

**Kansas Corporation
Commission**

Procedures

For

Safety Compliance

**Kansas Corporation Commission
Transportation Division
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027**

January 2012

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Kansas Corporation Commission

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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.....Miscellaneous Questions.....Please call (785) 271-3145

You may visit our website at kcc.ks.gov. When you get to the KCC homepage, click on Motor Carriers, this will show information regarding Safety, Publications and Helpful Links.

To access KCC registration information click on Motor Carrier Forms & Applications. Each application has an instruction sheet and phone numbers to call with questions or concerns regarding any application.

Kansas Trucking Connection
1500 SW Arrowhead Road
Topeka, KS 66604-4027
www.truckingKS.org

March 2011

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 non compliance 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.

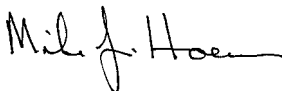
New KCC Civil Assessment Project “Motor Carrier”: Effective April 1, 2006, the KCC will assess civil penalties to all motor carriers for the applicable OOS violations of the FMCSR’s discovered during roadside inspections as determined by the CVSA, North American Standard Out-Of-Service Criteria. This 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 or <http://www.fmcsa.dot.gov/spanish/index.htm>
- 2) How can I locate the nearest field office? <http://www.fmcsa.dot.gov/aboutus/aboutus.htm>
- 3) Where can I obtain information about Federal safety regulations and interpretations?
<http://www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm>
- 4) Where can I find information about the transportation of Hazardous materials?
<http://hazmat.dot.gov>
- 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 Profile? <http://www.safersys.org>
- 8) Where can I find carrier safety ratings, inspections, and accident summary data?
<http://www.safersys.org>
- 9) How do I report safety violations? <http://www.fmcsa.dot.gov/pdfs/saftviolationrpt.pdf>
- 10) What must I do to start a trucking business? www.fmcsa.dot.gov/factsfigs/formspubs.htm
- 11) Where can I file forms and pay fees for registration, insurance, and fines? <http://diy.dot.gov/>
- 12) How can I change the name and address of my business online? <http://diy.dot.gov/>
- 13) Where can I find the latest information about safety programs?
<http://www.fmcsa.dot.gov/safetyprogs/saftprogs.htm>
- 14) How can I learn about the "Share the Road Safety" program? www.sharetheroadsafely.org
- 15) How can I obtain the latest research and analysis on truck and bus safety? www.fmcsa.dot.gov
and <http://ai.volpe.dot.gov/>
- 16) Where can I find consumer information about moving household goods?
www.fmcsa.dot.gov/factsfigs/moving.htm

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:

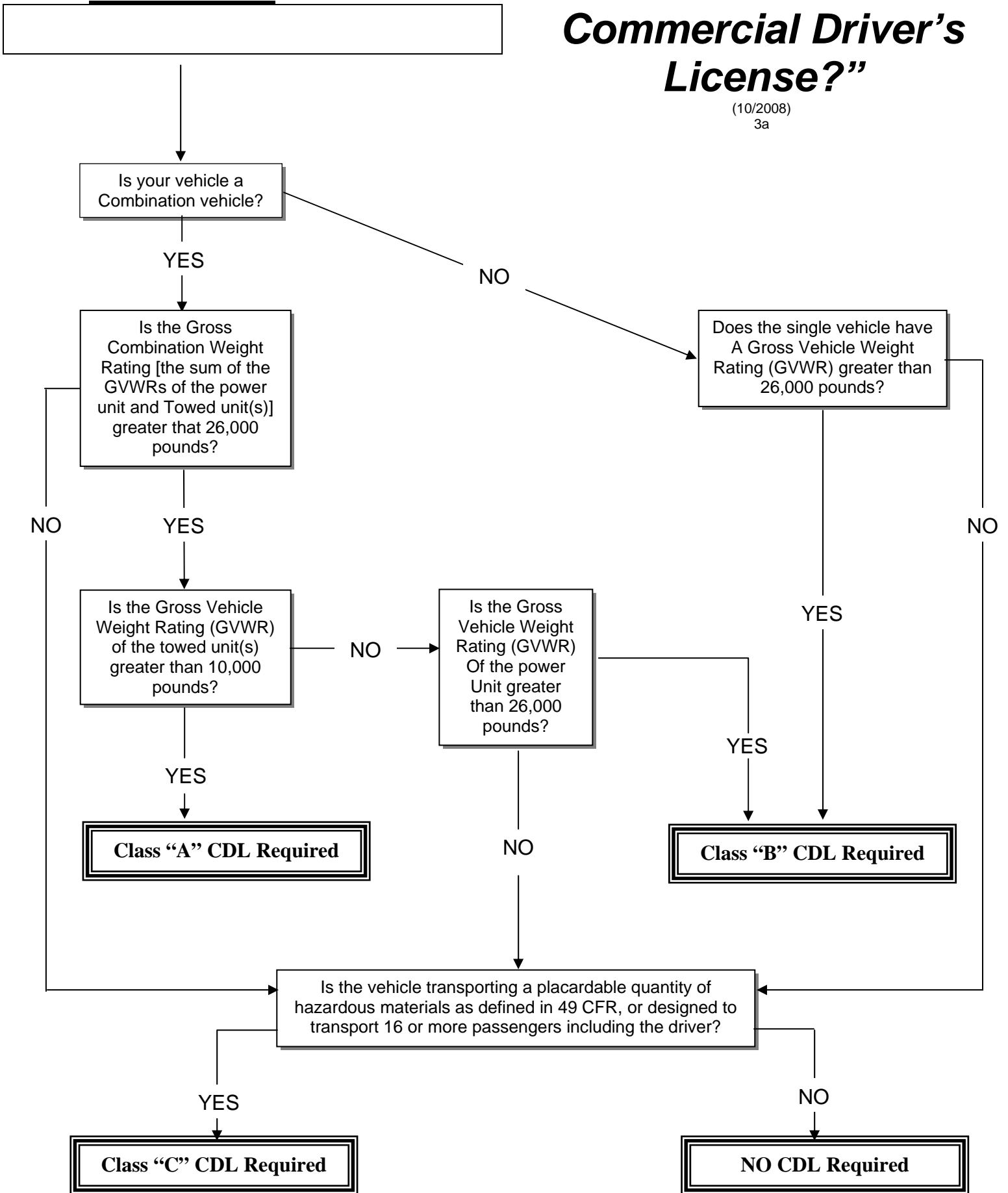
Any self-propelled or towed motor vehicle used on a highway in interstate and/or intrastate commerce to transport passengers or property when the vehicle;

- (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
- (1) 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.

START HERE!

“Do I need a Commercial Driver’s License?”

(10/2008)
3a



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 operated 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.

Interstate Farmers:

MO/KS-Same as above except must be 18 YOA and not required to be Placarded if Class A or B CMV
 NE/KS-Same as above except must be 18 YOA and not a TT/ST combo.
 OK/KS-Same as above.

