KANSAS CORPORATION COMMISSION

Procedures for Safety Compliance

Kansas
Corporation Commission

Transportation Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027

February 2017

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Kansas Corporation Commission Compliance to Motor Carrier Safety Regulations

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Kansas Corporation Commission
Transportation Division

PHONE AND E-MAIL DIRECTORY

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Please call the Kansas Corporation Commission if you have questions about any of the following:

Interstate Authority…..Intrastate Authority…..Private Carrier Authority…..DOT Numbers…..Unified Carrier Registration (UCR)…..Miscellaneous Questions……Please call (785) 271-3145

You may visit our website at kcc.ks.gov. The Transportation Division webpage contains information regarding KTRAN, authority, publications, safety, events, agriculture, FMCSA, general motor carrier information, UCR, and helpful links.

To access KCC registration information, click on the KTRAN logo , or go to puc.kcc.ks.gov/ktran.

August 2017

KANSAS

CORPORATION COMMISSION

KATHLEEN SEBELIUS, GOVERNOR
BRIAN J. MOLINE, CHAIR
ROBERT E. KREHBIEL, COMMISSIONER
MICHAEL C. MOFFET, COMMISSIONER

January 2, 2006

The Kansas Corporation Commission (KCC) and the Kansas Highway Patrol (KHP) are joining efforts to enhance the Kansas Safety Compliance Program with one goal in mind, to reduce the number of injury/fatality accidents involving Commercial Motor Vehicles. This joint effort will result in formation of a Civil Assessment Penalty Program for noncompliance with safety regulations. Under the program, drivers and carriers may expect to see the following changes:

New KHP Policy "Driver": Effective January 1, 2006, KHP officers have been trained and instructed to issue misdemeanor citations to drivers for the applicable out-of-service (OOS) violations of the Federal Motor Carrier Safety Regulations (FMCSR) discovered during roadside inspections as determined by the CVSA, North American Standard Out-Of-Service Criteria. This change in policy emphasizes the driver's role, understanding and responsibility, and holds them accountable and liable for areas under their purview.

New KCC Civil Assessment Project " Motor Carrier": Effective April 1, 2006, the KCC will assess civil penalties to all motor carriers for the applicable OOS violations of the FMCSR's discovered during roadside inspections as determined by the CVSA, North American Standard Out-Of-Service Criteria. This new program emphasizes the responsibility of motor carriers, and holds them accountable and liable for areas under their purview.

If a driver is issued a misdemeanor citation for an OOS violation, there will be no additional civil penalty assessed to the motor carrier for the same OOS violation. KCC will only issue one civil penalty fee for each OOS violation category. For example:

- The tractor of a combination vehicle is placed OOS for an air brake lining with a thickness less than 1/4 inch, as well as OOS for brake adjustment limits and the trailer is also placed OOS for brake adjustment limits, the company will be issued three OOS violations but only fined for one brake OOS.

- Scenario two, a driver is placed OOS for three OOS violations discovered during a roadside inspection. The OOS violations include an 11-hour rule, a 14-hour rule and a 70-hour rule violation. The driver will be issued a misdemeanor citation for the 11-hour OOS violation, the company will be issued three OOS violations, and because the driver will be cited for the 11-hour OOS violation, the company will not be issued a civil penalty.

As stated above, the KCC and KHP are joining efforts to reduce the number of injury/fatality accidents involving Commercial Motor Vehicles. This joint enforcement project will allow both the KCC and KHP to focus our resources on unsafe drivers and motor carriers, resulting in a more effective, efficient and safe environment for the motoring public. If you have any questions regarding this program , feel free to contact one of the agencies as indicated below. We appreciate your continued support in making the highways in the state of Kansas safer for everyone.

Sincerely,

Mike J. Hoeme, Director
Transportation Division
(785) 271-3333

Daniel D. Meyer, Captain
Kansas Highway Patrol, Troop I
(785) 296-7189

Important FMCSA Websites

This page highlights links in question-and-answer format on specific subject matter most frequently requested by the public. The variety of topics featured can assist you in finding information you need to know about a particular Federal Motor Carrier Safety Administration program or activity. Please look for the question(s) you are interested in and go to the appropriate Website. We hope you find this information helpful.

1) What is the Federal Motor Carrier Safety Administration's official Website address? www.fmcsa.dot.gov

2) How can I locate the nearest field office? http://www.fmcsa.dot.gov/mission/field-offices

3) Where can I obtain information about Federal safety regulations and interpretations? http://www.fmcsa.dot.gov/regulations

4) Where can I find information about the transportation of Hazardous materials? http://phmsa.dot.gov/hazmat

5) How do I obtain a US DOT number? www.fmcsa.dot.gov/factsfigs/formspubs.htm.

6) Where can I find statistics and analysis regarding the truck and bus industry? http://ai.volpe.dot.gov/

7) How can I obtain a motor carrier's Company Snapshot, i.e., safety ratings, inspections, and accident summary data? http://www.safersys.org

8) How do I report safety violations? http://www.fmcsa.dot.gov/consumer-protection/report-safety-violations

9) Where do I update my USDOT number annually, change the name and address of my business, or record increase or decrease in the size of my company online? https://li-public.fmcsa.dot.gov/LIVIEW/PKG_REGISTRATION.prc_option

10) Where can I find the latest information about safety programs? http://www.fmcsa.dot.gov/resources-for-carrier-companies

11) How can I obtain the latest research and analysis on truck and bus safety? http://www.fmcsa.dot.gov/safety/research-and-analysis/publications?keywords=&title=&author=&year=&to=&page=0

12) Where can I find consumer information about moving household goods? http://www.fmcsa.dot.gov/consumer-protection/household-goods/protect-your-move

MOTOR CARRIERS WHO NEED A CERTIFICATE, LICENSE, OR PERMIT

Private Carrier Definition: Any person who provides transportation of property or passengers, by commercial vehicle and is not a for hire motor carrier

Common Carrier Definition: Any person who holds himself out to the public as willing to undertake for-hire to transport by motor vehicle, from place to place, the property of others who may choose to employ him

Authority Types Defined:

Pri-D A motor carrier based in Kansas operating beyond 25 miles from their office headquarters

Pri-F A motor carrier based outside of Kansas operating beyond 25 miles from their office headquarters

Kan-C A person transporting property or passengers for-hire point to point in Kansas

Kansas Corporation Commission and The Federal Motor Carrier Safety Administration (FMCSA) Title 49 Part 390.5 as adopted by the KCC in 82-4-1, defines Commercial Motor Vehicle as:

Any self-propelled or towed motor vehicle used on a highway in interstate and/or intrastate 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

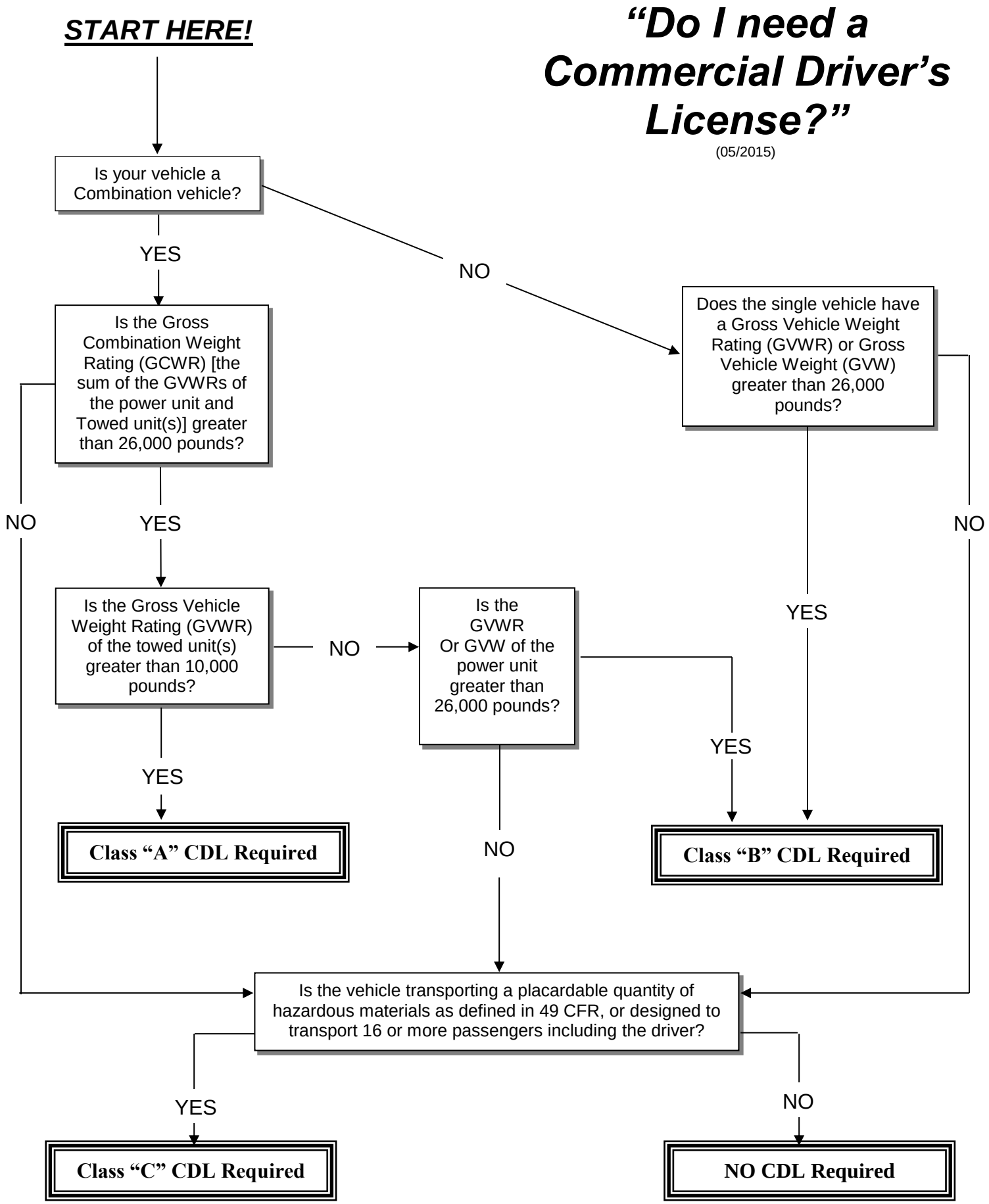
(2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or

(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 material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

"Do I need a Commercial Driver's License?"

(05/2015)



Commercial Driver's License

CDL CLASSES, EXEMPTIONS, RESTRICTIONS & ENDORSEMENTS

See below for enforcement statutes

CDL CLASSES – 8-234b

Class A Combination vehicles with GVWR of 26,001 lbs. or more **AND** towed vehicle(s) have a combined GVWR over 10,000 lbs.

Class B Single vehicles with GVWR of 26,001 lbs. or more **OR** such vehicle towing a vehicle with GVWR of 10,000 lbs. or less.

Class C Single vehicles with GVWR under 26,001 lbs., **OR** such vehicle towing a vehicle with GVWR over 10,000 lbs. **IF** vehicles combined GVWR is less than 26,001 lbs. Includes vehicles:

* Designed to transport 16 or more passengers including driver.
* Used to transport hazardous materials required to be placarded.

CDL EXEMPTIONS – 8-2,127

(a) Farm vehicles, provided:
- (1) Vehicle is registered as a farm truck or truck tractor.
- (2) Vehicle is transporting agricultural products, farm machinery, or farm supplies to or from a farm.
- (3) Vehicle isn't being used in contract or common carrier operation.

AND

- (4) Vehicle is used either (A) In intrastate commerce; or (B) in interstate commerce within 150 air miles of farm(s) owned or leased by the vehicle's registered owner.

(b) Fire fighting equipment.
(c) Military vehicles operated by military persons.
(d) Vehicles used solely for private and noncommercial use.
(e) ***(New)*** *Farm tractors operated by an implement dealer, or employee thereof, when moved or transported in accordance with 8-1911*

Interstate Farmers;

(1) Vehicle is registered or otherwise designated, as a farm truck or truck tractor.
(2) Vehicle is transporting agricultural products, farm machinery, or farm supplies to or from a farm.
(3) Vehicle isn't being used in contract or common carrier operation.

AND

(4) The vehicle with a GVWR or GCWR greater than 26,001 is operated within 150 air miles of farm(s) owned or leased by the vehicle's registered owner.
NOTE: If the GVWR or GCWR is 26,001, then there is no mileage limitation.

CFV Exceptions are found in 383.3(h)

CDL RESTRICTIONS – 8-2,135

The below codes are seen on the computer printout of a DL/CDL, but are normally spelled out on the DL/CDL.

B	Corrective lenses required
C	Mechanical aid required
D	Prosthetic aid required
E	Automatic transmission only
F	Outside mirrors
G	Daylight hours only
H	For employment only
I	Limited – other
K	Intrastate travel only (CDL only)
L	Without airbrakes only (CDL only)
M	CDL class C & B busses only
N	CDL class C busses only
O	No tractor trailer combination
V	Medical variance (SPE)
Z	No Full air brake equipped CMV (CDL only)

KANSAS MEDICAL CODE GUIDE
NI – Non-Excepted Interstate (Card Required)
NA – Non-Excepted Intrastate (Card Required)
EI – Excepted Interstate (Not Required)
EA – Excepted Intrastate (Not Required)
K.S.A. 8-2,133

CDL ENDORSEMENTS – 8-2,135

H	Hazardous materials (If required placards)
T	Double and triple trailers
P	Passenger vehicles (busses)
N	Tank vehicles; Tank or tanks (liquids/gases, individually more than 119 gals and aggregate of 1,000 gals or more). Empty Storage Tank temporarily moved does not require Endorsement. Any bulk package manifested as "empty or residue" is also exempt this endorsement.
X	Combination tank and Hazardous materials vehicles
S	School bus

CDL STATUTES

8-2,129 Driver of commercial vehicle may possess only one CDL, except during 10 day period beginning when issued a new driver's license.

8-2,132(a) Operator of a commercial vehicle must have CDL proper class and endorsements for the vehicle being driven. (Use KSA 8-2,132(a) for NTA and appropriate CFR on MVE-2)

8-2,132(b) No person shall drive a commercial motor vehicle while their driving privilege is suspended, revoked or canceled, while subject to a disqualification. (Use KSA 8-2,132(b) for NTA and 383.23(a)(2) on MVE-2)

8-2,132(c) No person shall drive a commercial motor vehicle in violation of an out-of-service order. (Use KSA 8-2,132(c) for NTA and appropriate CFR on MVE-2**)**

8-2,136(a) Notwithstanding any other provisions of this act, a driver shall not drive, operate or be in physical control of a commercial motor vehicle while having alcohol in such driver's system. (Use KSA 8-2,136(a) for NTA and 392.5(a) on MVE-2**)**

8-2,136(b) Commercial driver shall be placed out of service for 24 hours for any amount of alcohol in their system or for refusing to submit to a test to determine blood alcohol content. (Use KSA 8-2,132(c) for NTA and 392.5(c) on MVE-2 for violation of OOS order)

8-2,142 Driver disqualified from operating a commercial vehicle for:

Reference Vehicle Law book

8-2,144(a) A driver of a commercial vehicle shall be considered as driving while under the influence of alcohol if a blood alcohol test indicates an alcohol level of .04 or more. (Use KSA 8-2,144(a) for NTA and 392.5(a) on MVE-2)

8-2,128 DEFINITIONS OF "SERIOUS TRAFFIC VIOLATIONS"
(1) Excessive speeding is defined as 15 miles per hour or more over the posted speed limit;
(2) reckless driving, as defined under K.S.A. 8-1566, and amendments thereto;
(3) a violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;
(4) changing lanes of traffic illegally or erratically, as defined under K.S.A. 8-1548, and amendments thereto;
(5) following another vehicle too closely, as defined under K.S.A. 8-1523, and amendments thereto;
(6) a violation of subsection (a) of K.S.A. 8-2,132, and amendments thereto; or
(7) any other violation of a state or local law relating to motor vehicle traffic control, other than a parking violation, which the secretary determines by rule and regulation to be serious.

UNIFIED CARRIER REGISTRATION SYSTEM

NOTICE

Any motor carrier or other entity that is required to obtain a USDOT, FF, MC or MX number and/or is required to register with FMCSA, or should be registered as an interstate or international commerce carrier, is subject to the UCR Agreement. This includes all interstate for-hire motor carriers transporting property or passengers, interstate motor private carriers of property, brokers, freight forwarders, and leasing companies.

Motor Carrier: The Unified Carrier Registration (UCR) System requires individuals and companies that operate commercial motor vehicles in interstate or international commerce to register their business and pay an annual fee based on the size of their fleet. A commercial motor vehicle (as defined under 49 USC Section 31101) means a self-propelled vehicle used on the highways in commerce principally to transport passengers or cargo, if the vehicle: (1) Has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater; (2) Is designed to transport more than 10 passengers, including the driver; or (3) Is used in transporting material found by the Secretary of Transportation to be hazardous under section 5103 of this title and transported in a quantity requiring placards under regulations prescribed by the Secretary under section 5103.

