

When it comes to DOT Compliance, there are a lot of intricate rules and regulations that an employer must follow. At East Coast Risk Management, we understand how challenging it can be to make sure you're staying on top of your fleet. Take a look below to learn more about commonly asked questions regarding DOT compliance.

Drug and Alcohol

- 1. When are drivers subject to the DOT Drug and Alcohol testing requirements?**
 - All drivers that operate a commercial motor vehicle (defined in 49 CFR 382.107) which requires a driver holding a commercial driver's license are subject to the Drug & Alcohol testing requirements in 49 CFR Parts 40 & 382.
- 2. Do part time CDL drivers need to be in an employer's DOT random testing pool?**
 - Yes, all CDL drivers of CMVs must be included in the DOT random pool at all times.
- 3. Do I need to train my CDL driver supervisors to recognize physical, behavioral, speech, and performance indicators of drug use or alcohol misuse?**
 - Yes, supervisors designated to supervise CDL drivers must undergo a one-time 2-hour training requirement.

Electronic Logging Device

- 4. What are the key requirements of the Electronic Logging Device (ELD) rule?**
 - Use by commercial drivers who are required to prepare hours-of-service (HOS) records of duty status (RODS)
 - Requires ELDs to be certified and registered with FMCSA
 - Establishes what supporting documents drivers and carriers are required to keep
 - Prohibits harassment of drivers based on ELD data or connected technology.
- 5. Who must comply with the ELD rule?**
 - The ELD rule applies to most motor carriers and drivers who are currently required to maintain records of duty status (RODS) per Part 395, 49 CFR 395.8(a).
- 6. Who is exempt from the ELD rule?**
 - Drivers who use the short-haul and timecard exceptions are not required to keep records of duty status (RODS) or use ELDs. Additionally, the following drivers are not required to use ELDs; however, they are still bound by the RODS requirements in 49 CFR 395 and must prepare RODS when required, using paper logs, an Automatic On-Board Recording Device (AOBRD) or a logging software program:
 - Drivers who are required to keep RODS not more than 8 days within any 30-day period.
 - Drivers conducting a drive-away-tow-away operation if the vehicle being driven is the commodity being delivered, or if the vehicle being transported is a motorhome or recreational vehicle trailer.
 - Drivers of vehicles manufactured before the model year 2000.

Hours of Service

- 7. What are the basic hours-of-service rules for commercial truck drivers?**
 - After 10 hours off duty, the driver of a property-carrying vehicle may drive for up to 11 hours within a 14-hour window of time and must take a 30-minute break before driving after 8 consecutive hours. The driver must stop driving after accumulating 60 or 70 on-duty hours in 7 or 8 days.

8. What are the basic hours-of-service rules for commercial bus drivers?

- After 8 hours off duty, the driver of a passenger-carrying vehicle may drive for up to 10 hours within the first 15 on-duty hours of the day and must stop driving after accumulating 60 or 70 on-duty hours in 7 or 8 days.

9. What are the penalties for violating the hours-of-service rules?

- Drivers or carriers who violate the hours-of-service rules face serious penalties:
 - Drivers may be placed out of service (shut down);
 - State and local enforcement officials may assess fines;
 - The Federal Motor Carrier Safety Administration may levy civil penalties on the driver or carrier, ranging from several hundred dollars to many thousands of dollars per violation, depending on the severity;
 - The carrier's safety rating can be downgraded for a pattern of violations; and
 - Federal criminal penalties can be brought against carriers who knowingly and willfully allow or require hours-of-service violations.

Driver Qualification (DQ) Files

10. Who is required to have a DQ file?

- For interstate drivers, the need for a DQ file is based on the size and type of vehicle being driven. The applicable definition of commercial motor vehicle (per §390.5) includes both Commercial Driver's License (CDL) and non-CDL drivers alike. Intrastate drivers would need to look at state-specific regulations to determine applicability.
- Individuals operating the following vehicles in interstate commerce need to have a completed DQ file:
 - Vehicles with a gross vehicle weight (GVW) or gross vehicle weight rating (GVWR), or gross combination weight (GCW) or gross combination weight rating (GCWR) of 10,001 pounds or more; or
 - Vehicles designed to transport more than 15 people, or more than 8 people when there is direct compensation involved; or
 - Vehicles transporting hazardous materials that require the vehicle to be placarded.

11. What should be included in the Driver Qualification Files?

- The driver qualification files include both initial and ongoing requirements. Some requirements include an initial collection of a driver's application for employment, driver's road test certification, pre-employment drug and alcohol documents. Some ongoing updates include a review of driving record, medical exams, driver's certification of violation. These are only a few of the documents needed in the file.

Vehicle Maintenance

12. How can a carrier meet the annual inspection requirements?

- Federal safety regulations require that commercial motor vehicles operating in interstate or foreign commerce must pass an inspection at least annually. The inspection requirements may be met through periodic inspection programs administered by the states, by a self-inspection, or an inspection performed by a commercial garage or similar commercial business so long as the inspection complies with federal standards or compatible state standards.

13. What must a motor carrier do with a roadside inspection report?

- After receiving a roadside inspection report from a driver, the motor carrier must correct all noted defects, must certify on the form that violations have been corrected and must mail the completed form to the address shown. This must be done within 15 days following the date of the inspection.