CDL RESTRICTIONS – 8-2,127

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 | No CDL – class A busses only |
| N | No CDL – class A & B busses only |
| O | No tractor trailer combination |
| V | Medical variance (SPE) |
| Z | No Full air brake equipped CMV (CDL only) |
| J-1 | Outside business areas only |
| J-2 | Under age 16 |
| J-3 | No freeway driving |
| J-4 | Limited to within 25 miles from home |
| J-5 | Within city limits only |
| J-6 | Required a licensed driver in front seat |
| J-7 | Moped only |

CDL ENDORSEMENTS – 8-2,135

- | | |
|---|---|
| H | Hazardous materials (If required placards) |
| T | Double and triple trailers |
| P | Passenger vehicles (busses) |
| N | Tank vehicles (liquids/gases, more than 119 gal tank for liq. or 1,000 lbs water wt. for gases) |
| 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:

Ref. Veh. 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

2012 UNIFIED CARRIER REGISTRATION SYSTEM

IMPORTANT NOTICE FOR ALL INTERSTATE MOTOR CARRIERS

If you operate a truck or bus in interstate or international commerce, or if you make the arrangements for the transportation of cargo and goods you are required to register and pay the applicable UCR fees prior to operating.

No Exceptions - all interstate for-hire motor carriers transporting property or passengers and interstate motor private carriers of property, subject to the interstate safety or authority requirements such-as a USDOT or MCID number are classified as a motor carrier, or motor private carrier of property. Therefore, the carrier groups listed above **are subject to the UCR** and would pay fees in the lowest category because they operate zero commercial motor vehicles per the UCR definition. (To view this and other guidance documents visit www.ucr.in.gov UCR FAQ)

The Unified Carrier Registration (UCR) System requires individuals and companies that operate commercial motor vehicles in interstate or international commerce to register their business with Kansas and pay an annual fee based on the size of their fleet. Companies providing both motor carrier services as well as broker, freight forwarder or leasing services are required to pay the fee level set at the motor carrier level.

If you offer services as a freight forwarder, broker or leasing company and you make arrangements for the transportation of cargo and goods in interstate or international commerce, the federal Unified Carrier Registration Agreement (UCR) applies to your business.

The UCR requires individuals and companies that provide freight forwarding, brokering or leasing services in interstate or international commerce to register their business with Kansas and pay an annual fee of \$76.00. The revenues generated will be used for enforcement of motor carrier safety programs.

A "commercial motor vehicle" is defined as a self-propelled or towed vehicle used on the highways in commerce principally to transport passengers or cargo, if the vehicle:

- (a) has a gross vehicle weight of 10,001 pounds or more;
- (b) is designed to transport 11 or more passengers (including the driver); or
- (c) is used in transporting hazardous materials in a quantity requiring placarding.

Registration begins October 1, 2011. States may begin enforcement February 1, 2012. Please register your operation as soon as possible in order to operate in interstate commerce. The Kansas Corporation Commission can accept checks; credit cards (Visa/Mastercard/Discover/American Express) and cash (**Please do not mail cash**).

THE FEE BRACKETS FOR MOTOR CARRIERS ARE AS FOLLOWS:

(Note if you have operated in multiple states under the SSRS program in the past, the fees for this program are significantly smaller)

Fleet Size		Fee Per Company
From	To	(\$)
0	2	\$76.00
3	5	\$227.00
6	20	\$452.00
21	100	\$1,576.00
101	1,000	\$7,511.00
More than 1,000		\$73,346.00

To avoid delays it is highly recommended that you register on-line. Go to <http://www.ucr.in.gov/> and follow the step by step instructions. The online system is operated by the State of Indiana and there are two convenience fees with each renewal (\$3 to the State of Indiana and either a \$1 e-check fee or 2.5% of the total due for credit cards (Visa & Mastercard)).

If you plan on registering by mail or in person complete the [application](#) and [instructions](#) and print/mail to:

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604

Questions: (785)-271-3145

Office Hours are 8 am to 5 pm, Monday – Friday
The office will be closed for [holidays](#).

INSTRUCTIONS FOR COMPLETION OF FORMS

1. MOTOR CARRIER COMPLIANCE CHECKLIST (page 6a):

This form provides a convenient checklist for recording completion of: 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).

NOTE: The driver qualification checklist is not required for KCC regulation compliance but is an aid to assist you with your tracking of your compliance of the safety regulations.

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. A copy of the Kansas request form is found on page 10 of this book. 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 get the driver's MVR annually.

For online Kansas MVR's 24/7/365 go to: http://www.accesskansas.org/ssrv-mvr-ltd/

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

(Part 391.23) (b) and (c) (1) Each motor carrier must make an investigation of the driver's employment record 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 investigation history file for three years after the person's employment by the motor carrier ceases. (pages 11 & 12)

5. DRIVER'S PHYSICAL EXAMINATION:

(Part 391.45) All persons driving a commercial motor vehicle are required to obtain a physical examination at least every twenty-four months. The examination must be made by a qualified medical examiner and shall be recorded on the medical report form. A copy of the medical examiner's certificate shall be retained in the driver qualification file for three years from the date of execution. The duplicate or card is given to the driver to be carried at all times. The examination form contains medical information and should be retained in a confidential manner. Areas on the medical examination report to review are: hearing; vision (20x40 in both eyes); blood pressure (140/90 max); and sugar present in urine indicating diabetes. To download the form go to: <http://www.fmcsa.dot.gov/documents/safetyprograms/Medical-Report.pdf>

Note: Only a copy of the medical examiner's certificate (driver's wallet card) is required to be maintained in the driver qualification file.

INSTRUCTIONS FOR COMPLETION OF FORMS (CONINUED)

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 employees 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)

11. MEDICAL EXAMINERS CERTIFICATE:

The medical examiners certificate needs to be carried by the driver at all times when driving a commercial motor vehicle.

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 and 8. NOTE: Item numbers 3, 6, 7 and 8 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. Review of Driving Record/Certification of violations (Part 391.25 (c) (2) and 391.27) (d)
8. 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.

Part 391 - DRIVER QUALIFICATION FILE - CHECK LIST

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

1. ____ Driver Application for Employment (Part 391.21)
2. ____ Pre-employment inquiry to state agencies - Motor Vehicle Record (MVR)(Part 391.23(a)(1) and (b))
3. ____ Annual inquiry to state agencies for three years (MVR) (Part 391.25(a) **every year**)
4. ____ Medical examiner's certificate (Part 391.43) (NOTE: The driver need to have a copy of the medical examiners certificate in his/her possession while driving Part 391.41) Original long form (medical examination report) should be retained in a separate confidential medical file.
<http://www.fmcsa.dot.gov/documents/safetyprograms/Medical-Report.pdf>
5. ____ 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)
6. ____ Annual driver's certification of violations (Part 391.27)
7. ____ Annual review of driving record (Part 391.25) (c) (2)
8. ____ Driver data sheet (Part 395.8(j)(2))
9. ____ Pre-employment & random alcohol and controlled substance testing (382.301) and (382.305)
10. ____ Entry -level driver training certification (380.503)

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 in Kansas:**
 - CMV'S used to transport Hazardous Materials need to have at least a 10 B:C fire extinguisher; and
 - Cargo tank CMV's requiring a flammable liquid placard must have at least two (2) 10 B:C fire extinguishers or one (1) 20 B:C fire extinguisher housed in a weather-tight enclosure.
3. ____ Spare fuses if the vehicle does not have circuit breakers.