Small vehicle: Interstate for-hire motor carriers transporting property or passengers and interstate motor private carriers of property operating only small vehicles (gross vehicle weight rating or gross vehicle weight of 10,000 pounds or less, or designed to transport 10 passengers or less, including the driver) are subject to pay UCR fees. If the carrier only operated these small vehicles, the fleet size for UCR purposes would be zero and the carrier would register and pay the lowest fee category (Bracket B1).

Other entity: Brokers, freight forwarders, or leasing companies are required to pay the UCR fee at the lowest fee category (Bracket B1).

UCR Fee Bracket			
Bracket	Number of self-propelled CMVs owned or operated by motor carrier, or motor private carrier of property	Fee per company for motor carrier, or motor private carrier of property	Fee per company for broker, freight forwarder or leasing company
B1	0-2	$76	$76
B2	3-5	$227	
B3	6-20	$452	
B4	21-100	$1,576	
B5	101-1,000	$7,511	
B6	1,001 and more	$73,346	

Registration begins October 1. States may begin enforcement January 1 of the following year.

Online registration can be processed at www.ucr.in.gov. In the right-hand column, click on Start UCR Registration. Click the radio button for New Applicant or Renew Your Unified Carrier Registration (UCR). From here, each screen will ask pertinent information to your company.

If online service is not available, registration may be completed by mail or in person with the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604. The application must be completed and attached with the payment. The Kansas Corporation Commission accepts checks, credit card (Visa/MasterCard/Discover/American Express), and cash if making the payment in person.

If you have questions, please do not hesitate to contact our office at 785.271.3145. Our office hours are 8 am to 5 pm, Monday – Friday.

Compliance CHECK LIST

Part 391 - Driver Qualification – For DQ File(s) -

For a complete description of each item, see *pages 4a & 5*.

1. ____ Driver Application for Employment (Part 391.21) *pages 8&9*
2. ____ Pre-employment check of driving record, Motor Vehicle Record (MVR)(Part 391.23(a)(1) and (b)) *pages 10&10a*
3. ____ Pre-employment driver Safety Performance History check (Part 391.23(a)(2) *pages 11&12*
4. ____ Annual MVR check for three years of driving record (Part 391.25(a) **every year** *pages 10&10a*
5. ____ Driver's physical qualifications, Medical examiner's certificate (MEC, Form: MCSA 5876)(Part 391.43) (NOTE: The driver must have a copy of the MEC in his/her possession while driving, Part 391.41, **unless** they are an interstate CDL driver who must submit a copy of the MEC to the State of CDL). *Pages 13&13a*

   Company needs to note verification of the MEC listing on the National Registry of Medical Examiners (391.23(m)(1). It is suggested you retain a copy of the medical examination report form in a separate confidential medical file.
   https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/Medical-Examination-Report-%28MER%29-Form-MCSA-5875.pdf

   https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/Medical-Examiners-Certificate-%28MEC%29-Form-MCSA-5876.pdf
6. ____ Driver's road test - Certifications of road test (Part 391.31) or copy of CDL except for tank and double/triple combination vehicles (Part 391.33) *pages 14&15*
7. ____ Carriers Driver Statement of On-duty Hours (Part 395.8(j)(2)) *page 16*
8. ____ ***Multiple-Employer Driver only:*** Driver Qualification File checklist *page 17*
9. ____ Annual driver's certification of violations (Part 391.27) *page 18*
10. ____ Annual review of driving record (Part 391.25) (c) (2) *page 18*
11. ____ ***CDL drivers only:*** Entry –level driver training certification (380.503) *page 18a*

PART 382 – Controlled Substances & Alcohol (D/A) Testing CONFIDENTIAL File *(CDL drivers only)*

1. ____ Pre-employment & random D/A results, random lists, chain of custody forms, (382.301) and (382.305)
2. ____ Signed receipt for informational packet and D/A policy (382.601)

PART 393 – EMERGENCY EQUIPMENT (Equipment required in a CMV)

1. ____ Three (3) reflective triangles.
2. ____ A mounted 5 B:C fire extinguisher or two (2) 4 B:C fire extinguishers that are properly filled and accessible, **or** a mounted 10 B:C fire extinguisher for CMVs used to transport Hazardous Materials requiring a placard.
3. ____ Spare fuses if the vehicle does not have circuit breakers.

PART 395 - Hours OF Service OF Drivers – For Hours of Service Files

1. ____ Retention of record of duty status (logbook) for six months at principal place of business (395.8(k)(1))
2. ____ Retention of time records for six months of short haul operations (100 air miles for CDL vehicles and 150 air mile for non-CDL vehicles) showing starting time, ending time and total hours working (395.1(e)) *pages 20a & 20b*

PART 396 - Inspection, Repair AND Maintenance – For Maintenance Files

1. ____ Records of maintenance and inspection must be maintained on each commercial vehicle for one year plus six months after vehicle leaves carrier's control (396.3) *pages 27,28 & 29*
2. ____ Daily post-trip inspection on each CMV must be completed and maintained for ninety days (396.11) *page 30*
3. ____ An annual inspection must be completed on each commercial vehicle (396.17)

PART 390 - Accident File

1. ____ Accident record file maintained for 3 years after an accident occurs (390.15) *page 31*

PART 390 - MCS-150/MCSA 1

1. ____ Registration required for Intrastate and Interstate before you begin operations using CMVs.
2. ____ Every 24 months must be updated (390.19).
3. ____ Marking of vehicle required (390.21) ***Legal Name & USDOT(your number)***
   & K.S.A. 8-143e: requires vehicles registered in Kansas for more than 12M to include: ***City, State and gross registered weight (GRW)***

INSTRUCTIONS FOR COMPLETION OF FORMS

1. **MOTOR CARRIER COMPLIANCE CHECKLIST (Page 4):**

This form provides a one page checklist for recording completion of: the required driver qualification forms; hours of service document retention requirements; vehicle inspection requirements; accident information; and updating the MCS-150. 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 (Page 6a).

2. **APPLICATION FOR EMPLOYMENT (Pages 8 & 9)**:

(Part 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 (a copy of the form is on Pages 8 & 9). 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 three years after the person's employment by the motor carrier ceases.

3. **CHECK OF DRIVING RECORD – MOTOR VEHICLE RECORD (MVR) (Pages 10 & 10a)**:

(Part 391.23) (a) (1) Each motor carrier is required to investigate the driving record, for the preceding three 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 three years should be contacted within thirty days of the date employment begins. The Kansas MVR request form is found on page 10 of this book or may be obtained online at: http://www.accesskansas.org/ssrv-mvr-ltd/ . A copy of the response of each state agency showing the driver's driving record or certifying that no driving record exists for that driver, shall be retained in the carrier's files as part of the driver's qualification file. The responses must be retained in the file for three years after employment by the motor carrier ceases. (Pages 10 & 10a)
NOTE: Part 391.25 (a) requires the motor carrier to obtain the driver's MVR annually.

4. **REQUEST FOR CHECK OF PREVIOUS EMPLOYER (Pages 11 & 12)**:

(Part 391.23) (a)(2) and (c) (1) Each motor carrier must investigate the driver's safety performance history during the preceding three years. The investigations may consist of personal interviews, letters or any method of obtaining information that the carrier deems appropriate and shall be made within thirty days of the date his/her employment begins. The information that must be checked is the prospective driver's accident history for the previous three years and whether the driver has ever tested positive or refused a DOT required drug or alcohol test. A written record must be kept with respect to each past employer who was contacted along with the past employer's name and address, the date he/she was contacted, and his/her comments with respect to the driver. The record shall be retained in the driver's safety performance history file for three years after the person's employment with the motor carrier ceases. (Pages 11 & 12)

5. **DRIVER'S PHYSICAL EXAMINATION (SAMPLE COPY Pages 13 & 13a)**:

(Parts 391.41, 391.43 & 391.45) All persons operating a commercial motor vehicle are required to obtain a physical examination at least every twenty-four months that shall be recorded on the FMCSA medical examination report form and medical examiner's certificate. The forms may be found at the following websites: Medical Examiner's Certificate: https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/Medical-Examiners-Certificate-%28MEC%29-Form-MCSA-5876.pdf
Medical Examination Report form:
https://www fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/Medical-Examination-Report-%28MER%29-Form-MCSA-5875.pdf

All INTERstate medical examinations must be conducted by a medical examiner listed on the National Registry of Certified Medical Examiners. All INTRAstate medical examinations must be conducted by a qualified medical examiner.

A copy of the medical examiner's certificate shall be retained in the driver qualification file for three years from the date of execution **except for** INTERstate CDL drivers who need to file a copy with the State CDL department. The employer must verify the Interstate CDL driver's certification by obtaining an MVR annually. All other Non-Interstate CDL operators must carry a copy of the certificate at all times. If the medical examination report form is provided to the company by the driver, it should be retained in a confidential file because it contains medical information. (SAMPLE COPY Pages 13 & 13a)

6. **RECORD AND CERTIFICATE OF ROAD TEST (Pages 14 & 15)**:

(Part 391.31) A road test shall be given by a person who is competent to evaluate and determine whether the prospective driver who takes the test has demonstrated that he/she is capable of safely operating the vehicle and the associated equipment that the motor carrier intends to assign him/her. The test evaluator shall rate the performance of the driver at each operation or activity that is part of the test. After the evaluator completes the form, the person who administered the test shall sign it. The original copy of the road test is retained in the driver qualification file. The information must be retained by the Motor Carrier for three years after the person's employment by them ceases. (Pages 14 & 15)

NOTE: (Part 391.33) Driver's who have a CDL can provide a copy of the CDL and a motor carrier may accept the CDL as equivalent to a road test **except** in the case of a tank vehicle or a double/triple trailer.

7. **RECORD OF VIOLATIONS CERTIFICATE (Page 18)**:

(Part 391.27) At least every twelve 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 twelve 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. (Page 18)

8. **RECORD OF ANNUAL REVIEW CERTIFICATE (Page 18):**

Each motor carrier shall, at least once every twelve months review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving following review of the driver's MVR and his list of violations 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. The records may be removed from the driver's qualification file three years after date of execution. (Page 18)

9. **CARRIERS DRIVER STATEMENT OF ON-DUTY HOURS (Page 16)**:

(Part 395.8(j)(2)) Motor carriers, when using a driver for the first time or intermittently, shall obtain from the driver a signed statement giving the total time on duty during the immediately preceding seven days and the time at which such driver was last relieved from duty prior to beginning work for such carrier. The driver also provides information regarding other compensated work for any other employers. The hours of on-duty time are retained at the driver's home terminal until the twentieth day of the succeeding calendar month and retained an additional six months at the carrier's principal place of business. (Page 16)

10. **DRIVER QUALIFICATION FILE FOR MULTIPLE - EMPLOYER DRIVER (Page 17):**

(Part 391.63) Motor carriers using a multiple-employer, casual or occasional driver shall obtain from the driver his social security number and expiration date of his medical examiner's certificate and complete the information on page 17 required by Part 391.63 and 391.51(d). The driver's hours of on-duty time are to be retained at the driver's home terminal until the twentieth day of the succeeding calendar month and retained an additional six months at the carrier's principal place of business. (Page 17)

DRIVER QUALIFICATION FILE FOR KANSAS CORPORATION COMMISSION COMPLIANCE

According to Part 391.51(a) except as provided in Subpart G, each motor carrier shall maintain a driver qualification file for each driver it employs.

RECORD RETENTION

The motor carrier must retain the following information in the driver qualification file for three years after the person's employment by the motor carrier ceases, except for item numbers 3, 6, 7, 8 and 9. NOTE: Item numbers 3, 6, 7, 8 and 9 listed below may be removed from the file after three years from the date the forms were executed Part 391.51(d).

1. Application for Employment (Part 391.21)
2. State agencies response concerning the driver's driving record (MVR) (Part 391.23) (a) (1)
3. The response of each state agency to the Annual Driver Record (MVR) inquiry required by (Part 391.25) (a)
4. The Record of Road Test form and Certificate of Road Test (Part 391.31(g))
   NOTE: In lieu of the road test and certificate, a copy of the commercial drivers license (CDL) may be accepted as equivalent to the driver's road test except for tank and double/triple vehicles (Part 391.33)
5. Entry-level driver training certification (Part 380.503)
6. Driver's Medical Examiner's Certificate (Part 391.43(d))
7. Note relating to verification of the medical examiner listing on National Registry (Part 391.23(m))
8. Review of Driving Record/Certification of violations (Part 391.25 (c) (2) and 391.27) (d)
9. A letter granting a waiver of a physical disqualification if required (Part 391.49)

ALCOHOL AND CONTROLLED SUBSTANCE TESTING RECORDS

A DRIVERS INVESTIGATION HISTORY SEPARATE CONFIDENTIAL FILE FOR ALCOHOL AND CONTROLLED SUBSTANCE TESTING INFORMATION IS REQUIRED. (Part 382.401). See Part 382.401(b) for record retention requirements.

1. Controlled Substance Test Records
   (a) Chain of Custody form - Employer copy
   (b) Test result from Medical Review Officer (MRO)
   (c) Medical statement regarding driver's inability to provide adequate urine specimen
   (d) Record of failure to conduct controlled substance testing within 32-hour mandate
   (e) Documentation of driver refusal to test for controlled substances
   (f) A positive test cancels the medical examination and the driver must be re-examined

2. Alcohol Test Records
   (a) Breath Alcohol Test form including test results - Employer copy
   (b) Medical Statement regarding driver's inability to provide adequate breath
   (c) Record of failure to conduct alcohol testing within 2-hour and 8-hour mandate
   (d) Documentation of driver refusal to test for alcohol

3. Inquires to previous employers (past three years) for alcohol and drug testing information. (Part 40.25 & Part 391.23) (c)

4. Certificate of receipt for educational materials on drug and alcohol testing requirements including the company drug and alcohol testing policy. (Part 382.601)

5. Documents presented by the driver to dispute the results of alcohol or controlled substance tests administered under this part. (Part 382.401(c)(2)(v))

6. Documentation that all driver supervisors have received 60 minutes of training on alcohol misuse and 60 minutes of training on controlled substance use. This training is generally provided by your drug/alcohol testing consortium or you can go to: http://ndwa.org/training.php.

7. Records related to substance abuse professional evaluations.

SUPPLIERS OF FORMS REQUIRED BY FEDERAL MOTOR CARRIER SAFETY REGULATIONS

(NOTE: The list of private vendors below is not intended to be all-inclusive, is not endorsed as to the quality of the vendors. Any carrier may wish to conduct their own investigation as to sources.)

Kansas Motor Carriers Association
2900 South Topeka Boulevard
Topeka, Kansas 66611
(785) 267-1641

Jack-Bilt Corporation
906 Central
Kansas City, Missouri 64106
(800) 522-5245

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027
(785) 271-3145

Commercial Motor Vehicle Office
Interstate Registration Plan (IRP)
Docking State Office Building
915 Harrison Rm 150
PO Box 12003
Topeka, Kansas 66612-2003
(785) 296-3621

Federal Motor Carrier Safety Administration
1303 SW First American Place Ste 200
Topeka, Kansas 66604-4059
(785) 271-1260

Motor Fuel Tax (IFTA)
Kansas Department of Revenue
Docking State Office Bldg., Motor Fuel
915 Harrison Street
Topeka, Kansas 66625-8000
(785) 368-8222

J. J. Keller & Associates, Inc.
145 W Wisconsin Avenue
Neenah, Wisconsin 54956
(877)-564-2333

LabelMaster
5724 N. Pulaski Road
Chicago, Illinois 60646-6797
(800) 621-5808

BE READY.
BE BUCKLED.

APPLICATION FOR EMPLOYMENT

Notice: Substance and Alcohol Testing is required of applicant driver. Date _____

Company _____ Street Address _____

City _____ State _____ Zip Code _____

Name _____
(First) (Middle) (Last)

Addresses _____ How Long _____

Date of Birth _____ Social Security Number _____

Addresses for Past Three Years

_____ Dates _____

_____ Dates _____
(Street) (City) (State) (Zip) (From) (To)

(ATTACH SHEET IF MORE SPACE IS NEEDED)

EXPERIENCE AND QUALIFICATIONS-DRIVERS

Drivers License _____
(State) (License Number) (Expiration Date)

Traffic Convictions and Forfeitures for the past three years (Other than Parking Violations)

_____

_____
(Location) (Date) (Charge) (Penalty)

Have you ever been denied a license, permit or privilege to operate a motor vehicle Yes _____ No _____
Has any license, permit or privilege ever been suspended or revoked? Yes _____ No _____
(If the answer is yes to either of the two previous questions, attach statement-giving details)

DRIVING EXPERIENCE

Class of Equipment	Type of Equipment (Van Tank Flat Etc)	Dates From To	Approximate Number of Miles (Total)
Straight Truck			
Tractor & Semi Trailer			
Other			

ACCIDENT RECORD FOR THE PAST THREE YEARS OR MORE

	Date	Nature of the Accident (Head-on Rear-end Upset Ect)	Fatality	Injury	Non-Injury
Last Accident					
Next Previous					
Next Previous					

Employment History

All drivers applying to drive in intrastate or interstate commerce must provide the following information on employers during the **preceding three years**. List mailing address, street number, city, state and zip code.

