

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
Drugs & Alcohol Parts 40 & 382		
<p>Records related to the education and training of:</p> <ul style="list-style-type: none"> • Breath alcohol technicians (BATs) • Screening test technicians (STTs) • Supervisors, and • Drivers <p>Required documentation includes:</p> <ul style="list-style-type: none"> • Materials on drug and alcohol awareness, including a copy of company policy; • Documentation of compliance with requirement to provide drivers with educational material, including driver's signed receipt of materials; • Documentation of supervisor training; • Documentation of BAT training (40.51(a)); and • Certification that training complies with the rules <p style="text-align: center;">See 40.333 and 382.401</p>	<p>2 years after the individual ceases to perform the functions</p>	<p>In a secure location with controlled access. Note: if combined with other files (personnel or driver qualification files, for example) then all the files must be secured.</p>

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<ol style="list-style-type: none"> 1. Alcohol test results* with concentration of 0.02 or more; 2. Verified positive test results*; 3. Documentation of refusals; 4. Calibration documentation; 5. Evaluation and referral records including: <ul style="list-style-type: none"> • Records pertaining to SAP’s determination of a need for assistance, and • Records concerning a driver’s compliance with SAP’s recommendations; and 6. Records related to program administration, including: <ul style="list-style-type: none"> • Agreements with collection sites, labs, BATs, MROs, and consortia; • Names and positions of officials and their role in the employer’s testing program; • Semiannual laboratory statistical summaries of urinalysis (40.111(a)); and • Company testing policy and procedures; and 7. Annual calendar year summary 	5 years	

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<p>"Test results" includes:</p> <ul style="list-style-type: none"> • Copy of alcohol test form, with results; • Copy of drug test chain of custody form; • Documents sent to the employer by the MRO; • Documentation of any refusal to submit; • Documents provided by a driver to dispute results; and • Previous employer test results (see 382.301(c), 40.25 and 391.23). <p style="text-align: center;">See 40.333 and 382.401</p>		
<p>Records related to the collection process (except EBT calibration records):</p> <p>Collection logbooks (if used);</p> <ul style="list-style-type: none"> • Documents related to the random selection process; • Documentation of BAT training; • Documentation of reasoning for post-accident testing; • Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and • Consolidated annual calendar year summaries <p style="text-align: center;">See 40.333 and 382.401</p>	2 years	

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<p>1. Negative and cancelled drug results*, and</p> <p>2. Alcohol test results* with concentration less than 0.02</p> <p>“Test result: includes:</p> <p>Copy of alcohol test form, with results;</p> <p>Copy of drug test chain of custody form;</p> <p>Documents sent to the employer by the MRO;</p> <p>Documentation of any refusal to submit;</p> <p>Documents provided by a driver to dispute results; and</p> <p>Previous employer test results (see 382.301c, 40.25, and 391.23)</p> <p style="text-align: center;">See 40.333 and 382.401</p>		
<p>For employers using the exception to pre-employment testing in 382.301(b):</p> <ul style="list-style-type: none"> • Names and addresses of the testing programs in which the prospective employees participated; • Verification that the driver participates or participated in the program(s); • Verification that the program(s) conforms to Part 40; • Verification that the driver is qualified under the rules of Part 40, including that the driver has not refused to be tested for controlled substances; 		

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<ul style="list-style-type: none"> • The date the driver was last tested for controlled substances; and • The results of any tests taken within the previous six months and any other violations of <u>Subpart B.</u> <p>Note: An employer who uses but does not employ a driver more than once per year to operate CMVs must obtain the above information at least once every six months.</p> <p style="text-align: center;">See 382.301c</p>		
Driver Training Part 380		
Entry-level driver training certificate (380.509)	Employment + 1 year	Personnel or Driver Qualification file
Longer Combination Vehicle (LCV) Driver Training Certificate (380.401) or Certificate of Grandfathering (380.111)	Unspecified	Driver Qualification File
LCV driver-instructor qualification file, including: <ul style="list-style-type: none"> • Evidence that the instructor has met the minimum requirements of 380.301 or 380.303; and • A copy of the individual's currently valid CDL with the appropriate endorsements (391.55) 	For as long as the company employs or uses the instructor	LCV Driver-Instructor Qualification file or personnel file
CDLs Part 383		
Notification for conviction for driver violation. Must include the information listed in 383.31c. Note: Notifications of CDL suspensions (381.33) have no recordkeeping requirements See 383.31 and the interpretations.	3 years	Driver Qualification File