PART 395 - HOURS OF SERVICE OF DRIVERS

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))

PART 396 - INSPECTION, REPAIR AND MAINTENANCE

4. ____ 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)
5. ____ Daily post-trip inspection on each commercial vehicle must be completed and maintained for ninety days (396.11)
6. ____ 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)

PART 390 - MCS-150

1. ____ Application required for Intrastate and Interstate before you begin operations
2. ____ Every 12 months must be updated (390.19)
3. ____ Marking of vehicle required (390.21)

**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 its 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
(816) 842-5070

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

Motor Carrier Services Bureau (KTC)
Interstate Registration Plan (IRP)
1500 SW Arrowhead Road
Topeka, Kansas 66604-4027
(785) 271-3145

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
915 Harrison Street
Topeka, Kansas 66625-8100
(785) 291-3898

J. J. Keller & Associates, Inc.
145 W Wisconsin Avenue
Neenah, Wisconsin 54956
(800)-558-5011

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



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

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.)

<p><input type="checkbox"/> Vehicle registration/title information</p> <p>Name: _____ Address: _____ City: _____ State: _____ Make/Model: _____ Year: _____ Plate No: _____ VIN: _____</p>	<p><input type="checkbox"/> Driver's License information</p> <p>Name: _____ Address: _____ City: _____ State: _____ DL No: _____ Date of Birth: _____</p>
---	---

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

<table border="0"> <tr><td><input type="checkbox"/> Vehicle Registration Record</td><td style="text-align: right;">(FEE) \$10.00</td></tr> <tr><td><input type="checkbox"/> Vehicle Title History (microfilm review)</td><td style="text-align: right;">\$25.00</td></tr> <tr><td><input type="checkbox"/> Certified Title History (microfilm review)</td><td style="text-align: right;">\$30.00</td></tr> <tr><td><input type="checkbox"/> Vehicle Information for Dealers</td><td style="text-align: right;">\$1.00 per page</td></tr> </table>	<input type="checkbox"/> Vehicle Registration Record	(FEE) \$10.00	<input type="checkbox"/> Vehicle Title History (microfilm review)	\$25.00	<input type="checkbox"/> Certified Title History (microfilm review)	\$30.00	<input type="checkbox"/> Vehicle Information for Dealers	\$1.00 per page	<table border="0"> <tr><td><input type="checkbox"/> Motor Vehicle Record</td><td style="text-align: right;">(FEE) \$10.00</td></tr> <tr><td><input type="checkbox"/> Certified Motor Vehicle Record</td><td style="text-align: right;">\$15.00</td></tr> <tr><td><input type="checkbox"/> Clearance Letters</td><td style="text-align: right;">\$15.00</td></tr> <tr><td><input type="checkbox"/> Drivers License Folders</td><td style="text-align: right;">\$20.00</td></tr> <tr><td><input type="checkbox"/> Certified Driver's License Folders</td><td style="text-align: right;">\$25.00</td></tr> </table>	<input type="checkbox"/> Motor Vehicle Record	(FEE) \$10.00	<input type="checkbox"/> Certified Motor Vehicle Record	\$15.00	<input type="checkbox"/> Clearance Letters	\$15.00	<input type="checkbox"/> Drivers License Folders	\$20.00	<input type="checkbox"/> Certified Driver's License Folders	\$25.00
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<input type="checkbox"/> Drivers License Folders	\$20.00																		
<input type="checkbox"/> 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:

Kansas Department of Revenue
Titles and Registration
915 SW Harrison
Topeka, KS 66626-0001
Phone: (785) 296-3621

For driver's license records:

Kansas Department of Revenue
Driver Control
PO Box 12021
Topeka, KS 66612-2021
Phone: (785) 296-3671

For apportioned vehicle records:

Kansas Department of Revenue
Motor Carrier Services
1500 SW Arrowhead Dr
Topeka, KS 66604-4027
Phone: (785) 271-3145

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) _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 20px;"> First M.I. Last Social Security Number </div> Hereby authorize: _____ <div style="display: flex; justify-content: flex-end; width: 80%; margin-right: 20px;"> Date of Birth </div> 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 _____ <div style="text-align: center; margin-left: 100px;">(employment application date)</div> 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: _____ <div style="display: flex; justify-content: space-between; width: 80%; margin-left: 20px; margin-top: 20px;"> Applicant's Signature Date </div> 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 <input type="checkbox"/> No <input type="checkbox"/> Employed as _____ from (m/y) _____ to (m/y) _____ 1. Did he/she drive motor vehicle for you? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what type? Straight Truck <input type="checkbox"/> Tractor-Semitrailer <input type="checkbox"/> Bus <input type="checkbox"/> Cargo Tank <input type="checkbox"/> Doubles/Triples <input type="checkbox"/> Other (Specify) _____ 2. Reason for leaving your employ: Discharged <input type="checkbox"/> Resignation <input type="checkbox"/> Lay Off <input type="checkbox"/> Military Duty <input type="checkbox"/> If there is no safety performance history to report, check here <input type="checkbox"/> , 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 <input type="checkbox"/> here if there is no accident register data for this driver.																									
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;"></th> <th style="width:20%;">Date</th> <th style="width:20%;">Location</th> <th style="width:15%;"># Injuries</th> <th style="width:15%;"># Fatalities</th> <th style="width:30%;">Hazmat Spill</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>2.</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>3.</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			Date	Location	# Injuries	# Fatalities	Hazmat Spill	1.	_____	_____	_____	_____	_____	2.	_____	_____	_____	_____	_____	3.	_____	_____	_____	_____	_____
	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: _____ _____ _____ _____ <div style="text-align: right; margin-top: 20px;"> Signature: _____ Title: _____ Date: _____ </div>																									

PREVIOUS EMPLOYER – COMPLETE PAGE 2 PART 3

PART 3:	TO BE COMPLETED BY PREVIOUS EMPLOYER
DRUG AND ALCOHOL HISTORY	
<p>If driver was not subject to Department of Transportation testing requirements while employed by this employer, please check here <input type="checkbox"/>, fill in the dates of employment from _____ to _____, complete bottom of Part 3, sign, and return.</p> <p>Driver was subject to Department of Transportation testing requirements from _____ to _____.</p> <ol style="list-style-type: none"> 1. Has this person had an alcohol test with the result of 0.04 or higher alcohol concentration? YES <input type="checkbox"/> NO <input type="checkbox"/> 2. Has this person tested positive or adulterated or substituted a test specimen for controlled substances? YES <input type="checkbox"/> NO <input type="checkbox"/> 3. Has this person refused to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test? YES <input type="checkbox"/> NO <input type="checkbox"/> 4. Has this person committed other violations of Subpart B of Part 382, or Part 40? YES <input type="checkbox"/> NO <input type="checkbox"/> 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 <input type="checkbox"/> NO <input type="checkbox"/> 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 <input type="checkbox"/> NO <input type="checkbox"/> <p>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.</p> <p>Name: _____</p> <p>Company: _____</p> <p>Street: _____</p> <p>City, State, Zip: _____ Telephone: _____</p> <p>Part 3 Completed by (Signature): _____ Date: _____</p>	