Applicants applying to drive a **"commercial motor vehicle"** as defined by Part 383, in intrastate or interstate commerce shall also provide an additional seven years information on those employers for whom the applicant driver operated such vehicle.
(NOTE: list employers in reverse order starting with the most recent. Add another sheet as necessary.)

Employer Date

Name From: Month Year To: Month Year

Address Position Held

City State Zip Code Salary/Wages

Contact Person Phone Number (include area code)

Reason for leaving

Were You Subject To The FMCSR's While Employed? ☐ Yes ☐ No
**Was Your Job Designated As A Safety-Sensitive Function In Any DOT-Regulated Mode Subject To The Drug And Alcohol Testing Requirements Of 49 CFR Part 40? ☐ Yes ☐ No

Employer Date

Name From: Month Year To: Month Year

Address Position Held

City State Zip Code Salary/Wages

Contact Person Phone Number (include area code)

Reason for leaving

Were You Subject To The FMCSR's While Employed? ☐ Yes ☐ No
**Was Your Job Designated As A Safety-Sensitive Function In Any DOT-Regulated Mode Subject To The Drug And Alcohol Testing Requirements Of 49 CFR Part 40? ☐ Yes ☐ No

(ATTACH SHEET IF MORE SPACE IS NEEDED FOR EMPLOYMENT HISTORY)

TO BE READ AND SIGNED BY APPLICANT

This certifies that this application was completed by me, and that all entries on it are true and complete to the best of my knowledge. I authorize you to make such investigations and inquiries of my personal, employment, financial or medical history and other related matters as may be necessary in arriving at an employment decision. (Generally, inquiries regarding medical history will be made only if and after a conditional offer of employment has been extended.) I hereby release employers, health care providers and other persons from all liability in responding to inquiries and releasing information in connection with my application. In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge. I understand, also that I am required to abide by all rules and regulations of the company.

Date Applicant's Signature

Division of Vehicles
915 SW Harrison St.
Topeka, KS 66612

Kansas
Department of Revenue

Vehicle Services: 785-296-3621
Driver Improvement:785-296-3671
www.ksrevenue.org

Nick Jordan, Secretary
Lisa Kaspar, Director

Sam Brownback, Governor

I. Requester's Information: (Providing daytime phone number is optional.)

Requester's Name: _____

Organization (if applicable):_____ Title: _____

Address:_____Daytime Phone #: _____

City:_____State:_____Zip: _____

II. Record you are requesting: Provide as much information as possible. (See page two, instruction number 2.)

☐ Vehicle registration/title information

Name:_____

Address:_____

City:_____State:_____

Make/Model:_____

Year:_____Plate No:_____

VIN: _____

☐ Driver's License information

Name: _____

Address: _____

City:_____State: _____

DL No: _____

Date of Birth: _____

III. Fees: Please submit your payment with this form. (Include a check or money order.)

		(FEE)
☐	Vehicle Registration Record	$10.00
☐	Vehicle Title History (microfilm review)	$25.00
☐	Certified Title History (microfilm review)	$30.00
☐	Vehicle Information for Dealers	$1.00 per page

		(FEE)
☐	Motor Vehicle Record	$10.00
☐	Certified Motor Vehicle Record	$15.00
☐	Clearance Letters	$15.00
☐	Drivers License Folders	$20.00
☐	Certified Driver's License Folders	$25.00

IV. Verification of your eligibility to receive the requested records.

Please review the exceptions listed on the back of this form and fill in the code that corresponds with your request.

Code: _____

If you have selected code **"J"**, indicate the second code that would make you eligible to receive this information. *(A licensed private investigative agency or security service can obtain DMV records as long as the request falls within one of the other exceptions listed.)*

Second Code: _____

If you have selected code **"M"**, indicate the intended use of the requested record(s). *(Anyone can obtain DMV records if the intended use is specifically authorized by Kansas law and is related to the operation of a motor vehicle or public safety.)*

_____

_____

V. Signature – Before signing this document, read this section carefully.

Under the Drivers' Privacy Protection Act of 1994, as amended (18 U.S.C. § 2721), personal information obtained by the Kansas Department of Revenue cannot be released unless the request for information falls within one of the exceptions in the Act. Those exceptions are listed on the back of this form.

It is unlawful for personal information to be used for any purpose not permitted under these exceptions. Furthermore, it is unlawful for any person to make false representation in order to obtain personal information from DMV records.

Civil action may be brought against you by the owner of the personal information released. Should this happen, the court may award the following: actual damages of not less than $2,500.00, punitive damages, reasonable attorney fees, other litigation costs and other preliminary and equitable relief as the court determines to be appropriate.

In addition, Kansas law (K.S.A. 21-3914 and K.S.A. 45-220(c)(2)) prohibits any list of names and addresses derived from public records to be sold, given or received for the purpose of selling or offering for sale any property or service.

I declare that I am eligible and have the express authority to sign for and receive the requested information pursuant to the Federal Drivers' Privacy Protection Act of 1994, as amended. I further declare that any personal information I receive will not be used to sell or offer for sale any property or service.

Requester's Signature:_____Date: _____

Instructions:

1. Complete this form including signature and date. (You may make copies of this form.)
2. The department will provide records upon a direct match. If you have not provided enough information to establish a direct match, the department will contact you requesting additional information.
3. Provide a completed form for each request. (You may make copies of this form.)
4. Submit the required payment, see front page for fee amounts, by check or money order along with this form to:

For vehicle registration/title records:	For driver's license records:	For apportioned vehicle records:
Kansas Department of Revenue	Kansas Department of Revenue	Kansas Department of Revenue
Titles and Registration	Driver Control	Motor Carrier Services
915 SW Harrison	PO Box 12021	915 SW Harrison
Topeka, KS 66626-0001	Topeka, KS 66612-2021	Topeka, KS 66612-1588
Phone: (785) 296-3621	**Phone:** (785) 296-3671	**Phone:** (785) 296-6541

5. Make check or money order payable to the "Division of Vehicles". No refunds will be issued for requests made in error, or requests for records not on file.

Exception codes for completion of section IV on the first page of this form.

A. I am requesting my own record.

B. I have written consent from the individual to whom the requested information pertains, to obtain records on their behalf. (Please attach form TR/DL 301.)

C. I work for or am acting on the behalf of a government agency and am requesting this information to fulfill the functions of that agency.

D. I am requesting this information in connection with matters of: motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls, or advisories; performance monitoring of motor vehicles, motor vehicle parts and dealers; motor vehicle market research activities, including survey research; and removal of non-owner records from the original owner records of motor vehicle manufacturers.

E. I am an employee, agent or contractor of a legitimate business. I am requesting record information in order to verify the accuracy of personal information submitted by the individual in question. If the information I have is incorrect, I am requesting to obtain corrected information. This information will be used to pursue legal remedies against or recover on a debt or security interest against the individual in question.

F. I am going to use this information in connection with a civil, criminal, administrative, or arbitral proceeding in a Federal, State, or local court or agency or before a self-regulatory body. This may include the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a Federal, State, or local court.

G. I am involved in a research project to produce statistical reports. The personal information obtained will not be published, re-disclosed or used to contact the individual in question.

H. I am an agent, employee or contractor for an insurer, an insurance support organization or I am self- insured. The information requested will be used in connection with a claims investigation, antifraud activities, rating or underwriting.

I. I am requesting record information to provide notice to owners of towed or impounded vehicles.

J. I work for a licensed private investigative agency or a licensed security service. (See section IV on the front of this form.)

K. I am an employer or an agent or insurer working on the behalf of an employer of licensed commercial drivers. I am requesting records information in order to obtain or verify information relating to a holder of a commercial driver's license.

L. I am requesting records of individuals who have given the state the express consent to release personal information by "opting in" their records.

M. I will use the information requested in a manner that is specifically authorized by Kansas law and is related to the operation of a motor vehicle or public safety. (See section VI on the front of this form.)

SAFETY PERFORMANCE HISTORY RECORDS REQUEST

PART 1:	TO BE COMPLETED BY PROSPECTIVE EMPLOYEE

I, (Print Name) _____ _____
First M.I. Last Social Security Number

Hereby authorize: _____
Date of Birth

Previous Employer: _____ Email: _____

Street: _____ Telephone: _____

City, State, Zip: _____ Fax No.: _____

To release and forward the information requested by section 3 of this document concerning my Alcohol and Controlled Substances Testing records within the previous 3 years from _____.
(employment application date)

To: Prospective Employer: _____

Attention: _____ Telephone: _____

Street: _____

City, State, Zip: _____

In compliance with §40.25(g) and 391.23(h), release of this information must be made in a written form that ensures confidentiality, such as fax, email, or letter.

Prospective employer's fax number: _____

Prospective employer's email address: _____

_____ _____
Applicant's Signature Date

This information is being requested in compliance with §40.25(g) and 391.23.

PART 2:	TO BE COMPLETED BY PREVIOUS EMPLOYER

ACCIDENT HISTORY

The applicant named above was employed by us. Yes ☐ No ☐

Employed as _____ from (m/y) _____ to (m/y) _____

1. Did he/she drive motor vehicle for you? Yes ☐ No ☐ If yes, what type? Straight Truck ☐ Tractor-Semitrailer ☐ Bus ☐ Cargo Tank ☐ Doubles/Triples ☐ Other (Specify) _____

2. Reason for leaving your employ: Discharged ☐ Resignation ☐ Lay Off ☐ Military Duty ☐
If there is no safety performance history to report, check here ☐, sign below and return.

ACCIDENTS: Complete the following for any accidents included on your accident register (§390.15(b)) that involved the applicant in the 3 years prior to the application date shown above, or check ☐ here if there is no accident register data for this driver.

	Date	Location	# Injuries	# Fatalities	Hazmat Spill
1.					
2.					
3.					

Please provide information concerning any other accidents involving the applicant that were reported to government agencies or insurers or retained under internal company policies: _____

_____

_____

Any other remarks:

_____

_____

_____

Signature: _____

Title: _____ Date: _____

PREVIOUS EMPLOYER – COMPLETE PAGE 2 PART 3

PART 3:	TO BE COMPLETED BY PREVIOUS EMPLOYER

DRUG AND ALCOHOL HISTORY

If driver was not subject to Department of Transportation testing requirements while employed by this employer, please check here ☐, fill in the dates of employment from _____ to _____, complete bottom of Part 3, sign, and return.

Driver was subject to Department of Transportation testing requirements from _____ to _____.

1. Has this person had an alcohol test with the result of 0.04 or higher alcohol concentration?
   YES ☐ NO ☐
2. Has this person tested positive or adulterated or substituted a test specimen for controlled substances?
   YES ☐ NO ☐
3. Has this person refused to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test?
   YES ☐ NO ☐
4. Has this person committed other violations of Subpart B of Part 382, or Part 40?
   YES ☐ NO ☐
5. If this person has violated a DOT drug and alcohol regulation, did this person complete a SAP-prescribed rehabilitation program in your employ, including return-to-duty and follow-up tests? If yes, please send documentation back with this form.
   YES ☐ NO ☐
6. For a driver who successfully completed a SAP's rehabilitation referral and remained in your employ, did this driver subsequently have an alcohol test result of 0.04 or greater, a verified positive drug test, or refuse to be tested?
   YES ☐ NO ☐

In answering these questions, include any required DOT drug or alcohol testing information obtained from prior previous employers in the previous 3 years prior to the application date shown on page 1.

Name: _____

Company: _____

Street: _____

City, State, Zip: _____ Telephone: _____

Part 3 Completed by (Signature): _____ Date: _____

PART 4a:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER

This form was (check one) ☐ Faxed to previous employer ☐ Mailed ☐ Emailed ☐ Other _____

By: _____ Date: _____

PART 4b:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER

Complete below when information is obtained.

Information received from: _____

Recorded by: _____ Method: ☐ Fax ☐ Mail ☐ Email ☐ Telephone

Date: _____ ☐ Other _____

INSTRUCTIONS TO COMPLETE THE SAFETY PERFORMANCE HISTORY RECORDS REQUEST

PAGE 1 PART 1: Prospective Employee
- Complete the information required in this section
- Sign and date
- Submit to the Prospective Employer

PAGE 2 PART 4a: Prospective Employer
- Complete the information
- Send to Previous Employer

PAGE 1 PART 2: Previous Employer
- Complete the information required in this section
- Sign and date
- Turn form over to complete SIDE 2 SECTION 3

PAGE 2 PART 3: Previous Employer
- Complete the information required in this section
- Sign and date
- Return to Prospective Employer

PAGE 2 PART 4b: Prospective Employer
- Record receipt of the information
- Retain the form

Public Burden Statement
A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0006. Public reporting for this collection of information is estimated to be approximately 25 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, 1200 New Jersey Avenue, SE, Washington, D.C. 20590.

U.S. Department of Transportation
Federal Motor Carrier
Safety Administration

Medical Examination Report Form

(for Commercial Driver Medical Certification)

PRIVACY ACT STATEMENT: ***This statement is provided pursuant to the Privacy Act of 1974, 5 USC § 552a.***

AUTHORITY: Title 49, United States Code (USC), 49 USC 31133(a)(8) and 31149(c)(1)(E).

PURPOSE: To record results of a driver's physical examination, to determine qualification to operate a commercial motor vehicle (CMV), and to promote driver health in interstate commerce according to the requirements in 49 CFR 391.41-49. Providing this information is mandatory. If this information is not provided, the medical examiner will not be able to determine qualification to operate a CMV in interstate commerce according to the requirements in 49 CFR 391.41-49. To record results of a driver's physical examination and to determine qualification to operate a CMV in intrastate commerce when the driver is required by a State to be examined by a medical examiner listed on the National Registry of Certified Medical Examiners in accordance with the provisions of 49 CFR 391.41-49 and any variances from the physical qualification standards adopted by such State.

MEDICAL RECORD #

_____

(or sticker)

Medical examiners are required to complete the Medical Examination Report Form for every driver physical examination performed in accordance with 49 CFR 391.41. Each original (paper or electronic) completed Medical Examination Report Form must be retained on file at the office of the medical examiner for at least 3 years from the date of examination. The medical examiner must make all records and information in these files available to an authorized representative of FMCSA or an authorized Federal, State, or local enforcement agency representative, within 48 hours after the request is made [49 CFR 391.43(i)].

ROUTINE USES: The information is used for the purpose set forth above and may be forwarded to Federal, State, or local law enforcement agencies for their use. Medical Examination Report Forms collected by FMCSA will be stored in FMCSA's automated National Registry of Certified Medical Examiners System and will be used to monitor the performance of medical examiners listed on the National Registry.

In addition to those disclosures permitted under 5 USC 552a(b) of the Privacy Act of 1974, additional disclosures may be made in accordance with the U.S. Department of Transportation (DOT) Prefatory Statement of General Routine Uses published in the Federal Register on December 29, 2010 (75 FR 82132), under "Prefatory Statement of General Routine Uses" (available at http://www.dot.gov/privacy/privacyactnotices).

ACKNOWLEDGMENT: ***I understand the provisions of the Privacy Act of 1974 as related to me through the above-mentioned statement.***

Driver's Signature: _____ Date: _____

SECTION 1. Driver Information *(to be filled out by the driver)*

PERSONAL INFORMATION

Last Name: _____ First Name: _____ Middle Initial: ____ Date of Birth: _____ Age: ___

Street Address: _____ City: _____ State/Province: _____ Zip Code: _____

Driver's License Number: _____ Issuing State/Province: _____ Phone: _____ Gender: ◯ M ◯ F

E-mail *(optional)*: _____ CLP/CDL Applicant/Holder*: ◯ Yes ◯ No

Driver ID Verified By**: _____

Has your USDOT/FMCSA medical certificate ever been denied or issued for less than 2 years? ◯ Yes ◯ No ◯ Not Sure

*CLP/CDL Applicant/Holder: See instructions for definitions.

**Driver ID Verified By: Record what type of photo ID was used to verify the identity of the driver, e.g., CDL, driver's license, passport.

DRIVER HEALTH HISTORY

Have you ever had surgery? If "yes," please list and explain below. ◯ **Yes** ◯ **No** ◯ **Not Sure**

Are you currently taking medications *(prescription, over-the-counter, herbal remedies, diet supplements)*? ◯ **Yes** ◯ **No** ◯ **Not Sure**
If "yes," please describe below.

COPY

Public Burden Statement
A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2126-0006. Public reporting for this collection of information is estimated to be approximately 1 minute per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are mandatory. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Motor Carrier Safety Administration, MC-RRA, 1200 New Jersey Avenue, SE, Washington, D.C. 20590.

