

What to have ready for a USDOT or MSP Audit

Generally speaking, farm operations are exempted from many of the paperwork requirements typically required of a company that uses commercial motor vehicles. However, it is important to note that ALL of the requirements of the various exemptions must be met to qualify for the exemption.

If your operation does not meet the exemptions outlined below, the Michigan Center for Truck Safety provides free one-on-one assistance to Michigan companies to develop driver qualification files, vehicle maintenance records, and other required documents. For more information, call the Center at 800-682-4682.

1) Part 382, Drug and Alcohol Testing

The “F” endorsement is NOT a CDL and drug and alcohol testing is NOT required for drivers who meet all the requirements for the “F” endorsement (257.312e). Any driver who operates a vehicle that is required to have a CDL must be in a drug and alcohol testing program and the company must have a number of records related to that program.

2) Part 391, Driver Qualifications

State law (480.15(1)) exempts intrastate farm vehicle drivers from maintaining driver qualification files. To qualify for this exemption, a farm vehicle driver must use a commercial motor vehicle only for agricultural products, farm machinery, farm supplies, etc., to and from a farm, not operate for-hire, not transport hazardous materials in an amount that requires placards, and **remain within a 150 mile radius of the farm.**

For **interstate** farm vehicle drivers, single vehicle drivers are exempt from all of the driver qualification requirements. Combination vehicle drivers are exempt from maintaining driver qualification files, but must obtain and carry a medical certificate. If any of the farm vehicle driver exemptions are not met, companies are required to maintain driver files on each driver operating vehicle over 10,001 pounds. The driver file must include:

- 1) Employment Application
- 2) Previous employer background check
- 3) Copy of annual driver license record check
- 4) Road test certification OR copy of CDL license
- 5) Medical certificate (every 2 years or as specified by the medical examiner)
- 6) Drivers must provide employer with an annual list of driving violations

3) Part 395, Hours of Service

State law (480.15(1)) exempts **intrastate** farm vehicle drivers from maintaining log books and hours of service files. To qualify for the exemption, a farm vehicle driver must use a commercial motor vehicle only for agricultural products, farm machinery, farm supplies, etc., to and from a farm, not operate for-hire, not transport hazardous materials in an amount that requires placards, and **remain within a 150 mile radius of the farm.**

For **interstate** farm operations, log book requirements do not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes within a 100 air-mile radius of the farm (drivers must still comply with the driving hour limits and off-duty requirements). Operations exceeding the 100 air mile radius must maintain a log book and comply with the hours of service requirements. For these drivers, the company must maintain supporting documents for the log books, such as fuel receipts, trip reports, shipping papers, weight receipts, etc.

4) Part 396, Maintenance Records

All vehicles (each unit) must have an annual inspection on the vehicle and documentation in a vehicle maintenance file. In addition, there must be some type of maintenance records on each vehicle, and while no document is required, drivers must conduct post-trip inspections, unless the company or farmer has only one vehicle in their operation.