PART 4a:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER
<p>This form was (check one) <input type="checkbox"/> Faxed to previous employer <input type="checkbox"/> Mailed <input type="checkbox"/> Emailed <input type="checkbox"/> Other _____</p> <p>By: _____ Date: _____</p>	

PART 4b:	TO BE COMPLETED BY PROSPECTIVE EMPLOYER
<p>Complete below when information is obtained.</p> <p>Information received from: _____</p> <p>Recorded by: _____ Method: <input type="checkbox"/> Fax <input type="checkbox"/> Mail <input type="checkbox"/> Email <input type="checkbox"/> Telephone</p> <p>Date: _____ <input type="checkbox"/> Other _____</p>	

INSTRUCTIONS TO COMPLETE THE SAFETY PERFORMANCE HISTORY RECORDS REQUEST

- | |
|--|
| <p>PAGE 1 PART 1: Prospective Employee</p> <ul style="list-style-type: none"> • Complete the information required in this section • Sign and date • Submit to the Prospective Employer <p>PAGE 2 PART 4a: Prospective Employer</p> <ul style="list-style-type: none"> • Complete the information • Send to Previous Employer <p>PAGE 1 PART 2: Previous Employer</p> <ul style="list-style-type: none"> • Complete the information required in this section • Sign and date • Turn form over to complete SIDE 2 SECTION 3 |
|--|

- | |
|---|
| <p>PAGE 2 PART 3: Previous Employer</p> <ul style="list-style-type: none"> • Complete the information required in this section • Sign and date • Return to Prospective Employer <p>PAGE 2 PART 4b: Prospective Employer</p> <ul style="list-style-type: none"> • Record receipt of the information • Retain the form |
|---|

Medical Examination Report FOR COMMERCIAL DRIVER FITNESS DETERMINATION

1. DRIVER'S INFORMATION

Driver completes this section.

Driver's Name (Last, First, Middle)	Social Security No.	Birthdate M / D / Y	Age	Sex <input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> New Certification <input type="checkbox"/> Recertification <input type="checkbox"/> Follow Up	Date of Exam
Address	City, State, Zip Code	Work Tel: () Home Tel: ()	Driver License No.	License Class <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> Other	State of Issue	

2. HEALTH HISTORY

Driver completes this section, but medical examiner is encouraged to discuss with driver.

<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Any illness or injury in last 5 years? <input type="checkbox"/> Head/Brain injuries, disorders or illnesses <input type="checkbox"/> Seizures, epilepsy <input type="checkbox"/> medication _____ <input type="checkbox"/> Eye disorders or impaired vision (except corrective lenses) <input type="checkbox"/> Ear disorders, loss of hearing or balance <input type="checkbox"/> Heart disease or heart attack; other cardiovascular condition <input type="checkbox"/> medication _____ <input type="checkbox"/> Heart surgery (valve replacement/bypass, angioplasty, pacemaker) <input type="checkbox"/> High blood pressure <input type="checkbox"/> medication _____ <input type="checkbox"/> Muscular disease <input type="checkbox"/> Shortness of breath</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Lung disease, emphysema, asthma, chronic bronchitis <input type="checkbox"/> Kidney disease, dialysis <input type="checkbox"/> Liver disease <input type="checkbox"/> Digestive problems: <input type="checkbox"/> Diabetes or elevated blood sugar <input type="checkbox"/> diet _____ pills _____ <input type="checkbox"/> nervous or anxiety disorders, e.g., severe depression <input type="checkbox"/> medication _____ <input type="checkbox"/> Loss of or altered consciousness</p>
<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Fainting, dizziness <input type="checkbox"/> Sleep disorders, pauses in breathing while asleep, daytime sleepiness, loud snoring <input type="checkbox"/> Stroke or paralysis <input type="checkbox"/> Missing or impaired hand, arm, foot, leg, finger, toe <input type="checkbox"/> Spinal injury or disease <input type="checkbox"/> Chronic low back pain <input type="checkbox"/> Regular, frequent alcohol use <input type="checkbox"/> Narcotic or habit forming drug use</p>	

For any YES answer, indicate onset date, diagnosis, treatment, physician's name and address, and any current limitation. List all medications (including over-the-counter medications) used regularly or recently.

I certify that the above information is complete and true. I understand that inaccurate, false or missing information may invalidate the examination and my Medical Examiner's Certificate.

Medical Examiner's Comments on History (The medical examiner must review and discuss with the driver any "yes" answers and potential hazards of medications, including over-the-counter medications, while driving.)

Driver's Signature _____ Date _____

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 _____
 Knowledge 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 _____ Type of Power Unit _____
 Social Security Number _____ Type of Trailer(s) _____
 Operator's or Chauffeur's License Number _____ If Passenger Carrier, Type of Bus _____

This is 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 _____

**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
<p>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 Regulation. His or her current medical examiner's certificate expires on:</p> <p>Medical Certificate expires: _____</p> <p>This certificate expires on: _____ (Date not later than expiration date of medical certificate)</p> <p>Issued by: _____ (Name of Carrier) (Address) (State) (Zip Code)</p> <p>_____ _____ _____ (Signature of Carrier) (Title) (Date)</p>	

**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):	
<input type="checkbox"/> Meets minimum requirements for safe driving	<input type="checkbox"/> Is disqualified to drive a motor vehicle pursuant to Section 391.15
<input type="checkbox"/> 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

Effective October 1, 2005: A motor carrier of property cannot allow or require any driver to drive:

- (1) More than 11 hours following 10 consecutive hours off duty; or
- (2) After being on duty 14 hours; or
- (3) After being on duty more than 60/70 hours in any 7/8 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 may restart a 7/8 consecutive day period after taking 34 or more consecutive hours-off-duty

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 7 days, except following a 34-hour restart of a 7/8 day period

“New” 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

“New” 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 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;

100 air-mile radius 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 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 following 10 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

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

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION REV. 67

DRIVER'S DAILY LOG
One calendar day - 24 hours

ORIGINAL - File each day at home terminal
DUPLICATE - Driver retains possession for one month

(Month) _____ (Day) _____ (Year) _____ (Total miles driving today)

Vehicle numbers - (Show each unit)

I certify these entries are true and correct:

(Driver's signature in full)

(Name of co-driver)

(Name of Carrier or Carriers)

(Main Office Address)

	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	Total Hours
1: OFF DUTY	[Vertical bars]																							
2: SLEEPER BERTH	[Vertical bars]																							
3: DRIVING	[Vertical bars]																							
4: ON DUTY (Not Driving)	[Vertical bars]																							
MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	
REMARKS	[Vertical bars]																							

Pro or Shipping No. _____

DRIVER'S TIME RECORD

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 headquarters.
 *Returns to headquarters and is released from work within 12 consecutive hours
 *At least 8 hours off duty for passenger carriers and 10 hours off duty for property carriers.

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.

This letter authorizes our driver _____
to be Off-duty During meal and other routine stops.

The purpose of the Federal Department of Transportation Hours of Service Regulations (Part 395) is to keep tired drivers from operating vehicles. Under certain circumstances, however, it appears that en route stops for meals or other routine purposes may serve to lessen a driver's fatigue.

Therefore, this letter is authorization for you to record your meal or other routine stops on your logs as Off-Duty, rather than On-Duty Not Driving as would normally be the case. However, this may be done only under all of the following circumstances.