U.S. Department of Transportation
Federal Motor Carrier
Safety Administration

Medical Examiner's Certificate

(for Commercial Driver Medical Certification)

I certify that I have examined **Last Name:** _____ **First Name:** _____ in accordance with *(please check only one)*:

◯ the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and, with knowledge of the driving duties, I find this person is qualified, and, if applicable, only when *(check all that apply)* ***OR***

◯ the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) with any applicable State variances (which will only be valid for intrastate operations), and, with knowledge of the driving duties, I find this person is qualified, and, if applicable, only when *(check all that apply)*:

- ☐ Wearing corrective lenses
- ☐ Wearing hearing aid
- ☐ Accompanied by a _____ waiver/exemption
- ☐ Accompanied by a Skill Performance Evaluation (SPE) Certificate
- ☐ Driving within an exempt intracity zone (49 CFR 391.62) *(Federal)*
- ☐ Qualified by operation of 49 CFR 391.64 *(Federal)*
- ☐ Grandfathered from State requirements *(State)*

The information I have provided regarding this physical examination is true and complete. A complete Medical Examination Report Form, MCSA-5875, with any attachments embodies my findings completely and correctly, and is on file in my office.

Medical Examiner's Certificate Expiration Date

_____

Medical Examiner's Signature _____

Medical Examiner's Telephone Number _____

Date Certificate Signed _____

Medical Examiner's Name ***(please print or type)*** _____

◯ MD ◯ Physician Assistant ◯ Advanced Practice Nurse
◯ DO ◯ Chiropractor ◯ Other Practitioner *(specify)* _____

Medical Examiner's State License, Certificate, or Registration Number _____

Issuing State _____

National Registry Number _____

Driver's Signature _____

Driver's License Number _____

Issuing State/Province _____

Driver's Address

Street Address: _____ City: _____ State/Province: _____ Zip Code: _____

CLP/CDL Applicant/Holder ◯ Yes ◯ No

COPY

RECORD OF ROAD TEST

Driver's Name_____ Address_____

License No._____ State_____ Equipment Driven: Truck_____ Tractor_____ Trailer_____

Checked From_____ To_____ Date_____

For those items that apply, place a checkmark if driver's performance is satisfactory, mark with an X if driver's performance is unsatisfactory. Explain unsatisfactory items under Remarks.

PART 1-PRE-TRIP INSPECTION AND EMERGENCY EQUIPMENT

Checks general condition approaching unit _____

Looks for leakage of coolants, fuel, lubricants _____

Checks under hood - oil water, general condition of engine compartment, steering _____

Checks around unit - tires, lights, trailer hookup, brake and light lines, body, doors, horn, windshield wipers _____

Tests brake action, tractor protection valve, and parking (hand) brake _____

Knows use of jacks, tools, emergency warning devices, tire chains, fire extinguisher, spare fuses and four-way flashers _____

Checks instruments _____

Cleans windshield, windows mirrors, lights, reflectors _____

PART 2-PLACING VEHICLE IN MOTION AND USE OF CONTROLS

A. MOTOR

Starts motor without difficulty _____

Allows proper warm-up _____

Understands gauge on instrument panel _____

Maintains proper engine speed while driving _____

Basic knowledge of motor - gas, diesel _____

Does not abuse motor _____

B. CLUTCH AND TRANSMISSION

Starts loaded units smoothly _____

Uses clutch properly _____

Times gearshifts properly _____

Shifts gears smoothly _____

Uses proper gear sequence _____

C. BRAKES

Understands operating principles or air brakes _____

Knows proper use of tractor protection valve _____

Understands low air warning _____

Tests brakes before starting trip _____

D. STEERING

Controls steering wheel _____

Good driving posture and good grip on wheel _____

E. LIGHTS

Knows lighting regulations _____

Uses proper headlight beam _____

Dim lights when meeting or following other traffic _____

Adjusts speed to range of headlights _____

Proper use of auxiliary lights _____

PART 3 - COUPLING AND UNCOUPLING

Lines up units _____

Hooks brake and light lines properly _____

Secures trailer against movement _____

Backs under slowly _____

Tests hookup with power _____

Checks hookup visually _____

Handles landing gear properly _____

Proper hook-up of full trailer _____

Secures power unit against movement _____

PART 4 - BACKING AND PARKING _____

A. BACKING

Gets out and checks before backing _____

Looks back as well as uses mirror _____

Gets out and rechecks conditions on long back _____

Avoids backing from blind side _____

Signals when backing _____

Controls speed and direction properly while backing _____

B. PARKING (City)

Does not hit nearby vehicles or stationary objects _____

Parks proper distance from curb _____

Sets parking brake, puts in gear, chocks wheels, Shuts off motor _____

Checks traffic conditions and signals when pulling out from parked position _____

Parks in legal and safe location _____

C. PARKING (Road)

Parks off pavement _____

Avoids parking on soft shoulder _____

Uses emergency warning signals when required _____

Secures unit properly _____

RECORD OF ROAD TEST (CONCLUDED)

PART 5 - SLOWING AND STOPPING

Uses gears properly ascending _____
Gears down properly descending _____
Stops and restarts without rolling back _____
Tests brakes at top of hills _____
Uses brakes properly on grades _____
Uses mirrors to check traffic to rear _____
Signals following traffic _____
Avoids sudden stops _____
Stops smoothly without excess fanning _____
Stops before crossing sidewalk when coming out of driveway or alley _____
Stops clear of pedestrian crosswalks _____

PART 6 - OPERATING IN TRAFFIC PASSING AND TURNING

A. TURNING

Gets in proper lane well in advance _____
Signals well in advance _____
Checks traffic conditions and turns only when way is clear _____
Does not swing wide or cut short while turning _____

B. TRAFFIC SIGNS AND SIGNALS

Approaches signal prepared to stop if necessary _____
Obeys traffic signal _____
Uses good judgment on yellow light _____
Starts smoothly on green _____
Notices and heeds traffic signs _____
Obeys "Stop" signs _____

C. INTERSECTIONS

Adjusts speed to permit stopping if necessary _____
Checks for cross traffic regardless of traffic controls _____
Yields right-of-way for safety _____

D. GRADE CROSSINGS

Adjusts speed to conditions _____
Makes safe stop, if required _____
Selects proper gear _____

E. PASSING

Passes with sufficient clear space ahead _____
Does not pass in unsafe location: hill, curve, intersection _____
Signals change of lanes _____
Warns driver being passed _____
Pulls out and back with certainty _____
Does not tailgate _____
Does not block traffic with slow pass _____
Allows enough room when returning to right lane _____

F. SPEED

Speed consistent with basic ability _____
Adjusts speed properly to road, weather, traffic conditions, legal limits _____

F. SPEED(CONCLUDED)

Speed consistent with basic ability _____
Adjusts speed properly to road, weather, traffic conditions, legal limits _____
Slows down for rough roads _____
Slows down in advance of curves, intersections, etc. _____
Maintains consistent speed _____

G. COURTESY AND SAFETY

Uses defensive driving techniques _____
Yields right-of-way for safety _____
Goes ahead when given right-of-way by others _____
Does not crowd other drivers or force way through traffic _____
Allows faster traffic to pass _____
Keeps right and in own lane _____
Uses horn only when necessary _____
Generally courteous and uses proper conduct _____

PART 7 - MISCELLANEOUS

A. GENERAL DRIVING ABILITY AND HABITS

Consistently alert and attentive _____
Adjusts driving to meet changing conditions _____
Performs routing functions without taking eyes from road _____
Checks instruments regularly while driving _____
Willing to take instructions and suggestions _____
Adequate self-confidence in driving _____
Is not easily angered _____
Positive attitude _____
Good personal appearance, manner, cleanliness _____
Good physical stamina _____

B. HANDLING OF FREIGHT

Checks freight properly _____
Handles and loads freight properly _____
Handles bills properly _____
Breaks down load as required _____

C. RULES AND REGULATIONS

Knowledge of company rules _____
Kknowledge of regulations: federal, state, local _____
Knowledge of special truck routes _____

D. USE OF SPECIAL EQUIPMENT (Specify) _____

_____ _____
_____ _____

REMARKS:

_____
_____
_____
_____
_____
_____
_____

GENERAL PERFORMANCE: Satisfactory_____; Needs Training_____; Unsatisfactory_____

QUALIFIED FOR: Truck_____; Tractor-Semitrailer_____; Other_____

_____
Signature of Examiner

CERTIFICATION OF ROAD TEST

INSTRUCTIONS TO CARRIER: If the road test is successfully completed, the person who gave it must complete the following certification in duplicate. The original of the signed road test form and the original of the Certification of Road Test shall be retained in the driver qualification file of the person who was examined, and duplicate copies provided to the person examined. Section 391.31(e)(f)(g)(1)(2) of the Federal Motor Carrier Safety Regulations

Driver's Name_____
Social Security Number_____
Operator's or Chauffeur's License Number_____

Type of Power Unit_____
Type of Trailer(s)_____
If Passenger Carrier, Type of Bus_____

This s to certify that the above-named driver was given a road test under my supervision on_____, 19___ , consisting of approximately_____ miles of driving. It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of vehicle listed above.

Signature of examiner_____

Organization_____

Title_____

Address of examiner_____

CARRIERS DRIVER STATEMENT OF ON-DUTY HOURS
(For Newly - Hired or Intermittent Drivers)

INSTRUCTIONS: Motor carriers when using a driver for the first time shall obtain from the driver a signed statement giving the total on-duty time during the immediately preceding seven days and time at which such driver was last relieved from duty prior to beginning work for such carrier. Part 395.8(j)(2) Federal Motor Carrier Safety Regulations.

NOTE: Hours for any compensation work during the preceding seven days, include work for a non-motor carrier entity, must be recorded on this form.

Driver Name (Print) _____

Social Security Number _____

Motor Vehicle Operator's License Number _____

Type of License _____ Issuing State _____

Compensated work time (prior 7 days)

1	2	3	4	5	6	7

_____
Total Hours

I hereby certify that the information given above is correct to the best of my knowledge and belief, and that I was last relieved from work at:

_____ **(A.M.) (P.M.)** **ON**_____
TIME **DAY** **MONTH** **YEAR**

Are you currently working for another employer? (Yes) (No)

At this time do you intend to work for another person while still employed by this company? (Yes) (No)

I hereby certify that the information given above is true and I understand that once I become employed with the company, if I begin work for any additional employer(s) for compensation, that I must inform this company immediately of such employment activity. (395.2 (8) and (9))

_____ _____
Driver Signature **Date**

Witness: _____ _____
Company **Date**

DRIVER QUALIFICATION FILE FOR MULTIPLE - EMPLOYER DRIVER

Instructions: If a motor carrier employs a person who is not regularly-employed (as defined in 390.5) to drive a motor vehicle for a single trip or on a casual or occasional basis or a multiple-employer driver, the motor carrier shall comply with all requirements of Part 391, except the carrier need not:

(1) Require the person to furnish an application for employment (390.21);

(2) Make an inquiry into the person's driving record during the preceding three years to the appropriate state agency(s), and an investigation of the person's employment record during the preceding three years (391.23);

(3) Perform annual review of the person's driving record (391.35); or

(4) Require the person to furnish a record of violation or a certificate (391.27).

Driver qualification form must be completed and signed by driver's qualifying carrier

DRIVER QUALIFICATION FILE CHECK LIST	
Name of Driver	Social Security Number
Signature of Driver	Date

I certify that the above named driver, as defined in (390.5) is regularly driving a commercial motor vehicle operated by the below named carrier and is fully qualified under Part 391, Federal Motor Carrier Safety Regulations. His or her current medical examiner's certificate expires on:

Medical Certificate expires:_____

This certificate expires on:_____
(Date not later than expiration date of medical certificate)

Issued by: _____
(Name of Carrier) (Address) (State) (Zip Code)

_____ _____ _____
(Signature of Carrier) (Title) (Date)

MOTOR VEHICLE DRIVER'S CERTIFICATION OF VIOLATIONS AND ANNUAL REVIEW OF DRIVING RECORD

MOTOR CARRIER INSTRUCTIONS: Each motor carrier shall at least once every twelve months, require each driver it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances (other than violations involving only parking) of which the driver has been convicted, or on account of which he/she has forfeited bond or collateral during the preceding twelve months (Section 391.27). Drivers who have provided information required by Section 383.31 need not repeat that information on this form.

DRIVER REQUIREMENTS: Each driver shall furnish the list as required by the motor carrier above. 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 (Section 391.27).

COMPLETED BY DRIVER - CERTIFICATION OF VIOLATIONS

Name of Driver: (Print)

Social Security Number Date of Employment

Home Terminal (City and State)

Driver's License Number State Expiration Date

I certify that the following is a true and complete list of traffic violations required to be listed (other than those I have provided under Part 383) for which I have been convicted or forfeited bond or collateral during the past one year. (If you have had no violations, please so state below.)

DATE	OFFENSE	LOCATION	TYPE OF VEHICLE OPERATED

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation (other than those I have provided under Part 383) required to be listed during the past twelve months.

Date Of Certification Driver's Signature

COMPLETED BY MOTOR CARRIER - ANNUAL REVIEW OF DRIVING RECORD

MOTOR CARRIER INSTRUCTIONS: Review the Certification of Violations listed above and other information described in Section 391.25 of the Federal Motor Carrier Safety Regulations. Complete the information request below.

I hereby reviewed the driving record of the above-named driver in accordance with Section 391.25 and find that he/she (check one):

☐ Meets minimum requirements for safe driving ☐ Is disqualified to drive a motor vehicle pursuant to Section 391.15

☐ Does not adequately meet satisfactory safe-driving performance

Action taken with driver: _____

Reviewed by: _____ _____
Signature Date

_____ _____
Printed Name Title

_____ _____
Motor Carrier Name Motor Carrier Address

MAINTAIN THIS DOCUMENT IN THE DRIVER'S QUALIFICATION FILE. THIS DOCUMENT MAY BE PURGED AFTER THREE YEARS FROM THE DATE OF EXECUTION.

Entry-level driver training requirements

Title 49 Part 380.501 Applicability:
All entry-level drivers who drive in interstate commerce and are subject to the CDL requirements must comply with the rules of this subpart, except drivers who are subject to the jurisdiction of the Federal Transit Administration or who are otherwise exempt under 390.3(f) of this subchapter.

Title 49 Part 380.503 Entry-level driver-training requirements:
Entry-level driver training must include instruction addressing the following four areas:
(a) *Driver qualification requirements*. The Federal rules on medical certification, medical examination procedures, general qualifications, responsibilities, and disqualifications based on various offenses, orders, and loss of driving privileges (part 391, subparts B and E of this subchapter).
(b) *Hours of service of drivers*. The limitations on driving hours, the requirement to be off-duty for certain periods of time, record of duty status preparation, and exceptions (part 395 of this subchapter). Fatigue countermeasures as a means to avoid crashes.
(c) *Driver wellness*. Basic health maintenance including diet and exercise. The importance of avoiding excessive use of alcohol.
(d) *Whistleblower protection*. The right of an employee to question the safety practices of an employer without the employee's risk of losing a job or being subject to reprisals simply for stating a safety concern (29 CFR part 1978).

Certificate of Training for Entry Level Commercial Drivers

_____
Driver's: First Name, Middle Initial, & Last Name

I certify that the above named driver has completed the training requirements set forth in the Federal Motor Carrier Safety Regulations for Entry Level Driver Training in accordance with Title 49 CFR 380.503

- Driver qualification requirements (49 CFR 391)
- Hours of Service of Drivers (49 CFR 395)
- Driver Wellness
- Whistleblower Protection (29 CFR 1978)

_____ _____
Name of Safety Director Date Certificate issued

(Insert your: Company Name & Company Address)

PART 395 – Hours of Service Regulations for (Property) Carrier Drivers

395.3(a) Except as otherwise provided in §395.1, no motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, unless the driver complies with the following requirements:

(1) Start of work shift. A driver may not drive without first taking 10 consecutive hours off duty;

(2) 14-hour period. A driver may drive only during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty. The driver may not drive after the end of the 14-consecutive-hour period without first taking 10 consecutive hours off duty.

(3) Driving time and rest breaks.

(i) Driving time. A driver may drive a total of 11 hours during the 14-hour period specified in paragraph (a)(2) of this section.

(ii) Rest breaks. Except for drivers who qualify for either of the short-haul exceptions in § 395.1(e)(1) or (2), driving is not permitted if more than 8 hours have passed since the end of the driver's last off-duty or sleeper-berth period of at least 30 minutes.

(b) No motor carrier shall permit or require a driver of a property-carrying commercial motor vehicle to drive, nor shall any driver drive a property-carrying commercial motor vehicle, regardless of the number of motor carriers using the driver's services, for any period after—

(1) Having been on duty 60 hours in any period of 7 consecutive days if the employing motor carrier does not operate commercial motor vehicles every day of the week; or

(2) Having been on duty 70 hours in any period of 8 consecutive days if the employing motor carrier operates commercial motor vehicles every day of the week.

(c) Any period of 7/8 consecutive days may end with the beginning of an off-duty period of 34 or more consecutive hours

It is recommended that motor carriers and drivers keep a summary (recap) of drivers' hours worked and hours available. This will prevent hours of service violations.

