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## **Commercial Motor Vehicle Disqualification Rules (REVISED)**

*Written By Steve Lichtenberg, CSP, ARM  
Safety Consultant*

### **ATTENTION – All Businesses and Commercial Motor Vehicle Operators!**

**The Commercial Motor Vehicle (CMV) Disqualification Rules (REVISED) that were issued on July 31, 2002 and took effect on September 30, 2002 are required to be fully implemented by September 30, 2005!**

How does that affect CMV drivers with a Commercial Driver's License (CDL)?

Beginning on August 1, 2005 (Minnesota Statute Implementation Date; other States may start on September 30, 2005), the rules require states to disqualify CMV Drivers for offenses committed in **ANY TYPE OF VEHICLE**, including their personal cars and pickup trucks. This raises the responsibility of professional drivers to a new level and stresses the importance of safe driving 24 hours a day, seven days per week.

Major offenses in any type of vehicle could result in the disqualification of your CDL for one year after one conviction and up to life after two convictions.

Two or more convictions of serious traffic violations in any type of vehicle within a three-year period could result in a CDL disqualification for 60 – 120 days, or more than one year.

The revised disqualification rules are primarily found in 49 CFR 383.51 and include the following offenses and violations:

#### **Major Offenses (in any type of vehicle)**

Being under the influence of alcohol or drugs,  
Refusing an alcohol test,  
Leaving the scene of an accident, or  
Using a vehicle to commit a felony

#### **Major Offenses (in a CMV)**

Driving with an invalid license, and  
Causing a fatality through the negligent operation of a CMV.

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**Serious Traffic Violations (in any type of vehicle)**

Speeding by 15 mph or more,  
Driving recklessly,  
Making improper or erratic lane changes,  
Following too closely, or  
Violating a traffic control law in connection with a fatal accident.

**Serious Traffic Violations (in a CMV)**

Driving a CMV without a CDL, or  
Without having the proper endorsements.

Violating Out-of-Service Orders and Railroad-Highway Crossing Offenses still apply.  
Additional disqualification rules found in 49 CFR 391.15 were not changed.

**Retroaction**

The revised rules are not retroactive back to September 30, 2002.

**Exemptions**

A disqualification shall not be imposed on a recreational equipment vehicle operator, farmer, or firefighter authorized emergency vehicle operator operating a CMV. This exemption only applies to drivers operating under a Class “D” license (Minnesota Statute).

Finally, the Minnesota State Commissioner can no longer issue “Limited Driver’s Licenses” for Class A, Class B, or Class C licenses to any person whose license has been cancelled during the period of cancellation (Minnesota Statute 171.04[14]).

**Communication to Drivers**

It is very important to inform your drivers of these new rules and how they affect them and their privilege to drive.

We suggest you post this information near the other mandatory posters in your facility.