

**DRIVER QUALIFICATION FILES.**



Introducing Brenda LaBreck and Donna Salmonson- Fleet Safety Services Driver Qualification File Administrators. Brenda has been with Fleet Safety since June of 2006. Donna with Fleet Safety since May 2008.

Brenda LaBreck

Donna Salmonson

**Who is Managing your Driver Qualification Files?**

Driver Qualification Files are among the most important, yet most commonly mismanaged USDOT regulatory requirement. Proper Driver Qualification Files are required to have 7 or more separate documents, and some require continual updates. Under §391 of the FMCSR, any driver who operates a vehicle with a GVWR of 10,001 pounds or more must have a Driver Qualification File.

Who is responsible for insuring that company Driver Qualification files are complete and meet DOT regulations? Do you have Driver Qualification Files? Outsourcing with Fleet Safety Services is the solution.

Subscribing to Driver Qualification File services from Fleet Safety guarantees that each of your drivers has a fully compliant DOT mandated driver file including electronic back-up at our facility. Our secure Fleet Safety Services website allows your staff the advantage of being able to access company driver file status reports 24/7 anywhere there is internet access. Fleet Safety will generate all necessary documentation including reference letters for previous employers.

Files are continuously reviewed for missing, out-of-date or incomplete forms.

Fleet Safety partners with Applicant Insight to access yearly DOT mandated Motor Vehicle Reports (MVR) and, if requested by the client, driver background checks.

Monthly reports are sent to a designated liaison at your company requesting missing or

incomplete information. We also include 90,60 and 30-day reminder reports for license, MVR and Medical Certificate expirations.

When driver documentation has expired, a list is sent to the company and Fleet Safety will contact company management ensuring that a "disqualified driver" is not allowed to drive a commercial motor vehicle eliminating the potential for fines and/or penalties.

Fleet Safety is your back up office staff- we're always available to help with file preparation, updates, and to answer questions.

### **Federal Register Notice ~ October 22, 2008**

#### **Direct Observation for Return-to-Duty and Follow-Up Testing Mandatory November 1, 2008**

1. On October 22, 2008, the Department of Transportation issued a Federal Register Notice concerning direct observation (DO) of urine specimens collected for return-to-duty and follow-up drug testing.
2. The effective date of 49 CFR 40.67(b), as amended by the Department on June 25, 2008, and delayed on August 26, 2008, is November 1, 2008.
3. Beginning that date [November 1], DO collections will be required for all return-to-duty and follow-up DOT tests.
4. When additional testing methodologies appropriate for return-to-duty and follow-up testing (for example, oral fluids and sweat specimens) are approved by the Department of Health and Human Services, the DOT intends to make these methods available to employers and employees as an alternative to direct observation urine testing in these situations.
5. Under 40.67(b), there are no individuals who will be directly observed who have not already been subject to being directly observed under previous versions of Federal safety requirements by refusing to test, using illegal drugs, or otherwise breaching the rules.
6. By this conduct, each of these individuals has shown a willingness to endanger public safety; and individuals in this category have a greater than average likelihood of using illegal drugs in the future and a higher than average motivation to cheat on a test.
7. Under these circumstances, the Department is justified in regarding these individuals as having a reduced legitimate expectation of privacy, compared to covered employees in general.
8. Given the increased availability of cheating products, compared to twenty years ago when Part 40 was first issued, the Department can properly adjust the balance between safety and privacy by making DO collections mandatory, rather than optional, in follow-up and return-to-duty testing.
9. We emphasize that conducting all return-to-duty and follow-up tests under DO - on and after November 1, 2008 - is a requirement of Federal law (including for employees whose initial violations of the rules occurred or whose series of follow-up tests began before November 1).

Jim L. Swart  
Director  
Office of Drug and Alcohol Policy and Compliance

U.S. Department of Transportation