Every motor carrier must require every driver to make a record of duty status (log), in duplicate, for each 24-hour period;

Motor carriers and drivers who do not complete and keep records of duty status (logs) or who make false records of duty status (logs) can be prosecuted;

The driver must give or send by mail the original of the driver's record of duty status (log) to his/her motor carrier within 13 days after completing the record. The motor carrier must then keep the record of duty status (log) for 6 months;

Local Driver Provision: Drivers may extend the 14-hour on-duty period by 2 additional hours if they:

(1) Are released from duty at the normal work reporting location for the previous 5 duty tours, and
(2) Return to the normal work reporting location and are released from duty within 16 hours, and
(3) Have not used this exception in the previous 6 days, except following a 34-hour restart of a 7/8 day period

Sleeper Berth Guidelines: No longer allows drivers to split sleeper berth unless using option #3

Option #1: Drivers must have at least 10 consecutive and uninterrupted hours off duty;

Option #2: Drivers must have at least 10 consecutive and uninterrupted hours in the sleeper berth;

Option #3: CMV drivers using the sleeper berth provision must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two;

Option #4: Drivers must have at least 10 consecutive hours sleeper berth and off duty time combined and uninterrupted;

Drivers using option #3 have to count the two hour period of sleeper berth or off-duty toward their 14 hour day. Drivers must understand, when using option #3, the driving time immediately before and after each 8 hour rest period, when added together shall not include any driving time after the 11th hour

Non CDL Short-Haul Provision Guidelines: A driver does not have to make a record of duty status (log book) if they can comply with the following short-haul requirements:

- Allows drivers of property carrying CMV's "Non CDL" to operate within a 150 air-mile (172.6 statute miles) radius of their normal work reporting location;
- Drivers may drive up to 11 hours after coming on duty following 10 or more consecutive hours off duty;
- Drivers are not required to keep Log Books, but must maintain time records;
- Drivers shall not drive after the 14 hour after coming on duty 5 days a week or after the 16 hour after coming on duty 2 days a week
- Employers must maintain and retain time records for a period of 6 months showing the time the duty period began, ended, and total hours on duty each day in place of RODS;

CDL Short-Haul Guidelines: A driver does not have to make a record of duty status (log book) if they can comply with the following requirements:

(1) The driver operates within a 100 air-mile (115.08 statute miles) radius of the normal work reporting location;
(2) The driver returns to the work-reporting station and is released from work within 12 consecutive hours;
(3) At least 10 consecutive hours off duty separate each 12 consecutive hours on duty;
(4) The driver does not exceed 11 hours maximum driving time following10 consecutive hours off duty; and
(5) The motor carrier maintains and retains for 6 months accurate and true time records showing the following:
    (i) The time the driver reports for duty each day;
    (ii) The total number of hours the driver is on duty each day;
    (iii) The time the driver is released from duty each day; and
    (iv) The total time for the preceding 7 days for drivers used the first time or multiple-employer drivers.

PART 395 – Hours of Service Regulations for (Passenger) Carrier Drivers

- A motor carrier cannot allow or require any driver to drive:

(1) More than 10 hours following 8 consecutive hours off duty; or
(2) After being on duty 15 hours; or
(3) After being on duty more than 60 hours in any 7 consecutive days

- A motor carrier operating vehicles every day of the week cannot allow or require any driver to drive after being on duty more than 70 hours in any 8 consecutive days

- It is recommended that motor carriers and drivers keep a summary (recap) of drivers' hours worked and hours available. This will prevent hours of service violations

- Every motor carrier must require every driver to make a record of duty status (log), in duplicate, for each 24-hour period

- Motor carriers and drivers who do not complete and keep records of duty status (logs) or who make false records of duty status (logs) can be prosecuted

- The driver must give or send by mail the original of the driver's record of duty status (log) to his/her motor carrier within 13 days after completing the record. The motor carrier must then keep the record of duty status (log) for 6 months

- A driver does not have to make a record of duty status (log) if the following apply:

(1) The driver operates within a 100 air-mile radius of the normal work reporting location;
(2) The driver returns to the work-reporting station and is released from work within 12 consecutive hours;
(3) At least 8 consecutive hours off duty separate each 12 consecutive hours on duty;
(4) The driver does not exceed 10 hours maximum driving time following 8 consecutive hours off duty; and
(5) The motor carrier maintains and retains for 6 months accurate and true time records showing the following:
    (i) The time the driver reports for duty each day
    (ii) The total number of hours the driver is on duty each day
    (iii) The time the driver is released from duty each day
    (iv) The total time for the preceding 7 days for drivers used the first time or multiple-employer drivers

A Completed Log

U.S. DEPARTMENT OF TRANSPORTATION

DRIVER'S DAILY LOG
(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - Submit to carrier within 13 days
DUPLICATE - Driver retains possession for eight days

04 (MONTH) 09 (DAY) 08 (YEAR)

350 (TOTAL MILES DRIVING TODAY)

123, 20544 VEHICLE NUMBERS - (SHOW EACH UNIT)

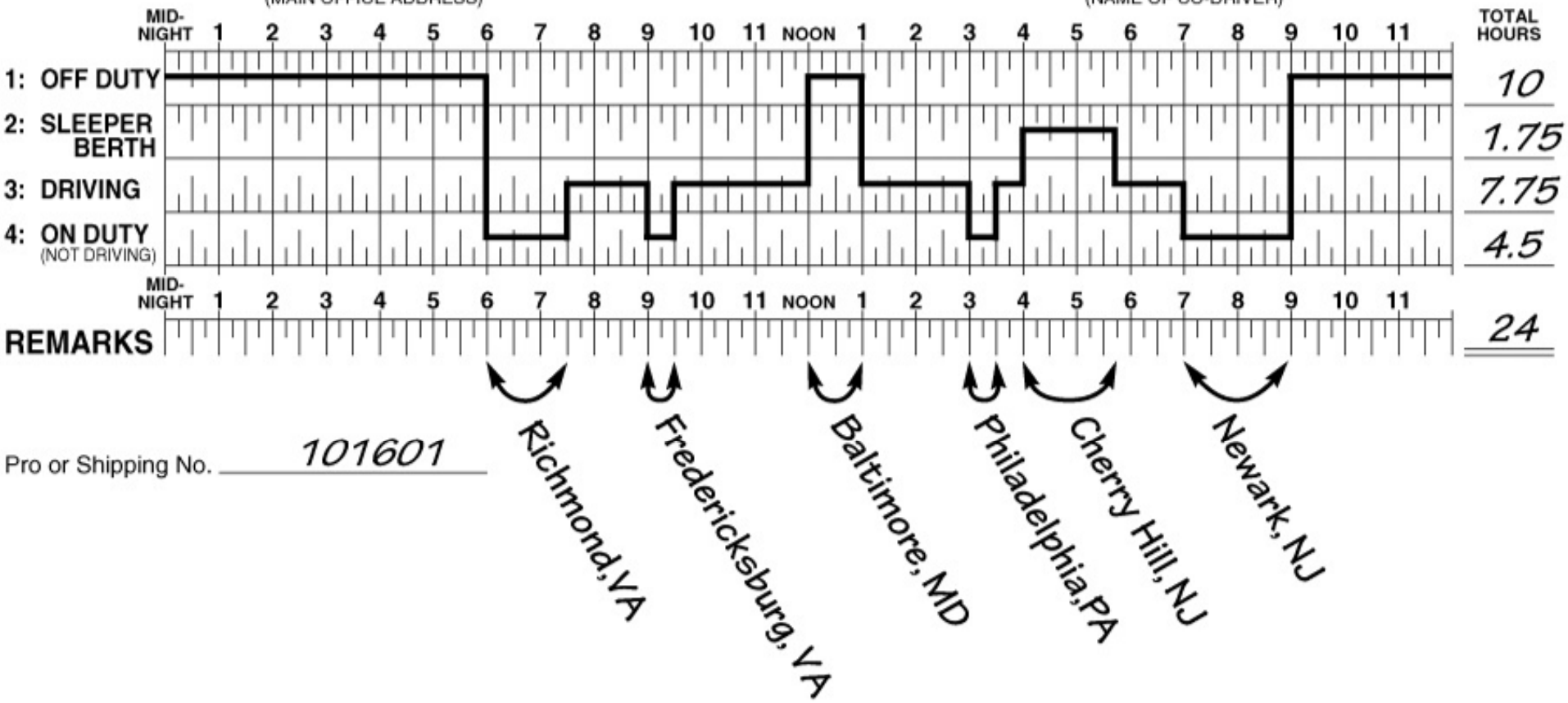
I certify these entries are true and correct:

John Doe's Transportation (NAME OF CARRIER OR CARRIERS)

John E. Doe (DRIVER'S SIGNATURE IN FULL)

Washington, D.C. (MAIN OFFICE ADDRESS)

— (NAME OF CO-DRIVER)



Pro or Shipping No. 101601

Electronic Logging Device (ELD)

The ELD Rule applies to most motor carriers and drivers who are required to keep records of duty status (RODS). This includes commercial buses as well as trucks. It applies to drivers domiciled in Canada and Mexico, unless they qualify for an exception to the rule.

Implementation Phase Compliance Table

	ELD	AOBRD	Logging Software	Paper
Phase 1	Yes	Yes	Yes	Yes
Phase 2	Yes	Yes		
Phase 3	Yes			

Phase 1: Awareness and Transition:

- Two-year period following publication of the ELD rule February 16, 2016 to December 18, 2017.

Motor Carriers and drivers subject to the rule can use:

- ELDs;
- Automatic On-board Recording Device (AOBRD);
- Devices with Logging Software Programs
- Paper logs for records of duty status

Phase 2: Phased-In Compliance Phase

- The two-year period from the Compliance Date to the Full Compliance Phase (four years following ELD rule publication) December 18, 2017 to December 16, 2019.

Motor Carriers and drivers subject to the rule can use:

- AOBRDS that were installed prior to December 18, 2017.
- Certified, registered ELDs following rule publication December 16, 2015.

Phase 3: Full Compliance Phase

After December 16, 2019 all motor carriers and drivers subject to the rule must use certified, registered ELDs that comply with requirements of the ELD regulations.

ELD Rule Exceptions

The following are not required to use ELDs (but motor carriers may choose to use ELDs even if they are not required):

- Drivers who use paper logs no more than 8 days during any 30-day period.
- Driveaway-towaway drivers (transporting an empty vehicle for sale, lease, or repair).
- Drivers of vehicles manufactured before model year 2000.

DRIVER'S TIME RECORD (150 air-mile radius)

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:
*For Drivers NOT required to have a CDL.
*Operates within 150 air-mile radius of the normal work reporting location.
*Returns to normal work reporting location and is released from work within 14 consecutive hours.
*At least 10 consecutive hours off duty separates each 14 hours on duty.

INTERMITTENT DRIVERS

Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.

Date	Start Time	End Time	Total Hours	Truck Number	Trip Information TO - FROM
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off." Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.

DRIVER'S TIME RECORD (100 air-mile radius)

Driver's Name (print) _____ Employee No. _____ Month _____ Year _____

DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:
*Operates within 100 air-mile radius of the normal work reporting location.
*Returns to normal work reporting location and is released from work within 12 consecutive hours.
*At least 10 consecutive hours off duty separate each 12 hours on duty.

INTERMITTENT DRIVERS

Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.

Date	Start Time	End Time	Total Hours	Truck Number	Trip Information TO - FROM
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
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20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

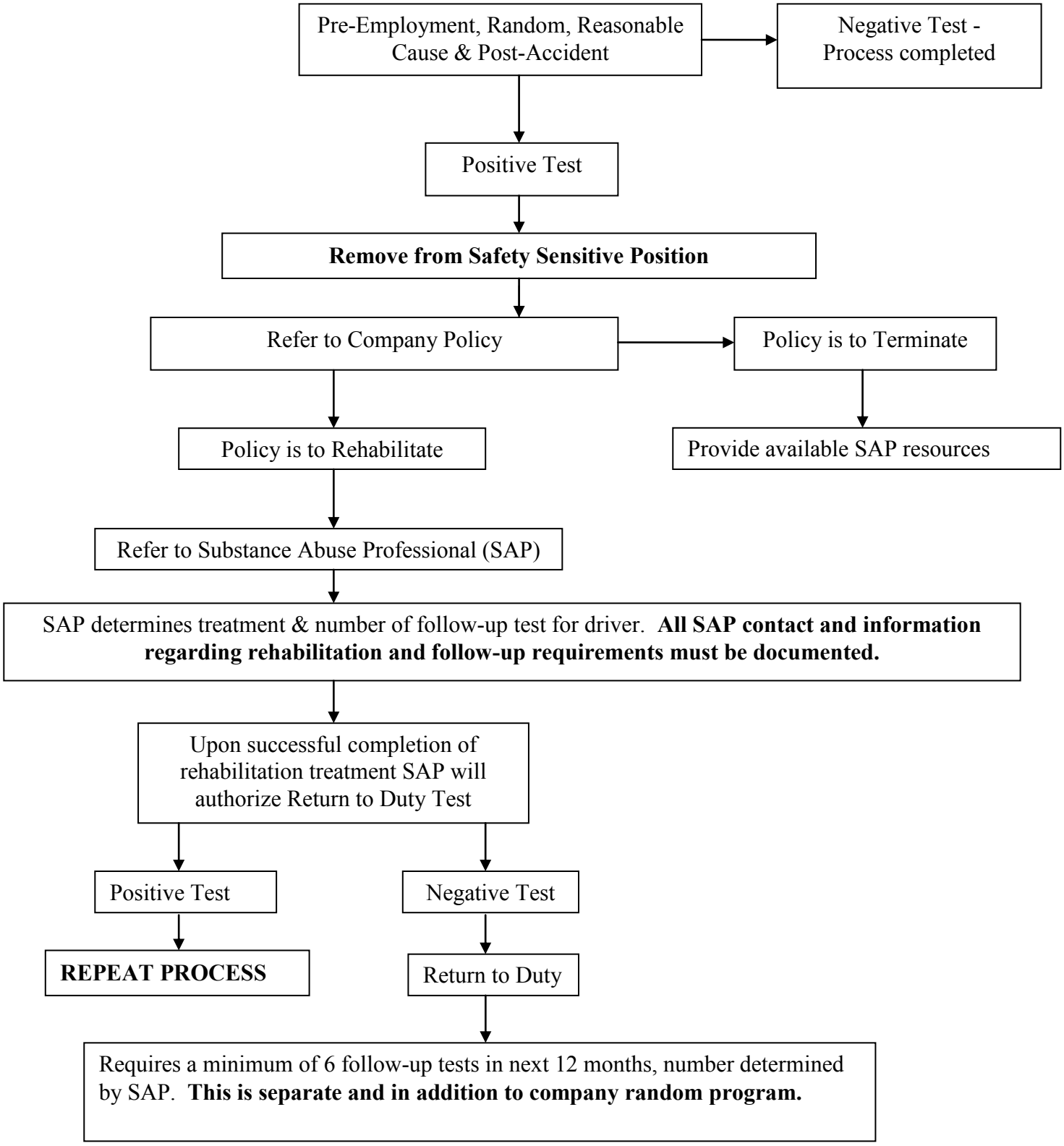
To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off." Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.

BREATH ALCOHOL AND CONTROLLED SUBSTANCE TESTING CONSORTIA

(Note: The list of private vendors below is not intended to be all-inclusive and is not endorsed as to the quality of the vendors. Any carrier may wish to conduct their own investigation about consortium resources.)

Business and Industry Health Group Kansas City, MO 816.523.7770 Kansas City, MO 816.842.1146 Kansas City, MO 816.231.3611 Lenexa, KS 913.894.6600	**ProMed Physician Service** 753 N West St Wichita, KS 316.648.3818 316.648.3062
Family Health Center Derby, KS 316.788.3741	**Southwest Medical Center** Liberal, KS 620.624.1651
Industrial Med Center Kansas City, MO 816.241.4477	**Utilities Consultants** Wichita, KS 316.262.2658
Med Express/National Lab Center Memphis, TN 901.795.1515 800.526.6339	**Drug Testing Network** Vista, CA 800.989.1206
The Consortium Inc. 785.232.1196 Topeka, KS 800.888.0112	**WPCI** Scottsbluff, NE 800.682.5176
Mt. Carmel Medical Center Pittsburg, KS 620.232.0275	**Foley Services** Hartford, CT 800.253.5506x0991 860.815.0991
Global Med Technologies Denver, CO 303.238.2000	**Hire Right** Tulsa, Oklahoma 866.205.6129
Occupational Health Services St. Joseph, MO 816.233.7702 Kansas City, KS 913.596.2774 Shawnee Mission, KS 913.495.9905	**Technology Two** Dodge City, KS 800.204.2980 Garden City, KS 620.276.1706
Occupation Medicine Associates Kansas City, KS 913.321.7557 Olathe, KS 913.829.4444	**S&G Associates** Wichita, KS 316.945.5535
Pipeline Testing Consortium Hutchinson, KS 620.669.8800 800.294.8758	**Kansas Drug Testing Inc** Topeka, KS 785.266.5311
DOT Medical Examiners of Kansas 843 S. Poplar 316-613-3683 Wichita, KS	**Assured Occupational Solutions Inc** 400 W. 4th 620.504.6614 McPherson, KS 620.386.0825
Assured Occupational Solutions Inc 308 W Central 316.321.3313 El Dorado, KS 316.321.3288	**AccuTrace** 5612 SW Green Oaks Blvd. Austin, TX 817.563.4004
TMHC Services, Inc. 2121 SW Chelsea Dr. Topeka, KS 800.886.1123	**All in One Safety LLC** 1411 S Old 81 Hwy Bypass McPherson, KS 620.504.6012

CONTROLLED SUBSTANCE FLOW CHART



Cannot use driver until a NEGATIVE RETURN TO DUTY TEST has been received!!