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
Financial Responsibility Part 387		
1. Current Form MCS-90 or MCS 82, or an FMCSA document authorizing self-insurance, for motor carriers. 2. Current Form MCS-90B or MCS-82B for passenger carriers. <p style="text-align: center;">See 387.7d and 387.31d</p>	Unspecified	Principle place of business
Accidents Part 390		
1. Accident register 2. Copies of accident reports required by states, other government entities, or insurers. See 390.15(b) <p style="text-align: center;">See 390.15b</p>	3 years	Unspecified
Driver Qualification Part 391		
1. Application for employment (391.21), 2. Initial 3 year motor vehicle record from state(s) (391.23.a.1) (must be obtained within 30 days of employment), 3. Road test from and certificate (391.31g) or license or certificate accepted in lieu of road test (391.33), 4. Medical exam certificate (original or copy)* (391.43g), 5. Any letter granting a waiver of physical disqualification, 6. Annual driving record*, (391.25a)	Employment + 3 years	Driver Qualification File Note: May be combined with personnel file. Note: The long medical exam form is to be kept in the office of the medical examiner (see Medical Qualification)

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<p>7. Note relating to annual review* (391.25c.2),</p> <p>8. Drivers' list of violations*,</p> <p>9. Previous employer inquiries for drivers hired before October 30, 2004 (391.23),</p> <p>10. Certificate of training, for drivers transporting highway route controlled Class 7 (radioactive) materials (391.101e), and</p> <p>11. Any other matter relating to a driver's qualifications or ability to drive a motor vehicle safely.</p>		
<p>*The following may be removed after 3 years of execution</p> <ul style="list-style-type: none"> • Medical examiner's certificate, • Annual motor vehicle record from state(s), • Note relating to annual review of driving record, • Annual list of violations (prepared by the driver), and • Letter granting a waiver of a physical qualification 	Employment + 3 years	
<p>Safety performance history of a driver/applicants (i.e., previous employer information), including name and address, date of contact (or attempts made), and information received about a driver/applicant (391.23) (must be placed into file within 30 days of hire).</p> <p>A copy of the driver's written authorization for the motor carrier to seek information about a driver's alcohol and controlled substances history as required under 391.23d</p>	Employment + 3 years	

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<p>Corrections or rebuttals received from former or current drivers concerning their safety performance histories (391.23j) (should be placed in appropriate file where corrected or rebutted information is stored).</p> <p>NOTE: Drug/alcohol inquiries sent to a driver's former employer(s) in compliance with 391.23 are deemed to be in compliance with the inquiries required under 40.25(b)</p>		Drug/Alcohol file, etc., but must be in a secure location with limited access.
<p>A record of each inquiry received from other employers concerning a driver's safety performance history, and the response, including the date, the party to whom it was released, and a summary identifying what was provided (391.23g.4)</p>	One year	Unspecified
<p>Multi-Employer Drivers Part 391</p>		
<p>Keep the following records for a multiple-employer driver:</p> <ul style="list-style-type: none"> • Medical exam certificate, original or a copy (391.43g), • Road test form and certificate (391.21g), or license or certificate accepted in lieu of road test (391.33), • Driver's name and Social Security number, and • Identification number, type and issuing state of motor vehicle operator's license. <p style="text-align: center;">See 391.63</p>	Employment + 3 years	Driver Qualification File
<p>Drivers from other employers Part 391</p>		
<p>For drivers furnished by other motor carriers, keep the signed certificate required in 391.65a.2</p> <p style="text-align: center;">See 391.65</p>	3 years	Driver Qualification File

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
Medical Qualification Part 391		
<p>Driver must carry the original or a copy of the medical examiner's certificate.</p> <p>Note: The medical "long form" is not required. The long form is supposed to stay in the medical examiner's files (see the last paragraph of "Instructions for performing and recording physical examinations" in 391.43</p> <p style="text-align: center;">See 391.41a</p>	<p>Continuously Starting 1/1/14, 2014 rules change on CDL driver required to carry a medical card. 391.41</p>	<p>On driver's person</p>
Hours of Service Part 395		
<p>For all 100-air-mile and 150-air-mile radius drivers, "accurate and true time records" showing</p> <ul style="list-style-type: none"> • The time the driver reports for duty each day, • The time the driver is released from duty each day, • Total number of hours on duty each day, and • Total time on duty for the preceding 7 days for drivers used for the first time or intermittently. <p style="text-align: center;">See 395.1e</p>	<p>6 months</p>	<p>Unspecified</p>
<p>For drivers used intermittently, a signed statement giving:</p> <ul style="list-style-type: none"> • The total time on duty during the preceding 7 days, and • The time at which the driver was last relieved from duty. <p style="text-align: center;">See 395.8j.2</p>	<p>6 months</p>	<p>Unspecified</p>

