

## Important FMCSA Websites

FMCSA's official Website is linked to many related and subsidiary sites. Below are frequently asked questions and the corresponding sites:

- 1) What is the Federal Motor Carrier Safety Administration's official Website address?  
[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)
- 2) How can I locate the nearest field office?  
[www.fmcsa.dot.gov/about/aboutus.htm](http://www.fmcsa.dot.gov/about/aboutus.htm)
- 3) Where can I obtain information about Federal safety regulations and interpretations?  
[www.fmcsa.dot.gov/rules-regulations.htm](http://www.fmcsa.dot.gov/rules-regulations.htm)
- 4) Where can I find information about the transportation of hazardous materials?  
[www.fmcsa.dot.gov/safety-security/hazmat/hm-theme.htm](http://www.fmcsa.dot.gov/safety-security/hazmat/hm-theme.htm)
- 5) How do I obtain a US DOT number?  
[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)
- 6) Where can I find statistics and analysis regarding the truck and bus industries?  
[www.ai.fmcsa.dot.gov](http://www.ai.fmcsa.dot.gov)
- 7) How can I obtain a motor carrier's profile?  
[www.safer.fmcsa.dot.gov](http://www.safer.fmcsa.dot.gov)
- 8) Where can I find carrier safety ratings, inspections, and accident summary data?  
[www.safer.fmcsa.dot.gov](http://www.safer.fmcsa.dot.gov)
- 9) How do I report safety violations?  
[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)
- 10) Where can I file forms and pay fees for registration, insurance, and fines?  
[www.safer.fmcsa.dot.gov](http://www.safer.fmcsa.dot.gov)
- 11) How can I change the name and address of my business online?  
[www.safer.fmcsa.dot.gov](http://www.safer.fmcsa.dot.gov)
- 12) Where can I find the latest information about safety programs?  
[www.fmcsa.dot.gov/safetyprogs/saftprogs.htm](http://www.fmcsa.dot.gov/safetyprogs/saftprogs.htm)
- 13) How can I learn about the "Share the Road Safely" program?  
[www.sharetheroadsafely.org](http://www.sharetheroadsafely.org)
- 14) How can I obtain the latest research and analysis on truck and bus safety?  
[www.ai.fmcsa.dot.gov](http://www.ai.fmcsa.dot.gov)

# Federal Motor Carrier Safety Administration

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)



This brochure is only intended to provide general regulatory information for passenger operations. It is not intended to be a substitute for the Federal Motor Carrier Safety Regulations.

# Guidelines and Driver Qualifications for Motor Carriers of Passengers



# Parts 390 & 391 – Guidelines and Driver Qualifications for Motor Carriers of Passengers

## PART 390 - GENERAL APPLICABILITY AND REGULATIONS

**General Applicability:** The rules in 49 CFR Parts 390 – 399 are applicable to all employers, employees, and commercial motor vehicles (CMVs) which transport passengers in interstate commerce.

**Exceptions** – Unless otherwise specifically provided, the operational safety regulations (physical qualification standards for drivers; driver's hours-of-service; vehicle inspection; repair, and maintenance; etc.) do not apply to –

- (1) All school bus operations as defined below.
- (2) The operation of CMVs designed or used to transport between 9 and 15 passengers (including the driver) not for compensation.

Refer to § 390.3(f) for a complete listing of motor carrier operations that are not subject to the operational safety regulations.

### Definitions – § 390.5

**Commercial motor vehicle** means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle —

1. Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
2. Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
3. Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
4. Is used in transporting hazardous material and transported in a quantity requiring placarding.

**Interstate commerce** means trade, traffic, or transportation in the United States:

- (1) Between a place in a State and a place outside of such State;
- (2) Between two places in a State through another State or a place outside of the United States; or
- (3) Between two places in a State as part of trade, traffic or transportation originating or terminating outside the State or the United States.

**School bus operation** means the use of a school bus to transport only school children and/or school personnel from home to school and from school to home.

### Accident Register – § 390.15

Motor carriers of passengers must maintain, for three years after the date an accident occurs, an accident register containing information required in § 390.15(b).

### Marking of CMVs – § 390.21

Every CMV operated in interstate commerce is subject to the marking requirements as specified in § 390.21.

## PART 391 – QUALIFICATIONS OF DRIVERS

### Scope of the rules in this part – § 391.1

The rules in this part establish minimum qualifications for persons who drive CMVs.

### General qualifications of drivers – § 391.11

A person must not drive a CMV unless he or she is qualified to drive a CMV. These qualifications are outlined in § 391.11.

### Disqualification of drivers – § 391.15

A driver who is disqualified shall not drive a CMV. The types of disqualifications are:

- Disqualification for loss of driving privileges.
- Disqualification for certain criminal and other offenses.
- Disqualification for violation of out-of-service orders.

### Driver Qualification Files

Every motor carrier must maintain a driver qualification file for each driver it employs. The file must include:

- Driver's application for employment
- Inquiry to previous employers — driving record for last 3 years;
- Annual inquiry and review of driving record;
- Annual driver's certification of violations and annual review;
- Driver's road test and certificate, or the equivalent to the road test;
- Medical examiner's certificate; and
- If granted, a waiver of physical disqualification for a person with a loss or impairment of limbs as specified in § 391.49.

Refer to § 391.51 for a complete list of required driver qualification file documents.

### Multiple-Employer Drivers – § 391.63

If a motor carrier employs a driver, who in any period of 7 consecutive days, is employed or used as a driver by more than one motor carrier, the carrier need not:

- (1) Require an application for employment;
- (2) Make investigations and inquires;
- (3) Perform the annual driving record inquiry;
- (4) Perform the annual review of the person's driving record; or
- (5) Require the person to furnish a record of violations or certificate.

A part-time driver who does not work for another motor carrier is considered a single-employer driver and cannot use the limited exemption in § 391.63.