ALCOHOL AND CONTROLLED SUBSTANCE TEST INFORMATION RELEASE

From: _____
_____
_____
_____

To: Previous Employer
Company _____
Individual _____
Street_____
City _____ State_____ Zip _____

The applicant named below has applied for employment and listed your company as a past employer. As required by DOT Regulation 382.413 a prospective employer shall obtain information on the driver's alcohol and controlled substance test results, within the preceding two years, which are maintained by the driver's previous employer. Please detach the waiver below for your files as proof that the applicant has waived any claim of liability against your company (and its agents) for information submitted in respect to this inquiry.

Name of applicant: _____
Social Security Number: _____
Job applied for: Driver

---

1. Number of alcohol tests with a concentration result of 0.04 or greater _____
2. Number of positive controlled substance test results _____
3. Number of refusals to be tested _____
4. Remarks: _____

_____

By:_____ Date: _____
(Signature of person supplying information)

W A I V E R

_____ _____
(Former Employer) (Date)

I hereby authorize you to release all information concerning my alcohol and controlled substance test information to each and every company (or their authorized agents) which may request such information in connection with the application for employment with said company. I hereby release you from any and all liability of any type as a result of providing the above-mentioned information to the above-mentioned person.

_____ _____
(Signature of Applicant) (Signature of Witness)

PART 396-INSPECTION, REPAIR AND MAINTENANCE

Every motor carrier must see that all its vehicles are regularly inspected, repaired and maintained.

All vehicle parts and accessories must be in a safe and proper working order at all times.

Pushout windows, emergency doors and emergency door-marking lights in buses must be inspected at least every 90 days.

Generally, motor carriers must see that the following maintenance records are kept on each commercial motor vehicle:

(1) An identification of the vehicle including company number (if so marked), make, serial number, year and tire size. Also, if the carrier does not own the vehicle, the records must show the name of the person providing the vehicle.

(2) A way to show the type and due date of the various inspections and maintenance operations to be performed.

(3) A record of inspection, repairs and maintenance showing their date and type.

(4) A lubrication record.

(5) A record of tests conducted on pushout windows, emergency doors, and emergency door-marking lights on buses.

Maintenance records must be kept where the vehicle is either housed or maintained for a period of 1 year and for 6 months after the vehicle leaves the motor carrier's control.

A vehicle must not be driven if it is likely to break down or cause an accident.

Every motor carrier must require its drivers to complete a vehicle inspection report at the end of each day. The report must identify the commercial motor vehicle and list anything wrong that could affect its safe operation.

Before the vehicle is driven again, the motor carrier must repair any safety defects listed and sign the vehicle inspection report.

A copy of the last vehicle inspection report must be available to the driver. Every motor carrier must keep the original vehicle report for at least 3 months.

(New Federal Rule effective 12/18/2014, drivers operating in INTERstate commerce a property carrying commercial motor vehicle are not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver.)

Before driving a commercial motor vehicle the driver must do the following:

(1) Be satisfied that it is in safe operating condition;

(2) Review the last inspection report; and

(3) Sign the report if defects were listed and the report has been signed to show that repairs were made.

NOTE: Examples of several maintenance forms are in this folder.

THIS PAGE IS TO BE COMPLETED ON COMPANY LETTERHEAD

I,_____, hereby certify that I am knowledgeable in the requirements for performing an annual vehicle inspection and I can identify defective components in compliance with the regulations of the U. S. Department of Transportation for annual vehicle inspections contained in 49 CFR 396, Appendix G. I hereby agree to comply with all such governing annual vehicle inspections.

A qualified inspector must meet **one** or **more** of the following requirements. Please check those applicable.

_____ One-year experience as a mechanic or inspector in a motor carrier or intermodal equipment maintenance program.

_____ One-year experience as a mechanic or inspector in commercial motor vehicle maintenance at a commercial garage, fleet-leasing company or similar facility.

_____ One-year of training and/or experience in truck manufacturer or similar commercially sponsored training designed to train in truck maintenance.

_____ Successfully completed a state or federal sponsored training program which qualifies me to perform as a commercial vehicle safety inspector.

_____ One-year experience as a commercial vehicle inspector for a state, provincial or federal government.

_____

Signature of Mechanic/Inspector

I, _____ hereby certify that_____
Meets the requirements for a qualified inspector to perform the annual vehicle inspection in compliance with the regulations of the U. S. Department of Transportation for qualified inspectors contained in 49 CFR Part 396.

Dated this_____ day of _____, 20 _____ .

BRAKE INSPECTOR

I,_____, hereby certify that I understand the brake service or inspection tasks assigned me and can competently perform such brake service or inspections by virtue of my training or experience in compliance with the regulations or the United States Department of Transportation for brake inspections contained in 49 CFR Part 396.25. I hereby agree to comply with all such regulations governing brake service or inspections.

I am qualified to perform the following brake duties assigned by the motor carrier:

_____ Adjust and inspect brakes

_____ Replacement and repair of brake system components

By reason of one or more of the following requirements: (Please check those that apply)

_____ One-year experience performing brake maintenance and/or inspection in a motor carrier or intermodal equipment brake service program.

_____ Successfully completed a state, federal, Canadian, or Labor Union sponsored apprenticeship or training program, which qualifies me to perform brake service and/or inspections.

_____ One year of brake-related training and/or experience in brake or vehicle manufacturer or similar commercial training program designed to train in brake maintenance and/or inspection.

_____ One year of experience performing brake maintenance and/or inspection similar to assigned duties at a commercial garage, fleet-leasing company, or similar facility.

I,_____ , hereby certify that _____ has met the requirements for a qualified brake inspector to perform the assigned brake maintenance task in compliance with the regulations of the U. S. Department of Transportation for qualified brake inspectors contained in 49 CFR Part 396.25.

Dated this____ day of _____ , 20 ____

Annual Periodic Vehicle Inspection Report

Name and Address of Inspecting Company or Agency				
Registered Owner's Name		Date		Time
Street		Certified Inspector's Name (Print or Type)		
City, State, Zip Code		The technician meets and exceeds all requirements of 49 CFR §396.19 and compatible state regulations and can perform the inspection according to the appendix G criteria and that the technician has the necessary tools, and is skilled in completion of the annual inspection, as listed in 49 CFR §396.19.		
Motor Carrier Operating Vehicle (If different from Owner)				
Street				
City, State, Zip Code		Technician's Signature_____		
License Plate Number/State	Vehicle Identification Number	Vehicle Make	Vehicle Model	Model Year

Vehicle Components Inspected

OK	Need Repair	Repair Date	Item	OK	Need Repair	Repair Date	Item	OK	Need Repair	Repair Date	Item
			1. BRAKE SYSTEM				5. FUEL SYSTEM				10. SUSPENSION
			Adjustment				Visible Leaks				Springs (cracked/broken/shifted)
			Drums or Rotors				Fill Caps in place/intact				U-bolts. Hangers, etc.
			Hoses and/or Tubing				Tank(s) securely attached				Torque, Radius, Tracking Arms
			Lining				6. LIGHTING DEVICES				11. FRAME
			Warning (Low Pressure)				Headlamps				Frame Members
			Tractor Protection Valve				Front Turn Signals				Tire & Wheel Clearance
			Air Compressor				Front ID/Clearance Lamps				Sliding Subframe (adj. axle)
			Service Brakes				Side Marker Lamps – Left				12. TIRES
			Parking Brakes				Side Marker Lamps -Right				Steering Axle Tires -Condition
			Electric Brakes				Rear Turn Signals				Steering Tires - over 4/32" tread
			Hydraulic Brakes				Stop Lamps				Other Tires – Condition
			Vacuum Brakes				Tail Lamps				Other Tires – over 2/32" tread
			Warning (Sys Failure)				Rear ID/Clearance Lamps				13. WHEELS & RIMS
			2. STEERING SYSTEM				Reflectors / Ref Tape				Lock/Slide Ring
			Free Play (Lash)				7. COUPLING DEVICES				Fasteners
			Steering Column				5TH Wheel				Disk/Spoke Condition
			Front Axle Beam				Pintle Hooks				Welds
			Steering Gear Box				Drawbar Eye				List any other condition which may affect safe vehicle operation
			Pittman Arm				Drawbar Tongue				
			Ball & Socket Joints				Safety Devices				
			Tie Rods & Drag Links				8. EXHAUST SYSTEM				
			Nuts, Bolts, Fasteners				Leaks				
			Power Steering Fluid				Placement				
			3. WINDSHIELDS				9. SAFE LOADING				
			4. WIPERS				Securement Devices				

MARK COLUMNS AS FOLLOWS: **x** = OK; **o** = Needs repair; **NA** = Does not apply; Fill in Repair date as appropriate

I CERTIFY THE ANNUAL VEHICLE INSPECTION HAS BEEN DONE ACCURATELY AND COMPLETELY. I FURTHER CERTIFY THAT THIS INSPECTION COMPLIES WITH THE REQUIREMENTS OF 49 CFR §396.21.

This information must be available on board the vehicle, either as a copy of this report, or on a decal that complies with 49 CFR §396.17(c)(2). This report must be kept a minimum of fourteen months from date of completion.

Certified Inspector's Signature: _____ Date: _____

INSPECTION AND MAINTENANCE RECORD - POWER UNIT

Make _____ Year _____ Model _____ Serial Number _____

Tire Size_____ Ply Rating_____ Company Number_____

If Leased, Name of Leaser_____

Month	Day	Year	Mileage	Lub	Oil	Repair and Other Service	Cost

INSPECTION AND MAINTENANCE RECORD - SEMI-TRAILER

Make _____ Year _____ Model _____ Serial Number _____

Tire Size_____ Ply Rating_____ Company Number_____

If Leased, Name of Leaser_____

Month	Day	Year	Light and Reflectors	Wheels and Tires	Running Gear Undercarriage	Brake System	Hose, Tubing	Body Etc.	Cost

INSPECTION AND MAINTENANCE SCHEDULE

Date	Next Inspection and Maintenance Schedule

DRIVER'S VEHICLE INSPECTION REPORT

Check any defective item and give details under "Remarks."

Date: _____

Truck/Tractor Number: _____

	Service brakes including trailer brake connections		Windshield wipers
	Parking (hand) brake		Rear vision mirrors
	Steering mechanism		Coupling devices
	Lighting devices and reflectors		Wheels and rims
	Tires		Emergency equipment
	Horn		

Trailer(s) Number(s): _____

	Brake connections		Landing gear
	Brakes		Lights - All
	Coupling chains		Springs
	Coupling (King) pin		Tarpaulin
	Doors		Tires
	Hitch		Wheels

Remarks: _____

_____

_____

_____

_____

☐ Condition of the above vehicle is satisfactory _____
Driver's Signature

☐ Above defects corrected

☐ Above defects need not be corrected for safe operation of vehicle

_____ _____

Mechanic's Signature Date Driver's Signature Date

ACCIDENT REGISTER

Date of Accident	City, town, or other location of accident	Name of Driver	Number Injured	Number of Fatalities	Was Haz Matl released? (Fuel spilled from tank not included)	Copies of accident reports other than purchased state reports.

ENDORSEMENT FOR MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980

Issued to _____ of _____
Dated at _____ this _____ day of _____ 20 _____
Amending Policy Number _____ Effective Date _____
Name of Insurance Company _____
Telephone Number (___) _____ Countersigned by _____
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by the "X" inside the box, for the limits shown:

☐ This insurance is primary and the company shall not be liable for amounts in excess of $_____ for each accident.

☐ This insurance is excess and company shall not be liable for amounts in excess of $ _____ for each accident in excess of the underlying limit of $ _____ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: _____
Cancellation of this endorsement may be effected by the company or the insured by giving thirty-five days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice.)

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

MOTOR VEHICLE means a land vehicle, machine, truck, tractor, trailer, or semi trailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

ENVIORNMENTAL RESTORATION means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration.

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that not condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, with the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Motor Carrier Act of 1980 requires limits for financial responsibility according to the type of carriage and commodity transported by the motor carrier. It is the motor carrier's obligation to obtain the required limits of financial responsibility.

Form MCS-90

APPLYING KCC ECONOMIC REGULATIONS

(K.S.A. 66-1,109 & 82-4-30a(d) (UCR)) 4/9/2015

NOTE: EFFECTIVE APRIL 9, 2015

Private motor carriers **domiciled** in Kansas operating commercial motor vehicles (CMVs) with a GVW, GVWR, GCW, or GCWR of **10,001 to 26,000 pounds** and registered pursuant to K.S.A. 8-126 et seq. and amendments thereto are exempt from KCC authority.

DOMICILE shall mean the principal place of business of a motor carrier or a permanent location in Kansas for a vehicle or vehicles annually registered in Kansas.

For complete details see K.S.A. 66-1,109(x)

IS THE MOTOR VEHICLE OPERATED BY A **COMMON MOTOR CARRIER (K.S.A. 66-1,108 & 66-1,110)** operating a CMV with a GVW, GVWR, GCW, or GCWR of **10,001 or more pounds?**

Any person who holds himself out to the public as willing to undertake for hire to transport by CMV, from place to place, the property of others who may choose to employ him.

IF YES, CONTINUE

OR

IS THE MOTOR VEHICLE OPERATED BY A **PRIVATE MOTOR CARRIER (K.S.A. 66-1,108)** operating a CMV with a GVW, GVWR, GCW, or GCWR of **26,001 or more pounds?**

Any person who provides transportation of property or passengers, by CMV and is not a **COMMON** (for hire) motor carrier.

IF YES, CONTINUE

KS BASED **WHOLLY INTRASTATE**

IS THE OPERATION

KS / FOREIGN BASED **INTER / INTRA-STATE**

IS THE OPERATION EXEMPT UNDER K.S.A. 66-1,109 OR K.A.R. 82-4-26a

YES

OR

NO

No KCC authority required

Must register with KCC and carry current vehicle specific cab card.

IS THE MOVEMENT

INTERSTATE

OR

INTRASTATE

No KCC authority required

&

Current UCR and two previous years if applicable (online verification – not required in vehicle)

Is the movement exempt under K.S.A. 66-1,109 K.A.R. 82-4-26a?

YES

OR

NO

Active KCC authority required (online verification)

&

Current UCR and two previous years if applicable (online verification – not required in vehicle)

***K.A.R. 82-4-26a**

A private motor carrier engaged in the occasional transportation of personal property that is not for compensation and is not in the furtherance of a commercial enterprise shall not be required KCC authority.