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
Records of duty status (driver logs) and all supporting documents. Logs must be submitted within 13 days of completion (395.8i).	6 months from the date of receipt	Unspecified
Note: carriers maintaining data from a 395.16 – compliant EOBR need only maintain additional supporting documents to verify “on-duty/not driving activities and “off-duty” status See 395.8(k)(1) and 395.11		
A copy of each log for the previous 7 consecutive days (whether hand-written or electronic) See 395.15(d)(2)	7 days	In vehicle
For drivers using automatic on-board recording devices or electronic on-board recorders: <ul style="list-style-type: none"> • An instruction sheet describing in detail how data may be stored and retrieved from the automatic on-board recording system; and • A supply of blank driver’s record of duty status graph grids sufficient to record the driver’s duty status and other related information for the duration of the current trip. See 395.15(g) and 395.16(l)	Unspecified	In vehicle
For companies using automatic on-board recording devices, “a certificate obtained from the manufacturer certifying that the design of the automatic on board recorder has been sufficiently tested to meet the requirements of this section under the conditions it will be used. See 395.15(i)(1)	Unspecified	Unspecified
For companies using automatic on-board recording devices, a second (back-up) copy of the electronic hours-of-service files, by month.	6 months	A different physical location than where the original data is stored

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
See 395.15(i)(10)	Unspecified	Unspecified
For companies using electronic on-board recorders, records of EOBR calibration, maintenance and re-calibration. See 395.16(p)(2)	Unspecified	Unspecified
For companies using electronic on-board recorders, a second (bak-up) copy of the electronic hours-of-service files, by month. See 395.16(p)(4)	6 months	A physical device different from that on which the original data is stored
For companies using electronic on-board recorders, documentation of any EOBR failure(s). See 395.16(p)(6)	6 months	In the driver's hours-of-service record
Inspections/Maintenance Part 396		
For any motor vehicle controlled for 30 days or more: <ul style="list-style-type: none"> • An identification of the vehicle including co. number (if marked), make, serial number, year, and tire size, and vehicle owner's name if the motor carrier does not own the vehicle; • A means to indicate the nature and due date of the various inspection and maintenance operations to be performed; • A record of inspection, repairs and maintenance indicating their date and nature; and • A record of tests conducted on push out windows, emergency doors, and emergency door marking lights on buses. 	1 year and for 6 months after the vehicle leaves your control	Where the vehicle is either housed or maintained
Note: Intermodal equipment providers must also maintain (or cause to be maintained) the above records for each unit of intermodal equipment they tender to a motor carrier. See 396.3(b)	1 year and 6 months after the vehicle leaves your control	Where the vehicle is either housed or maintained

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
<p>Copy of roadside inspection form. See 396.9(d)(3)(ii)</p>	12 months from date of inspection	Principal place of business or where the vehicle is housed
<p>1. Original Driver Vehicle Inspection Report (DVIR) 2. Certificate of Repairs, and 3. Certification of driver's review</p> <p>Note pre-trip requirements in 392.7 and 396.13. Only 396.13 has recordkeeping requirements.</p>	3 months	Principal place of business or where the vehicle is housed or maintained
<p>Intermodal equipment providers must maintain drivers' intermodal equipment inspection reports, including:</p> <ul style="list-style-type: none"> • The original driver report, • The certification of repairs, and • The certification of the driver's pre-inspection review. <p>See 396.12(d)</p>	3 months	Unspecified
<p>Documentation of periodic inspection (a report or other document such as a sticker or decal). See 396.17(c) and 396.23(a)</p>	Continuously	In or on vehicle
<p>Evidence of an individual's qualifications to conduct annual inspections. See 396.19(b)</p>	Until 1 year after the employee stops performing inspections	Unspecified
<p>Periodic inspection report (original or copy) See 396.19(b)(1)</p>	14 months	Where the vehicle is housed or maintained
<p>Evidence of a brake inspector's qualifications</p>	Until 1 year after employees stops performing inspections	Principal place of business or where employee is

FMCSR RECORDKEEPING REQUIREMENTS

DOCUMENTS TO BE RETAINED	RETENTION PERIOD	RETENTION LOCATION
Hazardous Materials Part 397		
Signed receipt documenting that hazmat driver has received a copy of the regulations and emergency instructions per 397.19(a). Applies to transportation of explosives only. See 397.19(b)	1 year	Unspecified
A written route plan, for transporting highway route controlled Class 7 (radioactive) materials, per 397.101(d)	Unspecified	In driver's possession, and filed with the FMCSA and shipper
Certificate of training, for drivers transporting highway route controlled Class 7 (radioactive) materials, per 397.101(e)	Employment + 3 years	Driver Qualification File, and in driver's immediate possession