

Driver Qualification File Starter Packet

The current 49 CFR Part 391 checklist for small fleets: every required document with its citation, the pre-hire and annual timelines, retention rules, and the audit findings that catch carriers most often.

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How to use this packet: print it, pull one driver file, and check it line by line. If anything is missing or expired, you have found it before an auditor does. Questions? clay@dotfleetcompliance.com — a specialist responds within 1 business day.

FIRST QUESTION

Who needs driver qualification files?

In **interstate commerce**, FMCSA driver qualification rules generally apply to any driver operating a commercial motor vehicle that meets **any one** of these tests:

■ Gross vehicle weight rating or gross combination weight rating (or actual weight) of 10,001 lbs or more	49 CFR 390.5	The common one
■ Designed or used to transport 9 or more passengers (including driver) for compensation	49 CFR 390.5	For-hire passenger
■ Designed or used to transport 16 or more passengers (including driver), not for compensation	49 CFR 390.5	Private passenger
■ Transporting hazardous materials in placardable quantities	49 CFR 390.5	Any size vehicle

The 10,001-lb threshold surprises people. The familiar 26,001-lb figure is the **CDL** threshold — a different rule. A 14,000-lb GVWR flatbed crossing state lines needs a full DQ file even though the driver holds no CDL. Most dump trucks, box trucks, and pickup-and-gooseneck combinations qualify. Intrastate-only carriers: check your state rules — most mirror the federal requirements.

BEFORE FIRST DISPATCH

The at-hire checklist

Every document below belongs in the driver qualification file **before the driver first operates** a CMV for you. Current as of 2026 — note the items that changed in 2022 and 2025.

■ Employment application, completed and signed, covering the full required history	§391.21	Get it before anything else
■ Motor vehicle record (MVR) from each licensing authority where the driver held a license or permit in the past 3 years — including other states, Canada, or Mexico	§391.23(a)(1)	Within 30 days of hire
■ Safety performance history investigation of each DOT-regulated employer from the past 3 years — with your inquiry attempts documented even when former employers do not respond	§391.23(a)(2), (d)	Within 30 days of hire
■ Road test certificate and a copy of the test form — or the accepted equivalent (a valid CDL skills test or prior certificate meeting §391.33)	§391.31–.33	Before first dispatch
■ Medical certification: non-CDL drivers — copy of the paper medical examiner's certificate, plus a note verifying the examiner was listed on the National Registry on exam date	§391.43–.51	Before first dispatch
■ Medical certification: CDL drivers — the driver's MVR showing current medical certification status (see the 2025 change below)	§391.41–.45	Before first dispatch

Changed June 23, 2025 (National Registry II): medical examiners now transmit CDL exam results electronically to FMCSA and on to state licensing agencies. For CDL drivers, the **MVR is the official proof of medical certification** — not the paper card. During the transition, FMCSA has allowed paper certificates as proof for up to 60 days after issuance under temporary waivers (most recently through April 10, 2026). Non-CDL drivers still use paper certificates.

AFTER HIRE — THE PART MOST FLEETS MISS

The ongoing maintenance cycle

A file that was perfect at hire goes out of compliance by itself. These clocks run for every driver, every year:

■ Annual MVR — a fresh motor vehicle record from each licensing authority, pulled at least once every 12 months	§391.25(a)	Every 12 months
■ Annual review of the driving record — a documented review of the MVR to determine the driver still meets minimum requirements, with a dated note identifying the reviewer kept in the file	§391.25(b)–(c)	Every 12 months
■ Medical recertification — a new exam before the current certification expires; certificates run a maximum of 24 months , and examiners often issue shorter periods for monitored conditions	§391.43–.45	Max every 24 months

Retention rules

Keep the DQ file for the **duration of employment plus 3 years**. Within the file, the MVRs, annual review notes, and medical certification records may be removed 3 years after the date they were created (§391.51(d)). When a driver leaves, do not shred the file — the 3-year clock is just starting.

One driver, one year — what it actually takes

Day 0 (offer)	Application signed; MVR + safety history inquiries sent
Before first dispatch	Road test done or equivalent accepted; medical certification verified and filed
Day 30	MVR responses and safety performance history investigation complete and documented
Every 12 months	Fresh MVR pulled; annual review of driving record completed, signed, and filed
Before med cert expires	Recertification exam scheduled with lead time; new proof filed (MVR for CDL, paper for non-CDL)
Separation + 3 years	File retained, organized, and producible on request

LEARN FROM OTHER CARRIERS' REVIEWS

The five findings that catch fleets most often

- 1. Files built from outdated checklists.** The annual "list of violations" (§391.27) was eliminated effective May 9, 2022 — it duplicated the annual MVR. Files still built from pre-2022 templates collect stale paperwork while missing current requirements, and stale templates rarely reflect the 2025 medical certification change either.
- 2. Undocumented safety history attempts.** When a former employer never responds, carriers often file nothing. The regulation requires documenting your good-faith attempts — the absence of that documentation is itself a violation.
- 3. Expired medical certification.** The single most common lapse. A driver operating without current certification is unqualified — an out-of-service condition — and for CDL drivers it now also triggers a license downgrade process at the state.
- 4. Missing annual reviews.** Pulling the annual MVR is not enough; the documented **review** of that record, with the reviewer identified and the note dated, is a separate requirement — and the one most often skipped.
- 5. Road test gaps.** No certificate on file, or reliance on a CDL equivalence that does not actually apply to the vehicle class or situation.

HONEST SCOPE

Beyond Part 391: what this packet does not cover

Driver qualification is one pillar of FMCSA compliance. These still apply to your fleet and need their own program:

■ Drug & alcohol testing program (pre-employment, random at FMCSA-set annual rates, post-accident, reasonable suspicion) plus Clearinghouse queries before hiring and annually	49 CFR Part 382	CDL drivers — use a consortium/TPA
■ Hours of service limits and ELD records — and checking your ELD against FMCSA's registered device list, which the agency actively prunes	49 CFR Part 395	Ongoing
■ Vehicle inspection, repair, and maintenance files; annual inspections; DVIRs	49 CFR Part 396	Per vehicle
■ Registration calendar: MCS-150 biennial update, UCR, insurance filings — and the new entrant safety audit within the first 12 months of a new authority	Various	Calendar-driven

About DotFleet Compliance. We are the outsourced driver qualification department for fleets of 1–50 trucks: files built and fixed, annual MVRs and reviews completed, medical certifications tracked, records retained and audit-ready. **\$75 per driver one time, then \$30 per driver per month.** Month to month, all 50 states, fully remote. Start with a free file review — you get a written gap report either way.

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Disclaimer: This packet is general information current as of July 2026, not legal advice. Regulations change — verify requirements against the current text of 49 CFR and FMCSA guidance at [ecfr.gov](https://www.ecfr.gov) and [fmcsa.dot.gov](https://www.fmcsa.dot.gov). DotFleet Compliance LLC is a private compliance administration service. We are not a law firm and are not affiliated with, endorsed by, or an agent of FMCSA, USDOT, or any government agency. For legal matters, consult a qualified transportation attorney.