



**Motor Carrier Attachment:**

**Waypoint Driver Requirements from Driver's Handbook Page's 5-6**

**HWY23FH013**

(3 pages)

## SECTION 2 COMMERCIAL DRIVER'S LICENSE STANDARDS

Part §383 of the F.M.C.S.R. was designed to reduce truck accidents by restriction of drivers to only one license, disqualification of drivers who drive in an unsafe manner and provisions of minimum standards for testing of drivers on commercial motor vehicles.

### **Persons required to have a C.D.L.**

Effective April 1, 1992 any person driving any of the following vehicles must have a C.D.L. if the vehicle:

1. Has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or
2. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more); or
3. Is designed to transport 16 or more passengers, including the driver; or
4. Is of any size and is used in the transportation of hazardous materials.

### **Classes of Licenses**

C.D.L.'s are divided into three categories:

Class A: Combination vehicle over 26,000 pounds and G.V.W.R. of towed vehicle is over 10,000 pounds.

Class B: Single vehicle over 26,000 pounds G.V.W.R.; may tow a trailer with a G.V.W.R. of less than 10,000 pounds.

Class C: Any vehicle with a G.V.W.R. of 26,000 pounds (or less) if the vehicle is designed to carry 16 or more persons including the driver or transport any hazardous material requiring placarding.

### **Endorsements**

Endorsements are determined by cargo or passengers:

- T: When operating a double or triple trailer combination unit.
- P: When operating a passenger vehicle designed to carry 16 or more persons, including the driver.
- N: When operating a tank vehicle designed to carry liquid in bulk or gases.
- H: When operating a vehicle carrying hazardous material.

### **Driver Requirements**

When applying for a job as a driver of a commercial motor vehicle (C.M.V.), a driver applicant must provide:

1. Applicant's name, address, date of birth, and social security number;
2. Applicant's address(es) for 3 years preceding date of application;
3. Date of application;
4. Issuing state, number, and expiration date of applicant's operator's license;
5. Nature and extent of applicant's experience operating motor vehicles;
6. List of all motor vehicle accidents in which applicant was involved during last 3 years;
7. List of all violations of motor vehicle laws and ordinances of which applicant was convicted or forfeited bond or collateral during the last 3 years;
8. A statement detailing facts and circumstances of any denial, revocation, or suspension of any license, permit or privilege to operate a motor vehicle issued to the applicant, or a statement that no such denial, revocation or suspension has occurred;

9. List of the names and addresses of applicant's employers during the last 3 years, including dates of employment and reason(s) for leaving. If the applicant will operate a commercial motor vehicle that has a GVWR of 26,001 pounds or more, is designed to carry more than 15 people, or is any size used to carry hazardous materials, he/she must also list employment for which he/she operated a commercial motor vehicle during the 7 years preceding the 3 years mentioned above;
10. For each previous employer listed on the application, an indication whether the applicant was subject to the Federal Motor Carrier Safety Regulations (FMCSRs) while employed by that previous employer, and whether the job was designated as a safety sensitive function subject to the drug and alcohol testing requirements of 49 CFR Part §40; and
11. The certification statement that the information supplied is correct, the applicant's signature line and a date line.

### **Disqualification**

The following periods of disqualification result in a loss of driving privileges under the F.M.C.S.R.:

#### **DUI, Leaving Scene of Accident, Felony**

- ◆ A driver is disqualified from driving by §383.51 if he/she is convicted (including forfeiture of bond or collateral) of any of the following *while operating any type of vehicle*:
  1. Being under the influence of alcohol as prescribed by state law, or refusing to undergo testing.
  2. Being under the influence of a controlled substance.
  3. Leaving the scene of an accident involving a commercial motor vehicle.
  4. Using the vehicle to commit a felony.
  5. Using the vehicle to commit a felony involving manufacturing, distributing, or dispensing a drug.
- ◆ A driver is disqualified if he/she is convicted of any of the following while operating a CMV:
  1. Having an alcohol concentration of 0.04% or more.
  2. Driving with a revoked, suspended, or canceled CDL, or after being disqualified.
  3. Causing a fatality through the negligent operation of a CMV.
- ◆ The disqualification period for the first conviction, except for No. 5 above, is 1 year. If the offense was committed while transporting hazardous materials, the disqualification period is 3 years. The disqualification period for the second conviction is life, but may be reduced to 10 years under certain circumstances.
- ◆ A single conviction of No. 5, "using a vehicle to commit a felony involving manufacturing, distributing, or dispensing a drug" disqualifies the driver for life.

#### **Serious Traffic Violations**

- ◆ Disqualification periods have also been established for serious traffic violations committed in any type of vehicle. A serious traffic violation is defined in §383.5 and includes:
  1. Excessive speeding, which is 15 mph or more above the posted speed limit;
  2. Reckless driving;
  3. Improper or erratic lane changes;
  4. Following too closely;
  5. A traffic violation arising in connection with a fatal traffic accident;
  6. Driving a CMV without having obtained a CDL;