1. Your vehicle must be parked in a safe and secure manner so as to prevent obstruction of traffic and theft or damage to the vehicle and cargo.
2. The off-duty period must be no less than 30 minutes and no longer than 60 minutes.
3. During the off-duty period, you are relieved from responsibility from your vehicle and cargo.
4. During the off-duty period, you are free to leave the premises on which your vehicle is parked and to pursue activities of your choosing, as long as your ability to safely operate your vehicle is not impaired as required by Part 392, "Driving of Vehicles," of the Federal Motor Carrier Safety Regulations.

Driver Supervisor

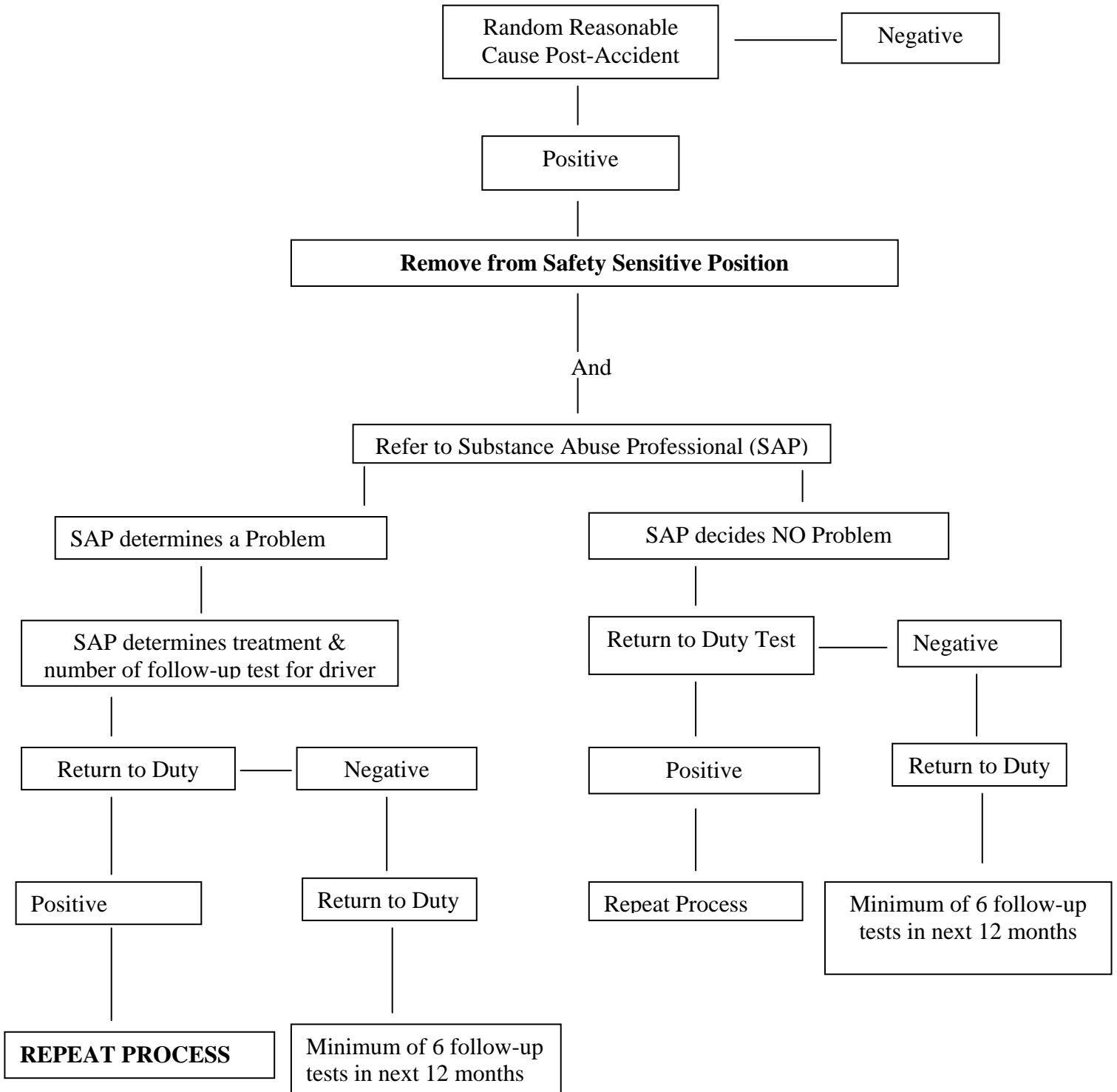
Date

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 it's own investigation as to sources.)

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 Glastonbury, CT 800.253.5506x0728 800.815.0728
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 877.599.5300
Assured Occupational Solutions Inc 1005 Main St 785.890.5738 Goodland, KS 785.821.1767	HMA MedWorks LLC Wichita, KS 316.686.0400
Assured Occupational Solutions Inc 308 W Central 316.321.3313 El Dorado, KS 316.323.0841	Assured Occupational Solutions Inc 1401 S Hwy 81 ByPass 620.504.6614 McPherson, KS 620.386.0825

CONTROLLED SUBSTANCE FLOW CHART



CANNOT USE DRIVER UNTIL A NEGATIVE 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.

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.

- _____ Successfully completed a state or federal sponsored training program which qualifies me to perform as a commercial vehicle safety inspector.
- _____ One-year of training and/or experience in truck manufacturer or similar commercially sponsored training designed to train in truck maintenance.
- _____ One-year experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet-leasing or similar facility.
- _____ 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)

- _____ 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 _____

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

 Mechanics Signature Date Driver's Signature Date

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.

ENVIRONMENTAL 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.