KCC ECONOMIC EXEMPTIONS - K.S.A. 66-1,109, (4/9/2015 updates in **BOLD *Italics)***

(a) Transportation by motor carriers wholly within the corporate limits of a city or village in this state or in this and another state, or between contiguous cities or villages in this state or in this and another state, or between a city or village in this or another state and the suburban territory in this state within three miles of the corporate limits thereof, or between cities and villages in this state and cities and villages in another state which are within territory designated as a commercial zone by the relevant federal authority, except that none of the exemptions specified in this subsection (a) shall apply to wrecker carriers;

(b) A private motor carrier who operates within a radius of 25 miles beyond the corporate limits of its city or village of domicile, or who operates between cities and villages in this state and cities and villages in another state which are within territory designated as a commercial zone by the relevant federal authority. ***For the purpose of this subsection, "domicile" shall mean the principal place of business of a motor carrier;***

(c) The owner of livestock or producer of farm products transporting livestock of such owner or farm products of such producer to market in a motor vehicle of such owner or producer, or the motor vehicle of a neighbor on the basis of barter or exchange for service or employment, or to such owner or producer transporting supplies for the use of such owner or producer in a motor vehicle of such owner or producer, or in the motor vehicle of a neighbor on the basis of barter or exchange for service or employment;

(d) (1) The transportation of children to and from school, (2) to motor vehicles owned by schools, colleges, and universities, religious or charitable organizations and institutions, or governmental agencies, when used to convey students, inmates, employees, athletic teams, orchestras, bands or other similar activities, or (3) motor vehicles owned by non-profit organizations meeting the qualification requirements of Section 501 (c) of the Internal Revenue Code of 1986, and amendments thereto, when transporting property or materials belonging to the owner of the vehicle;

(e) A new vehicle dealer as defined by K.S.A 8-2401, and amendments there-to, when transporting property to or from the place of business such dealer;

(f) Motor vehicles carrying tools, property or material belonging to the owner of the vehicle and used in repair, building or construction work, not having been sold or being transported for the purpose of sale;

(g) Persons operating motor vehicles which have an ad valorem tax situs in and are registered in the state of Kansas, and used only to transport grain from the producer to an elevator or other place for storage or sale for a distance of not to exceed 50 miles;(the vehicle can only be used to transport grain 365 days a year)

(h) The operation of hearses, funeral coaches, funeral cars or ambulances by motor carriers;

(i) Motor vehicles owned and operated by United States and the District of Columbia, any state, any municipality or any other political subdivision of this state, including vehicles used exclusively for handling U. S. mail; and the operation of motor vehicles used exclusively by organizations operating public transportation systems pursuant to 49 U.S.C. §§ 5307, 5310, & 5311;

(j) Any motor vehicle with a normal seating capacity of not more than the driver and 15 passengers while used for vanpooling or otherwise not for profit in transporting persons who, as a joint undertaking, bear or agree to bear all the costs such operations, or motor vehicle with a normal seating capacity of not more than the driver and 15 passengers for not-for-profit transportation by one or more employers of employees to and from the factories, plants, offices, institutions, construction sites or other places of like nature where such persons are employed or accustomed to work;

(k) Motor vehicle used to transport water for domestic purposes, ***as defined by K.S.A. 82a-701(c), and amendments thereto, or livestock consumption;***

(l) Transportation of sand, gravel, slag stone, limestone, crushed stone, cinders, calcium chloride, bituminous or concrete mixtures, blacktop, dirt or fill material to a construction site, highway maintenance or construction project or other storage facility and the operation of ready-mix concrete trucks in transportation of ready-mix concrete;

(m) The operation of a vehicle used exclusively for the transportation of solid waste, as the same is defined by K.S.A 65-3402, and amendments thereto, to any solid waste processing facility or solid waste disposal area, as the same is defined by K.S.A. 65-3402 and amendments thereto;

(n) The transporting of vehicles used solely in the custom combining business when being transported by persons engaged in such business;

(o) The operation of vehicles used for servicing, repairing or transporting of implements of husbandry, as defined in K.S.A. 8-1427, and amendments thereto, by a person actively engaged in the business of buying, selling or exchanging of implements of husbandry, if such operation is within 100 miles of such person's established place of business in this state;

(p) Transportation by taxi or bus companies operated exclusively within any city or within 25 miles of the point of its domicile in a city. ***For the purpose of this subsection, "domicile" shall mean the principal place of business of a motor carrier;***

(q) A vehicle being operated with a dealer license plate issued under K.S.A. 8-2406, and amendments thereto, and in compliance with K.S.A. 8-136, and amendments thereto, and vehicles being operated with a full-privilege license plate issued under K.S.A. 8-2425 and amendments thereto;

(r) The operation of vehicles used for transporting materials used in the servicing or repairing of refractory linings of industrial boilers;

(s) Transportation of newspapers published at least one time each week;

(t) Transportation of animal dung to be used for fertilizer;

(u) The operation of ground water well drilling rigs;

(v) The transportation of cotton modules from the field to the gin;

(w) Custom Harvested silage, including but not limited to; corn, wheat and milo; and

(x) ***(Effective 4/9/2015) Private motor carriers domiciled in Kansas operating commercial motor vehicles (CMV) with a gross vehicle weight (GVW), gross vehicle weight rating (GVWR), gross combination weight (GCW), or gross combination weight rating (GCWR) of 10,001 to 26,000 pounds and registered pursuant to K.S.A. 8-126 et seq., and amendments thereto. This exception does not apply to commercial motor vehicles, regardless of weight, which are designed or used to transport 16 or more passengers, including the driver, or intrastate public (for hire) motor carriers of property or passengers, or any motor vehicles which are used in the transportation of hazardous materials and required to be placarded pursuant to 49 C.F.R. part 172, subpart F. For the purpose of this subsection, "domicile" shall mean the principal place of business of a motor carrier or a permanent location in Kansas for a vehicle or vehicles annually registered in Kansas.***

APPLYING KCC SAFETY REGULATIONS

4/9/2015

Is the vehicle a **Commercial Motor Vehicle (CMV)?**

CMV Definition K.A.R.82-4-1(c)

Is the GVW, GVWR, GCW or GCWR 10,001 or more pounds?
IF YES, CONTINUE

OR

Is it designed to transport more than 15 passengers, including the driver and is not used to transport passengers for compensation?
IF YES, CONTINUE

OR

Is it designed to transport more than 8 passengers, including the driver for compensation?
IF YES, CONTINUE

OR

Is it used in transporting an amount of Hazardous Material requiring Placarding?

IF YES, CONTINUE

Is the motor vehicle operated by a **COMMON (for hire)** motor carrier (K.S.A. 66-1,108 & 66-1,110) operating a CMV with a GVW, GVWR, GCW, or GCWR of **10,001 or more pounds?**

(Any person who holds himself out to the public as willing to undertake for hire to transport by CMV, from place to place, the property of others who may choose to employ him.)

IF YES, CONTINUE

OR

Is the motor vehicle operated by a **PRIVATE** motor carrier**,** (**K.S.A 66-1,108)** operating a CMV with a GVW, GVWR, GCW, or GCWR of **26,001 or more pounds?**

(Any person who provides transportation of property or passengers, by CMV and is not a **COMMON** (for hire) motor carrier.)

IF YES, CONTINUE

Is the operation

INTRASTATE

OR

INTERSTATE?

Is the operation exempt under:

K.S.A. 66-1,129(c), K.A.R. 82-4-3(a), or K.A.R. 82-4-26a?

IF NO, CONTINUE

KCC safety rules and regulations apply and must display USDOT number.

NOTE

Check K.A.R. 82-4-3a(a)(2)(B) & (c) for possible HOS exceptions

Is the operation exempt under:

K.A.R. 82-4-3(a) or K.A.R. 82-4-26a?

IF NO, CONTINUE

KCC safety rules and regulations apply and must display USDOT number.

NOTE

Check 49 CFR 395.1(k) for first move Ag. HOS exceptions

***K.A.R. 82-4-26a**

A private motor carrier engaged in the occasional transportation of personal property that is not for compensation and is not in the furtherance of a commercial enterprise shall not be required KCC authority.

66-1,129. Motor carriers; safety rules and regulations adopted by commission; exceptions. (a) The commission shall adopt rules and regulations necessary to carry out the provisions of this act. No public motor carrier of property, household goods or passengers or private motor carrier of property shall operate or allow the operation of any motor vehicle on any public highway in this state except within the provisions of the rules and regulations adopted by the commission. Rules and regulations adopted by the commission shall include:

(1) Every vehicle unit shall be maintained in a safe and sanitary condition at all times.

(2) Every driver of a public or private motor carrier, except the driver of a farm vehicle, operating as a carrier of intrastate commerce within this state, shall be at least 18 years of age. All such drivers shall be competent to operate the motor vehicle under such driver's charge.

(3) Minimum age requirements for every driver of a motor carrier, operating as a carrier of interstate commerce, shall be consistent with federal motor carrier regulations.

(4) Hours of service for operators of all motor carriers to which this act applies shall be fixed by the commission.

(5) Accidents arising from or in connection with the operation of motor carriers shall be reported to the commission within the time, in the detail and in the manner as the commission requires.

(6) Every motor carrier shall have attached to each unit or vehicle distinctive marking adopted by the commission.

(7) Motor carrier transportation requirements that are consistent with continuation of the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous materials.

(b) No rules and regulations adopted by the commission pursuant to this section shall require the operator of any motor vehicle having a gross vehicle weight rating or gross combination weight rating of not more than 10,000 pounds to submit to a physical examination, unless required by federal laws or regulations.

(c) ***The provisions of 49 C.F.R. parts 390-399 adopted by reference in the rules and regulations of the commission shall not apply to the following, while engaged in the carriage of intrastate commerce:***

1) The owner of livestock or producer of farm products transporting livestock of such owner or farm products of such producer to market in a motor vehicle of such owner or producer, or the motor vehicle of a neighbor on the basis of barter or exchange for service or employment, or to such owner or producer transporting supplies for the use of such owner or producer, or in the motor vehicle of a neighbor on the basis of barter or exchange for service or employment.

2) The transportation of children to and from school, or to motor vehicles owned by schools, colleges, and universities, religious or charitable organizations and institutions, or governmental agencies, when used to convey students, inmates, employees, athletic teams, orchestras, bands or other similar activities.

3) (Effective 4/9/2015) Private motor carriers domiciled in Kansas operating commercial motor vehicles (CMV) with a gross vehicle weight (GVW), gross vehicle weight rating (GVWR), gross combination weight (GCW), or gross combination weight rating (GCWR) of 10,001 to 26,000 pounds and registered pursuant to K.S.A. 8-126 et seq., and amendments thereto. Such carriers shall comply with 49 C.F.R. part 393, subpart I (load securement) and subpart F (coupling devices), as adopted by K.A.R. 82-4-3i; and 49 C.F.R. part 396.17 (annual inspection), as adopted by K.A.R. 82-4-3j. Any deficiencies related to the above regulations discovered roadside or any defects identified at the time of the annual inspection shall be corrected prior to returning the commercial motor vehicle to operational status. This exception does not apply to commercial motor vehicles, regardless of weight, which are designed or used to transport 16 or more passengers, including the driver, or intrastate public (for hire) motor carriers of property or passengers, or any motor vehicles which are used in the transportation of hazardous materials and required to be placarded pursuant to 49 C.F.R. part 172, subpart F. For the purpose of this subsection ''domicile'' shall mean the principal place of business of a motor carrier or a permanent location in Kansas for a vehicle or vehicles annually registered in Kansas.

4) Persons operating motor vehicles which have an ad valorem tax situs in and are registered in the state of Kansas, and used only to transport grain from the producer to an elevator or other place for storage or sale for a distance of not to exceed 50 miles.

5) The operation of hearses, funeral coaches, funeral cars or ambulances by motor carriers.

6) Motor vehicles owned and operated by the United States, the District of Columbia, any state, any municipality or any other political subdivisions of this state.

7) Any motor vehicle with a normal seating capacity of not more than the driver and 15 passengers while used for vanpooling or otherwise not for profit in transporting persons who, as a joint undertaking, bear or agree to bear all the cost of such operations, or motor vehicles with a normal seating capacity not more than the driver and 15 passengers for not-for-profit transportation by one or more employees to and from the factories, plants, offices, institutions, construction sites or other places of like nature where such persons are employed or accustomed to work.

8) Motor vehicles used to transport water for domestic purposes, as defined by subsection (c) of K.S.A. 82a-701, and amendments thereto, or livestock consumption.

9) The operation of vehicles used for servicing, repairing or transporting of implements of husbandry, as defined in K.S.A. 8-1427, and amendments thereto, by a person actively engaged in the business of buying, selling or exchanging implements of husbandry, if such operation is within 100 miles of such person's established place of business in this state, unless the implement of husbandry is transported on a CMV.

K.A.R. 82-4-3a(c)

(c) Any wrecker or tow truck, as defined by K.S.A. 66-1329 & amendments thereto, with a GVWR or GCWR of 26,000 or less, shall not be subject to Log book regulations while making an **INTRASTATE** movement.

Agriculture commodities exemption from HOS – K.A.R. 82-4-3a(a)(1)(J)

(J) 49 C.F.R. 395.1(k) shall be deleted and replaced by the following:

"(k)(1) The provisions of this regulation shall not apply to any of the following, during planting and harvesting seasons, as defined in this regulation:

"(A) Drivers transporting agricultural commodities from the source of the agricultural commodities to a location within a 150-air-mile radius from the source;

"(B) Drivers transporting farm supplies from a wholesale or retail distribution point to a farm or other location where the farm supplies are intended to be used within a 150-air-mile radius from the distribution point; or

"(C) Drivers transporting farm supplies from a wholesale distribution point to a retail distribution point within a 150-air-mile radius from the wholesale distribution point.

"(2) 'Planting and harvesting seasons' means the time periods for planting, growing, and harvesting that occur between January 1 and December 31."

66-1,129a
Chapter 66.--PUBLIC UTILITES
Article 1.--POWERS OF THE STATE CORPORATION COMMISSION

66-1,129a. (a) The commission, at any time for good cause shown, may suspend the operation of any motor carrier subject to economic or safety rules and regulations adopted by the commission. Upon notice and an opportunity to be heard in accordance with the provisions of the Kansas administrative procedure act, the commission may revoke, amend, initiate sanctions or fine any motor carrier who has a certificate, license or permit issued by the commission or is subject to the safety rules and regulations adopted by the commission. Any motor carrier suspended prior to a hearing must be afforded the opportunity of a hearing on the matter. If such a hearing is requested, the hearing shall be held within 10 days of the request.

(b) The director of the commission's transportation division, at any time for a good cause shown, may request the Kansas highway patrol to impound a motor carrier's vehicle or vehicles when that motor carrier has:

(1) Failed to comply with an out-of-service order;
(2) failed to comply with a cease or desist order;
(3) failed to obtain commission authority to operate;
(4) failed to pay a commission-assessed civil penalty; or
(5) has otherwise failed to comply with a commission order. Any motor carrier whose vehicle is impounded prior to a hearing must be afforded the opportunity of a hearing on the matter. If such a hearing is requested, the hearing shall be held within 10 days of the request.

(c) The commission is authorized to enter into any contracts or agreements necessary with the superintendent of the Kansas highway patrol, in order to provide facilities and personnel to accomplish the impounding of vehicles.

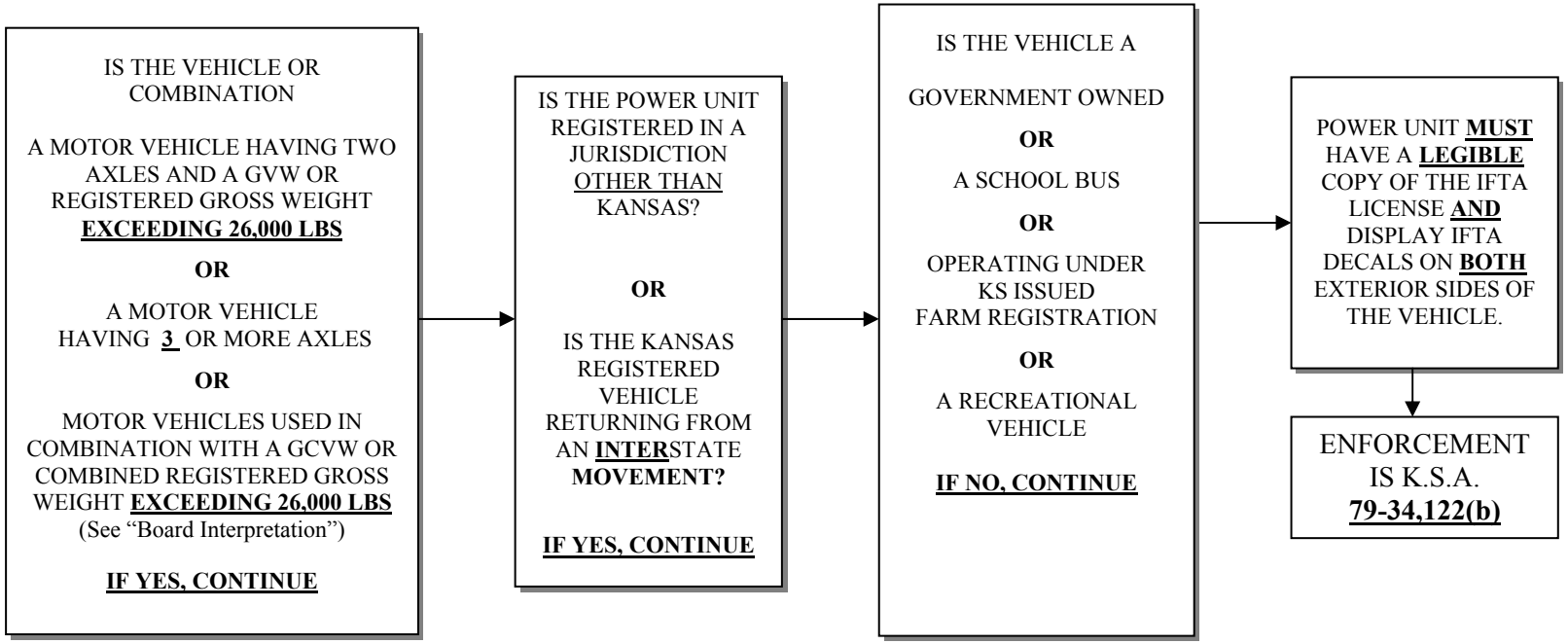
(d) If the owner of a motor vehicle which has been impounded pursuant to this section refuses to pay any towing, impoundment, storage or other fess related to the impoundment of such vehicle or fails to take possession of such vehicle within 30 days following the date of the expiration of the impoundment period, such vehicle shall be deemed abandoned and the vehicle may be disposed of by the person having possession of such vehicle. If the person having possession of such vehicle is a public agency, disposition of such vehicle shall be in compliance with the procedures for notice and public auction provided by paragraph (2) of sub-section (a) of K.S.A. 8-1102, and amendments thereto. If the person having possession of such vehicle is not a public agency, disposition of such vehicle shall be in compliance with K.S.A. 8-1103 through 8-1108, and amendments thereto.

