days of the date employment begins. The responses must be retained in the file for 3 years after employment by the motor carrier ceases.

The regulations also require a motor carrier to obtain a driving record on each driver each following year. The record must be kept for 3 years. (Form No. 16-F or 16-FS-C2)

NOTE: A number of states require their specific form be used in making such inquiries.

## 4. DRIVER'S PHYSICAL EXAMINATION:

(391.45) All persons driving a commercial motor vehicle are required to obtain a physical examination at least every 24 months. The examination must be made by a qualified medical examiner and shall be recorded on the prescribed form per Section 391.43. The completed medical exam form shall be retained on file at the office of the medical examiner. A copy of the medical examiner's certificate shall be retained in the driver qualification file for 3 years from the date of execution. A copy of the certificate is given to the driver to be carried at all times. (Form Nos. 649-F, 657-FS-L2)

NOTE: Only the medical examiner's certificate is required to be maintained in this file.

## 5. RECORD AND CERTIFICATE OF ROAD TEST:

(391.31) A road test shall be given by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he/she is capable of operating the vehicle, and the associated equipment, that the motor carrier intends to assign him/her. The person who gives the test shall rate the performance of the person who takes it at each operation or activity which is part of the test. After he/she completes the form, the person who gives the test shall sign it. The original copy of the road test is retained in the driver qualification file.

Upon successful completion of the road test the person who gave it shall complete a Certificate of Driver's Road Test. The original shall be retained in the qualification file and the duplicate or card given to the person who was examined. The information must be retained by the motor carrier for 3 years after the person's employment by them ceases. (Form No. 13-F, Card No. 6-BC)

## 6. CERTIFICATION OF COMPLIANCE WITH DRIVER LICENSE REQUIREMENTS:

(383.21, 391.11(b)(5)) No person who operates a commercial motor vehicle shall at any time have more than one driver's license. The "Certification of Compliance with Driver License Requirements" form asks the driver to certify that he/she meets the single driver's license requirement. (Form No. 90-F or 90-FS-C2)

NOTE: The Certification of Compliance with Driver License Requirements form is not required for DOT compliance.

## 7. DRIVER STATEMENT OF ON-DUTY HOURS - FOR NEWLY HIRED DRIVERS:

(395.8(j)(2)) Motor carriers, when using a driver for the first time, shall obtain from the driver a signed statement giving the total time on duty (including all compensated work for any employer) during the immediately preceding 7 days and the time at which such driver was last relieved from duty prior to beginning work for such carrier. The signed statement must be retained for 6 months at the carrier's principal place of business. The Driver Statement of On-Duty Hours is not a required driver qualification form, but is to be used for hours-of-service compliance. (Form No. 644-F or 644-FS-C2)

## 8. RECORD OF VIOLATIONS / ANNUAL REVIEW CERTIFICATE:

(391.27) At least every 12 months a motor carrier shall require each driver it employs to

prepare and furnish it with a list of all violations of motor traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he has forfeited bond or collateral during the preceding 12 months. If the driver has not been convicted of, or forfeited bond or collateral on account of, any violation which must be listed, he/she shall so certify. The motor carrier shall retain the list or certificate or a copy of it in its files as part of the driver's qualification file.

Each motor carrier shall at least once every 12 months review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive pursuant to Section 391.15. The review shall be signed and dated by the reviewer and the form placed in the driver qualification file. A company card may then be issued to the driver stating the driver's file has been reviewed and that he/she meets the requirements of Part 391. The card may also be used in accordance with Section 391.65, if applicable. The records may be removed from the driver's qualification file 3 years after date of execution. (Form No. 643-F or 643-FS-C2, Card No. 7-BC)

## 9. EMPLOYMENT ELIGIBILITY VERIFICATION:

The Immigration Reform and Control Act of 1986 requires every American employer to hire only American citizens and aliens who are authorized to work in the United States. Every employer needs to verify employment eligibility of anyone hired after November 6, 1986. The Employment Eligibility Verification (Form I-9) must be completed. Examine documentation presented by new employees, record information about the documents on the verification form, and sign the form. The form is to be retained for 3 years or for 1 year past the end of employment of the individual, whichever is longer. (Form No. 91-F, 91-FS-C2 or 91-FS-C3)

NOTE: The Employment Eligibility Verification (Form I-9) may be maintained in a personnel file. The form is not required by DOT and therefore need not be kept in the driver qualification file.

## 10. POCKET CARDS:

To be completed for items 5 and 8 and given to driver. (Card Nos. 6-BC and 7-BC)

## 11. MEDICAL EXAMINER'S CERTIFICATE:

The physical exam certificate needs to be carried by the driver at all times when he/she is driving. (Form No. 657-FS-L2)

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