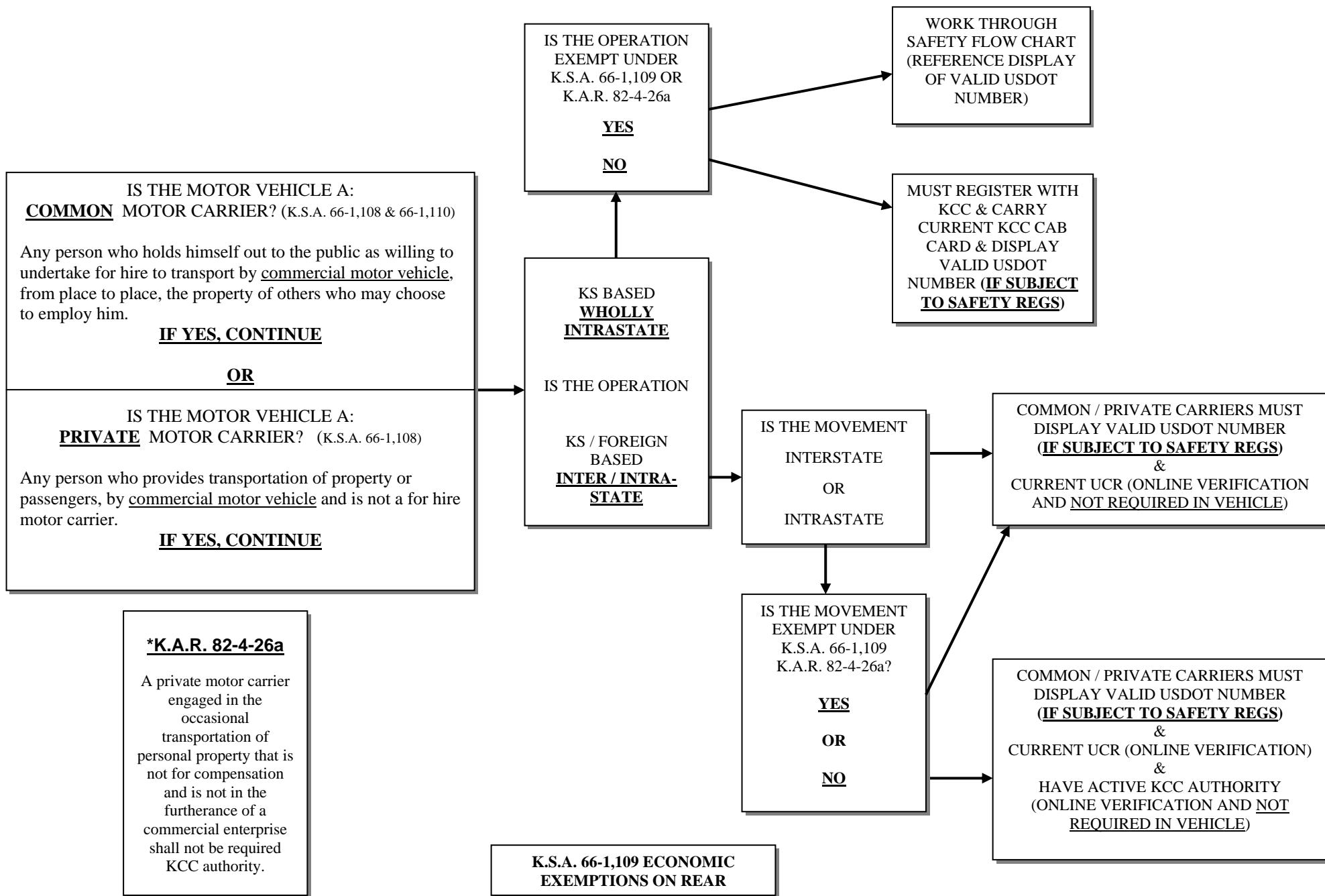
The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

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.

APPLYING KCC ECONOMIC REGULATIONS

(Enforcement K.S.A. is 66-1,111 (KCC Authority))
 (K.S.A. 66-1,129, K.A.R. 82-4-3h & 82-4-30a(d) (UCR))

(10/2008)
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KCC ECONOMIC EXEMPTIONS K.S.A. 66-1,109 (INTRASTATE ONLY)

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

APPLYING KCC SAFETY REGULATIONS

(Enforcement is K.S.A. 66-1,129 K.A.R. 82-4-3 (safety) & 82-4-20 (Haz. Mat.))

Is the vehicle a **Commercial Motor Vehicle?**
CMV Definition K.A.R.82-4-1(c)

Is the GVWR or GCWR **over** 10,000 pounds?
IF YES, CONTINUE

OR

Is it designed to transport 16 or more passengers, including the driver?
IF YES, CONTINUE

OR

Is it designed to transport more than 6 passengers, including the driver, (operating in **intrastate** commerce)? (subject to hours of service regulations only, 49 C.F.R. Part 395)
IF YES, CONTINUE

OR

Is it used in transporting an amount of Hazardous Material requiring Placarding?
IF YES, CONTINUE

IS THE MOTOR VEHICLE A:

COMMON MOTOR CARRIER? K.S.A. 66-1,108 & 66-1,110

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.
IF YES, CONTINUE

OR

IS THE MOTOR VEHICLE A:

PRIVATE MOTOR CARRIER? K.S.A 66-1,108

Any person who provides transportation of property or passengers, by commercial vehicle and is not a for hire motor carrier.
IF YES, CONTINUE

IS THE OPERATION EXEMPT UNDER K.S.A. 66-1,129(C) or K.A.R. 82-4-3(d)?
IF NO, CONTINUE

KCC SAFETY REGULATIONS APPLY & MUST DISPLAY USDOT NUMBER

NOTE

Check K.A.R. 82-4-3(a)(6) & (j) for possible HOS exceptions

IS THE OPERATION **INTRASTATE**

OR

IS THE OPERATION **INTERSTATE?**

IS THE OPERATION EXEMPT UNDER K.A.R. 82-4-3(d)?
IF NO, CONTINUE

KCC SAFETY REGULATIONS APPLY & MUST DISPLAY USDOT NUMBER

NOTE

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

K.S.A. 66-1,129 & K.A.R. 82-4-3(a)(6), (d) & (j)
SAFETY EXEMPTIONS
ON REAR

SAFETY EXEMPTIONS 66-1,129(c) (INTRASTATE ONLY)

66-1,129

Chapter 66.--PUBLIC UTILITIES

Article 1.--POWERS OF STATE CORPORATION COMMISSION

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 motor carrier, operating as a carrier of intrastate commerce within this state, shall be at least 18 years of age. Every driver of a private motor carrier, operating as a carrier of intrastate commerce within this state, shall be at least 16 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) Any rules and regulations of the commission, adopted pursuant to this section, shall not apply to the following, while engaged in the carriage of intrastate commerce in this state:
 - 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) (A) Except for motor vehicles under subparagraph (B), motor vehicles, with a GVWR of 26,000 lbs. or less, 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, except vehicles transporting hazardous materials which require placards.
(B) Except vehicles transporting hazardous materials which require placards, motor vehicles, with a GVWR of 26,000 lbs. or less, carrying tools, property or material belonging to the owner of the vehicle, and used in repair, building or construction work and such tools, property or material are being transported to or from an active construction site located within a radius of 25 miles of the principal place of business of the motor carrier.
 - 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)(B)

(B) 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 drivers transporting agricultural commodities or farm supplies for agricultural purposes if the transportation meets the following conditions:

“(A) Is limited to an area within a 100-air-mile radius from the source of the commodities or the distribution point for the farm supplies; and

“(B) is conducted within the planting and harvesting seasons.

“(2) ‘Planting and harvesting seasons’ means the time periods for planting and harvesting that occur between January 1 and December 31.”

(C) 49 C.F.R. 395.1(q) shall be deleted.

(2) The following revisions shall be made to 49 C.F.R. 395.2:

(A) The definition of “agricultural commodity” shall be deleted and replaced by the following:

“‘Agricultural commodity’ means the unprocessed products of agriculture, horticulture, and cultivation of the soil, including wheat, corn, hay, milo, sorghum, sunflowers, and soybeans. Agricultural commodities shall not include livestock, honey, poultry products, timber products, and nursery stock.”

(B) The definition of “farm supplies” shall be deleted and replaced by the following: “‘Farm supplies’ means supplies or equipment for use in the planting or harvesting of agricultural commodities and livestock feed.”

66-1,129a
Chapter 66.--PUBLIC UTILITIES
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.