History: L. 2003, ch. 124 § July 1.

APPLYING IFTA

"International Fuel Tax Agreement"

10/2008



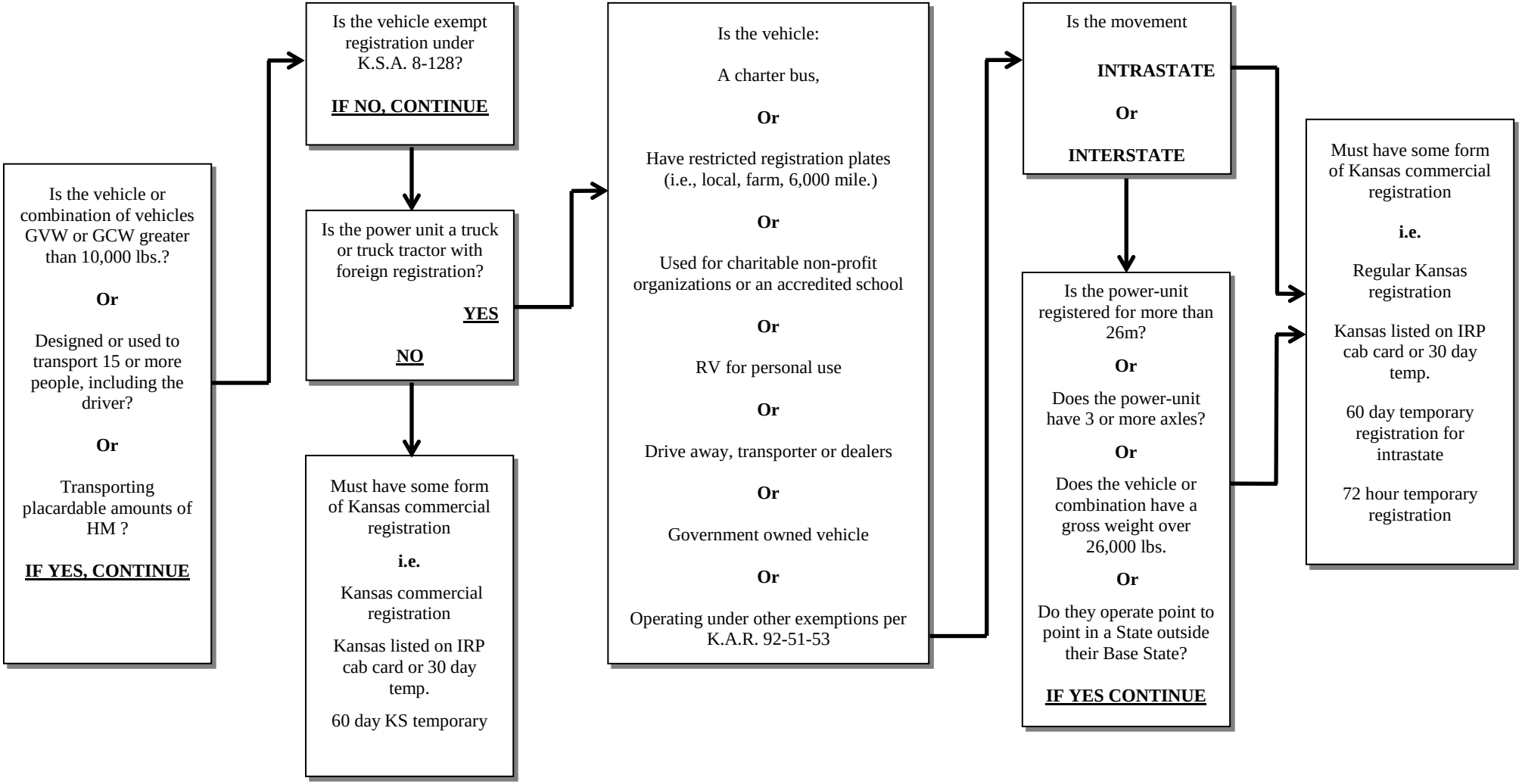
BOARD INTERPRETATION:

The Consensus Board Interpretation is that the axles of a trailing unit have no bearing on this definition. The part of the definition alluding to the number of axles applies only to the axles on the power unit, irrespective of any trailing units. The Board agreed that a power unit with two axles, pulling a trailing unit, with a combined gross or registered weight of 26,000 pounds or less is not a qualified motor vehicle. The first and second definitions of a qualified motor vehicle refer only to the power unit. The third definition refers to the combination of the power unit and the trailing unit.

APPLYING KANSAS REGISTRATION

Commercial Vehicle Registration and/or IRP "a.k.a. Apportioned Registration"

(11/2014)



K.S.A. 8-128. Registration of vehicles, exceptions.

a) The following need not be registered under this act, any
   (1) Implement of husbandry;
   (2) All-terrain vehicle;
   (3) Micro utility truck;
   (4) Golf cart;
   (5) Work-site utility vehicle;
   (6) Road roller or road machinery temporarily operated or moved upon the highways;
   (7) Municipally owned fire truck;
   (8) Privately owned fire truck subject to a mutual aid agreement with a municipality;
   (9) School bus owned and operated by a school district or a nonpublic school which have the name of the municipality, school district or nonpublic school painted plainly thereon;
   (10) Farm trailer used in carrying not more than 6,000 lbs. owned by a person engaged in farming, which trailer is used exclusively by the owner to transport agricultural products produced by such owner or commodities purchased by the owner for use on the farm owned or rented by the owner of such trailer
   (11) Farm trailer used and designed for transporting hay or forage from a field to a storage area or from a storage area to a feedlot, which is only incidentally moved or operated upon the highways, except that this paragraph shall not apply to a farm semi trailer.

(b) Self-propelled cranes where the crane operator on a job site operates the controls of such crane from a permanent housing or module on the crane and the crane is not used for the transportation of property, except the property that is required for the operation of the crane itself and earth moving equipment which are equipped with pneumatic tires may be moved on the highways of this state from one job location to another, or to or from places of storage, delivery or repair, without complying with the provisions of the law relating to registration and display of license plates but shall comply with all the other requirements of the law relating to motor vehicles.

(c) Oil well servicing, oil well clean-out or oil well drilling machinery or equipment need not be registered under this act but shall comply with all the other requirements of the law relating to motor vehicles.

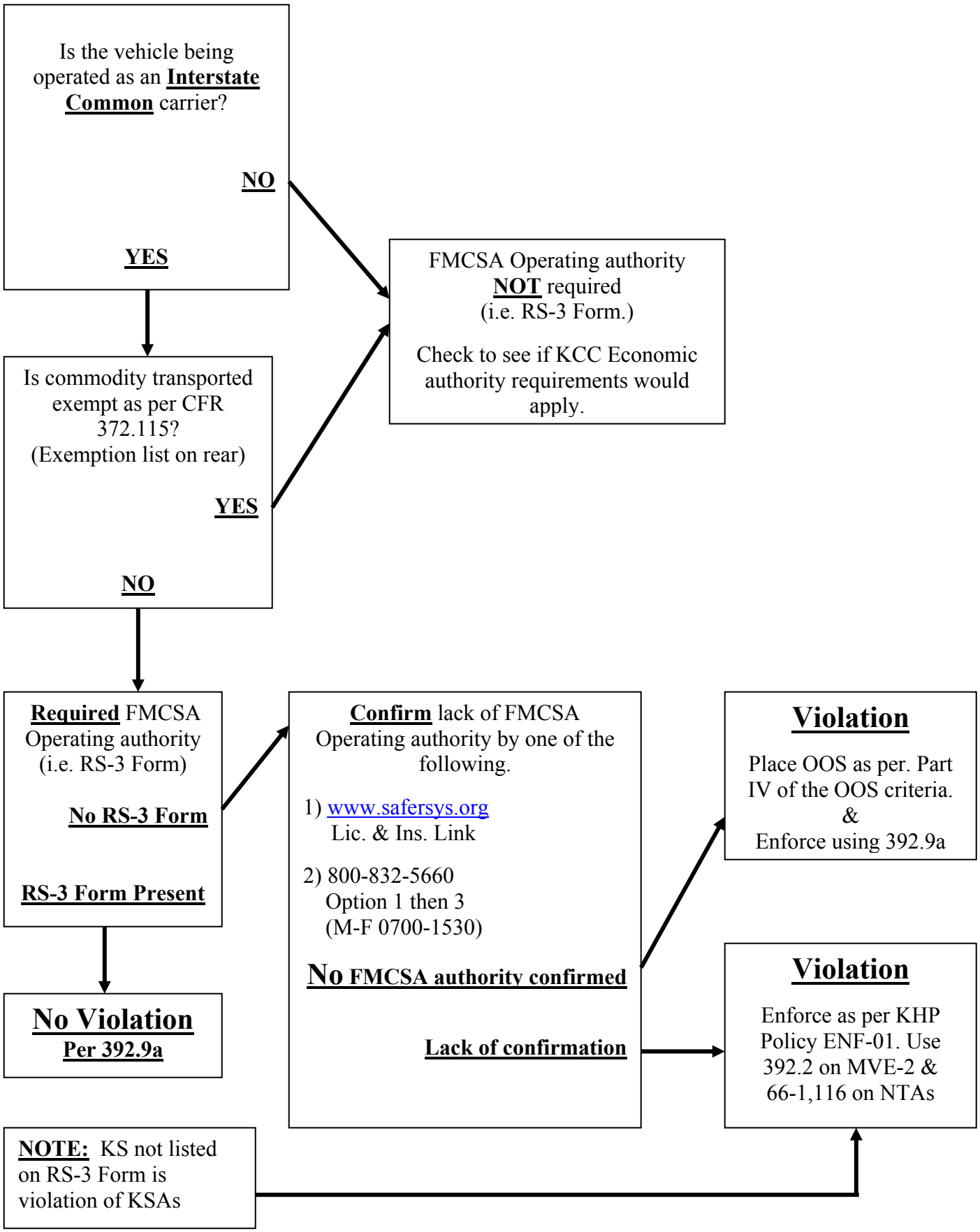
(d) A truck permanently mounted with a hydraulic concrete pump and placing boom may be moved on the highways of this state from one job location to another, or to or from places of storage delivery or repair, without being registered under this act, but shall comply with all the other requirements of the law relating to motor vehicles.
The provisions of this subsection shall not apply to ready-mix concrete trucks.

K.A.R. 92-51-53 vehicles exempt from apportioned registration

(a) Vehicles that are based in a state with which Kansas has an agreement for apportioned registration and that are owned by an individual engaged in farming and used by the owner to transport agricultural products produced by the owner or commodities purchased by the owner for farm use shall be exempt from apportioned registration.
(b) Motor vehicles based in Missouri that bear "local" Missouri registration shall be exempt from apportioned registration in Kansas if the vehicles are operated not more than 25 miles from the vehicle's base point in Missouri. Kansas 72-hour truck registration, 30-day truck registration, local registration, and regular registration shall not be applicable for the operation of the vehicle beyond the 25-mile radius. If the owner of the Missouri based locally registered vehicle desires to operate beyond the 25 mile radius of the vehicle's base point, Missouri "beyond local," which is also known as commercial, registration shall be secured.
(c) A commercial motor vehicle based in Missouri that bears Missouri "beyond local," which is also known as commercial, registration shall be exempt from apportioned registration if the vehicle operation is restricted to any of the following:
(1) The corporate limits and a radius of four miles beyond the corporate limits of Elwood, Kansas, and to and from St. Joseph, Missouri to the St. Joseph municipal airport on U.S. highway 36, with the return trip to Missouri over the same highway;
(2) The corporate limits of Atchison, Kansas on U.S. highway 59, with the return trip to Missouri over the same highway;
(3) the corporate limits of Leavenworth, Kansas, Fort Leavenworth, Kansas, and the federal penitentiary by entry on Kansas highway 92 and U.S. highway 73, with the return trip to Missouri over the same highways; and
(4) The commercial zone of greater Kansas City as defined by the federal highway administration.

FMCSA OPERATING AUTHORITY

(10/07/2005)



EXEMPT FMCSA OPERATING AUTHORITY

49 U.S.C. 13506. Miscellaneous motor carrier transportation exemptions

(a) In General.--Neither the Secretary nor the Board has jurisdiction under this part over--

(1) A motor vehicle transporting only school children and teachers to or from school;

(2) A motor vehicle providing taxicab service;

(3) A motor vehicle owned or operated by or for a hotel and only transporting hotel patrons between the hotel and the local station Of a carrier;

(4) A motor vehicle controlled and operated by a farmer and transporting--

(A) The farmer's agricultural or horticultural commodities and products; or

(B) Supplies to the farm of the farmer;

(5) A motor vehicle controlled and operated by a cooperative association (as defined by section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a))) or by a federation of cooperative associations if the federation has no greater power or purposes than a cooperative association, except that if the cooperative association or federation provides transportation for compensation between a place in a State and a place in another State, or between a place in a State and another place in the same State through another State--

(A) For a nonmember that is not a farmer, cooperative association, federation, or the United States Government, the transportation (except for transportation otherwise exempt under this subchapter)--

(i) Shall be limited to transportation incidental to the primary transportation operation of the cooperative association or federation and necessary for its effective performance; and

(ii) May not exceed in each fiscal year 25 percent of the total transportation of the cooperative association or federation between those places, measured by tonnage; and

(B) The transportation for all nonmembers may not exceed in each fiscal year, measured by tonnage, the total transportation between those places for the cooperative association or federation and its members during that fiscal year;

(6) Transportation by motor vehicle of--

(A) Ordinary livestock;

(B) Agricultural or horticultural commodities (other than manufactured products thereof);

(C) Commodities listed as exempt in the Commodity List incorporated in ruling numbered 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, other than frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, or wool imported from a foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted);

(D) Cooked or uncooked fish, whether breaded or not, or frozen or fresh shellfish, or byproducts thereof not intended for human consumption, other than fish or shellfish that have been treated for preserving, such as canned, smoked, pickled, spiced, corned, or kippered products; and

(E) Livestock and poultry feed and agricultural seeds and plants, if such products (excluding products otherwise exempt under this paragraph) are transported to a site of agricultural production or to a business enterprise engaged in the sale to agricultural producers of goods used in agricultural production;

(7) A motor vehicle used only to distribute newspapers;

(8)(A) Transportation of passengers by motor vehicle incidental to transportation by aircraft;

(B) Transportation of property (including baggage) by motor vehicle as part of a continuous movement which, prior or subsequent to such part of the continuous movement, has been or will be transported by an air carrier or (to the extent so agreed by the United States and approved by the Secretary) by a foreign air carrier; or

(C) Transportation of property by motor vehicle in lieu of transportation by aircraft because of adverse weather conditions or mechanical failure of the aircraft or other causes due to circumstances beyond the control of the carrier or shipper;

(9) The operation of a motor vehicle in a national park or national monument;

(10) A motor vehicle carrying not more than 15 individuals in a single, daily roundtrip to commute to and from work;

(11) Transportation of used pallets and used empty shipping containers (including intermodal cargo containers), and other used shipping devices (other than containers or devices used in the transportation of motor vehicles or parts of motor vehicles);

(12) Transportation of natural, crushed, vesicular rock to be used for decorative purposes;

(13) Transportation of wood chips;

(14) Brokers for motor carriers of passengers, except as provided in section 13904(d); or

(15) Transportation of broken, crushed, or powdered glass.

(b) Exempt Unless Otherwise Necessary.--Except to the extent the Secretary or Board, as applicable, finds it necessary to exercise jurisdiction to carry out the transportation policy of section 13101, neither the Secretary nor the Board has jurisdiction under this part over--

(1) Transportation provided entirely in a municipality, in contiguous municipalities, or in a zone that is adjacent to, and commercially a part of, the municipality or municipalities, except--

(A) When the transportation is under common control, management, or arrangement for a continuous carriage or shipment to or from a place outside the municipality, municipalities, or zone; or

(B) That in transporting passengers over a route between a place in a State and a place in another State, or between a place in a State and another place in the same State through another State, the transportation is exempt from jurisdiction under this part only if the motor carrier operating the motor vehicle also is lawfully providing intrastate transportation of passengers over the entire route under the laws of each State through which the route runs;

(2) Transportation by motor vehicle provided casually, occasionally, or reciprocally but not as a regular occupation or business, except when a broker or other person sells or offers for sale passenger transportation provided by a person authorized to transport passengers by motor vehicle under an application pending, or registration issued, under this part; or

(3) The emergency towing of an accidentally wrecked or disabled motor vehicle.