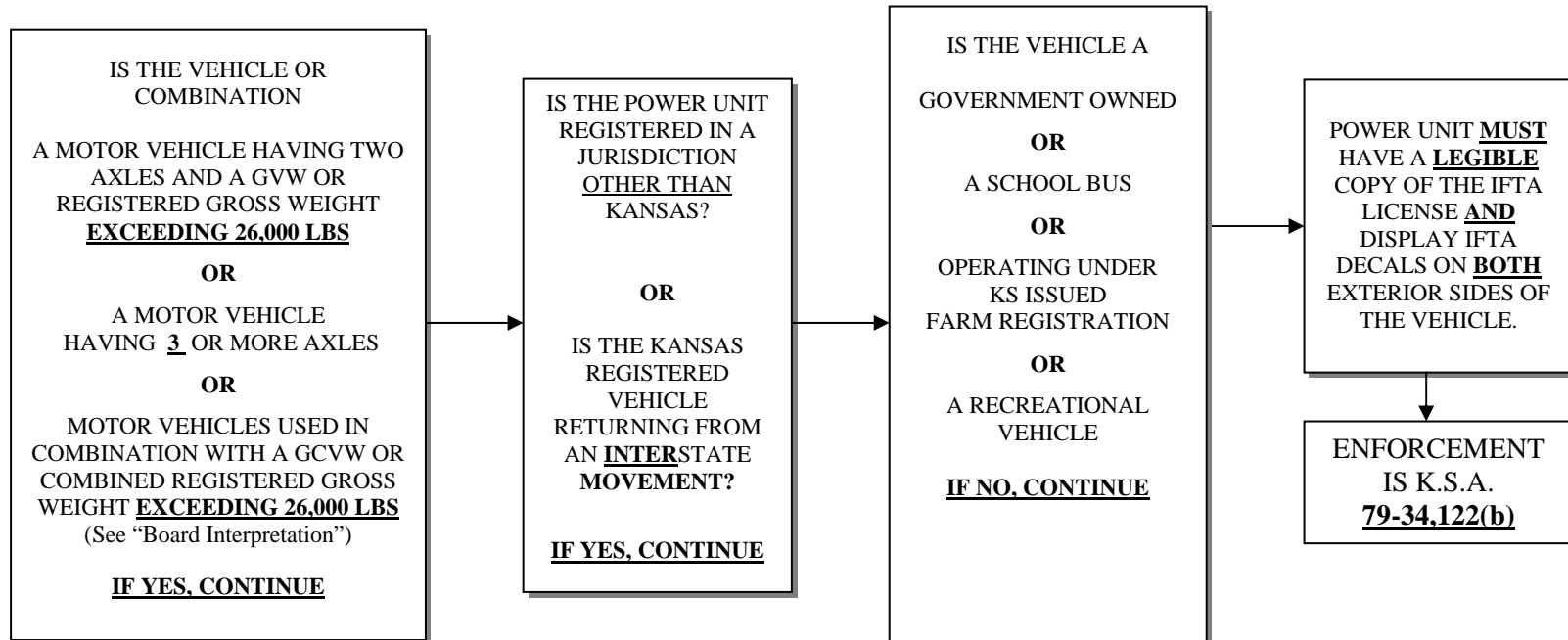
(d) If the owner of a motor vehicle which has been impounded pursuant to this section refuses to pay any towing, impoundment, storage or other fees related to the impoundment of such vehicle or fails to take possession of such vehicle within 30 days following the date of the expiration of the impoundment 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
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BOARD INTERPRETATION:

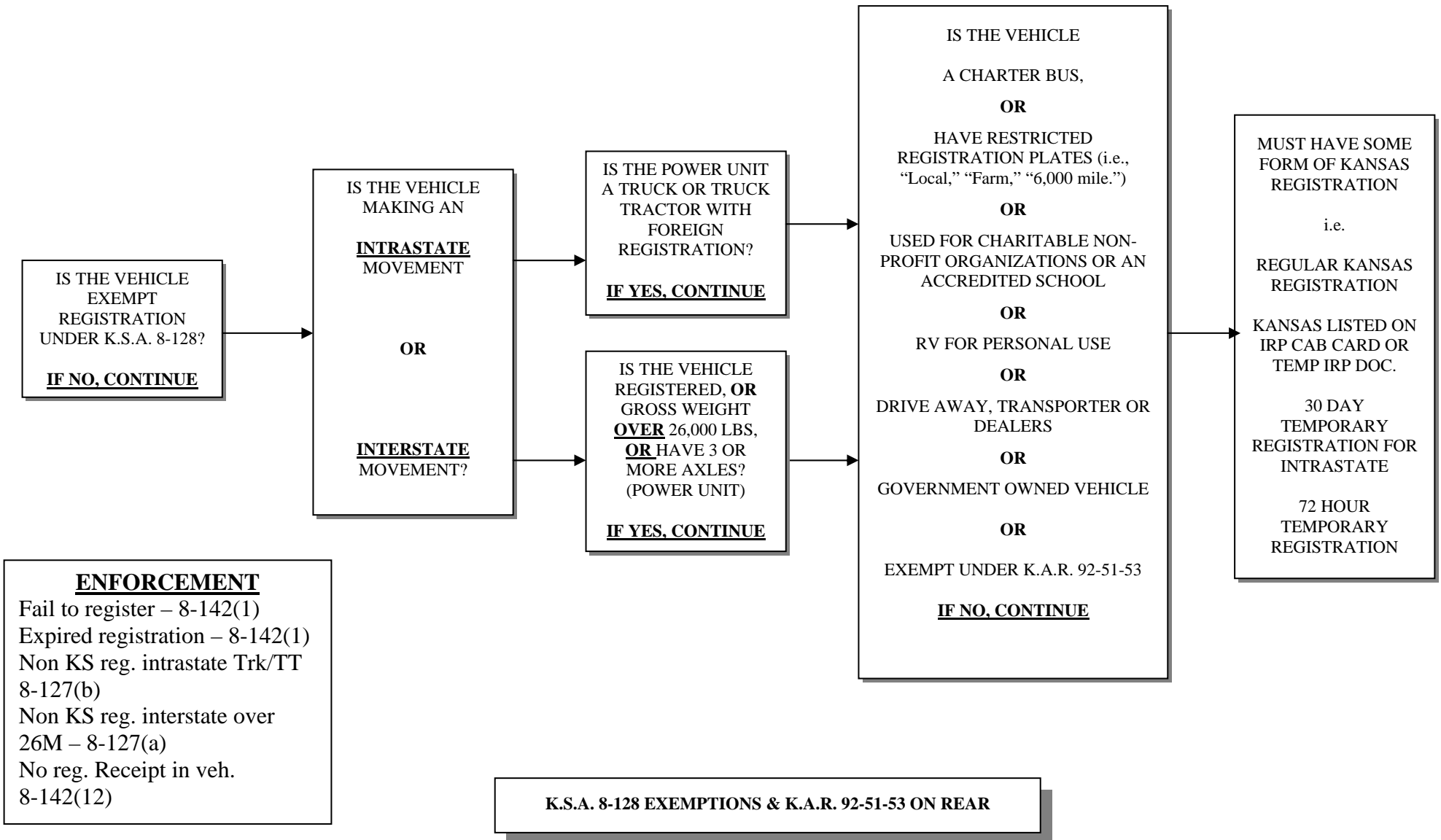
The Consensus Board Interpretation is that the axles of a trailing unit have no bearing on this definition. The part of the definition alluding to the number of axles applies only to the axles on the power unit, irrespective of any trailing units. The Board agreed that a power unit with two axles, pulling 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 IRP REGISTRATION

“a.k.a. Apportioned Registration”

(10/2008)

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K.S.A. 8-128

- a) The following need not be registered under this act, any
 - (1) Implement of husbandry;
 - (2) All-terrain vehicle;
 - (3) Work-site utility vehicle;
 - (4) Road roller or road machinery temporarily operated or moved upon the highways;
 - (5) Municipally owned fire truck;
 - (6) Privately owned fire truck subject to a mutual aid agreement with a municipality;
 - (7) 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;
 - (8) 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
 - (9) 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.

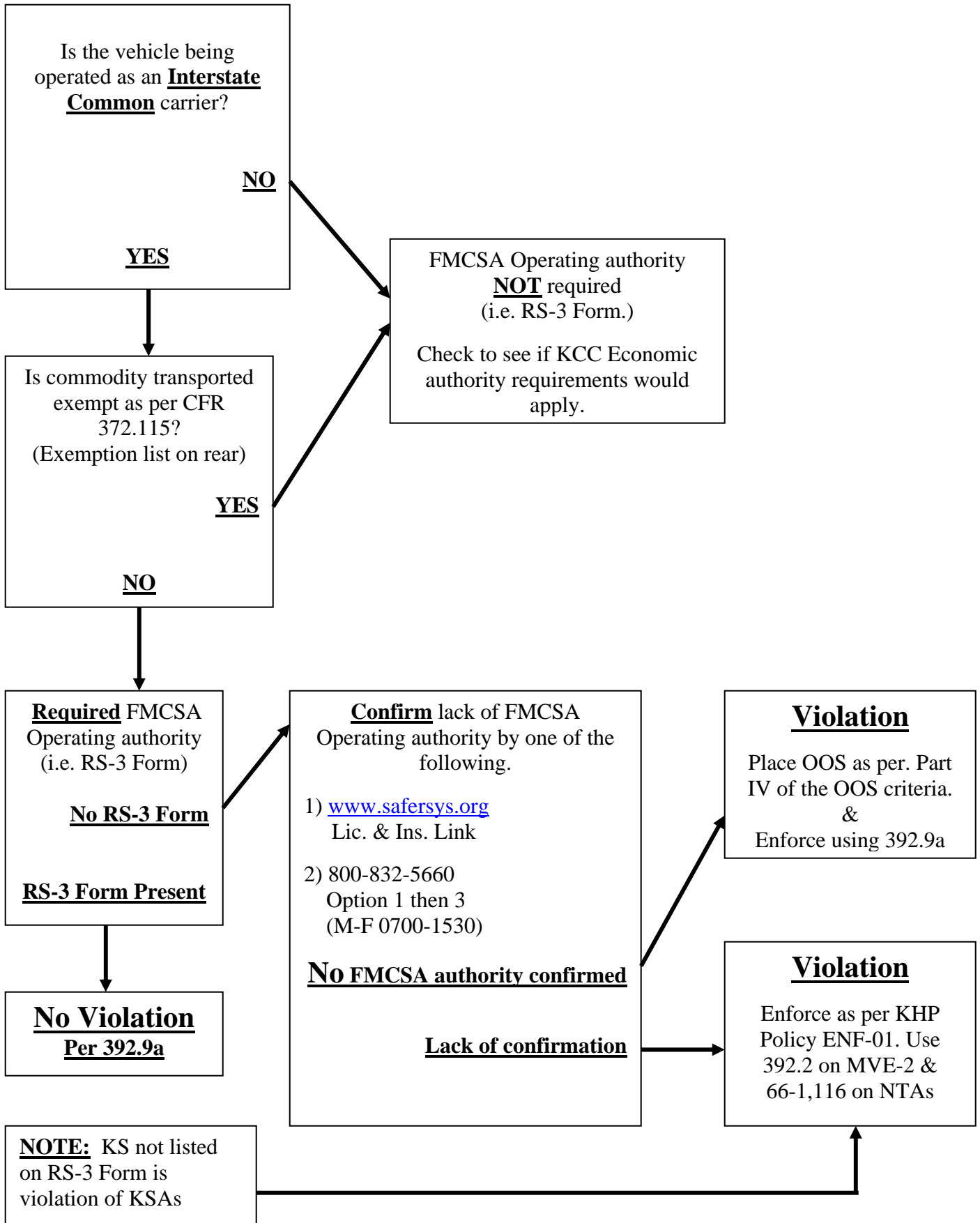
K.A.R. 92-51-53 Vehicles exempt from apportioned registration.

- (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)

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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.



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Driving Tips

- Never drive around lowered gates- it's illegal and deadly.
- Never race a train to the crossing – even if you tie, you lose.
- Do not get trapped on the tracks. Remember, the train is at least three feet wider than the tracks.
- If your vehicle stalls on a crossing, immediately get everyone out and far away from the tracks. Call your local law enforcement agency for assistance.
- Trains cannot stop quickly.
- At multiple tracks check for trains approaching in either direction.
- **ALWAYS EXPECT A TRAIN!**

Highway-Rail Facts

- Approximately every two hours, either a vehicle or pedestrian is stuck by a train in the United States.
- A motorist is 20 times more likely to die in a crash involving a train than in a collision involving another motor vehicle.
- Nearly 50 percent of vehicle/train collisions occur at crossings with active warning devices.
- Nearly half of all highway-rail crashes occur when the train is traveling less than 30 mph.
- Railroad tracks, trestles, yards and equipment are private property.
- **ANY TIME IS TRAIN TIME!**

For a Free Kansas Operation Lifesaver Presentation detach and mail to the address above.

Your Name: _____

Group Name or Organization: _____

Address: _____

Telephone: _____

Email: _____



MOTOR CARRIER FACT SHEET FOR SAFETY BELTS

- National safety belt use rate for motor carrier drivers is 48%.
- Federal Motor Carrier Safety Regulations (49 CFR 392.16) require commercial motor vehicle drivers to wear safety belts.
 - Enforcement officers have the authority to pull drivers over (primary offense) to write citations.
 - Federal violation allows for a fine up to \$2,700.
 - Kansas violation allows for a fine up to \$500.
- National data for 2003:
 - One out of nine traffic fatalities resulted from a collision involving a large truck.
 - About 27,000 large truck occupants suffer nonfatal injuries.
 - More than half of the 620 truckers killed in crashes were unbuckled.
 - 70% of the truck drivers killed, who were not wearing a safety belt, were killed in single vehicle crashes.
 - 51% of truck occupant fatalities involve rollover.
 - 135 of the drivers that were killed were ejected.
 - Drivers in rollover crashes are 80% less likely to die when wearing safety belts.
 - 68% of the fatal crashes occurred in rural areas.
 - 66% of the fatal crashes occurred during the daytime.
 - 8% of fatal crashes involved large trucks.
- Kansas data for 2003:
 - 4,175 crashes and 70 fatalities occurred involving large trucks.
 - 11.1% of fatal crashes in Kansas involved large trucks.

MOTOR CARRIER ENFORCEMENT PERIOD MAY 23 - JUNE 9, 2005

