



TO: AGENCY HUMAN RESOURCES ADMINISTRATORS
DT: July 18, 2008
RE: Commercial Driver License Information

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Brenda L. Sisco
Commissioner

Purpose

This memorandum addresses several topics concerning acquiring, retaining and tracking Commercial Driver License (CDL) information for employees and potential employees who are required to possess such licensure in order to remain in their position with the State of Connecticut. Agencies with employees who are required to operate commercial motor vehicles must follow the procedures set forth in this memorandum. Please see the addendum to this memorandum for the statutory definition of 'commercial motor vehicle' and for pertinent information concerning Driver Qualification Files as provided by the Department of Motor Vehicles (DMV).

Background

The DMV is responsible for providing certified driving history records to all employers when the employer has requested this information for their employees. The DMV also provides *potential employees* who operate a commercial motor vehicle with driving history records upon receipt of required information and the applicable fee from these individuals. Note: This letter does not instruct agencies how to obtain CDL information for *potential employees*; rather, it suggests potential candidates provide this information upon acceptance of a conditional offer of employment. This letter does address procedures concerning the monitoring of the CDL for all current employees to ensure the State of Connecticut and individual agencies meet the obligations under Connecticut General Statutes and Federal Regulations as an employer of persons driving commercial motor vehicles.

The Department of Administrative Services (DAS) will facilitate a mechanism by which an annual report of all active employees required to possess a CDL may be run via Core-CT. DMV staff will then provide certified driving history records for these active employees. The DMV has indicated providing driver history records annually will meet our obligations under Federal law. These reports will be run with an effective date of **October 1** each year.

Procedures for Obtaining Certified Driver History Records

The procedures (below) have been developed first and foremost to assist with the safety of the motoring public. By following these instructions, agencies will be in compliance with federal regulations.

For potential employees of a State agency (in a position requiring a CDL):

Candidates may obtain their own current certified Driver History Record from DMV upon

acceptance of a conditional offer of employment. Candidates who have accepted a conditional offer of employment should initiate the request by going to any full service branch of the DMV or by mailing a request for this information to the Copy Records Unit.

For current employees of a State agency (in a position requiring a CDL):

- I. Agencies must enter **before October 1 close of business** the following information into Core-CT for all employees operating a commercial vehicle:
 - Driver's License Number
 - State Issued
 - Valid from (date)
 - Valid to (date)
 - License Type

[Click here for the Core-CT Job Aid.](#)
- II. DAS will run an EPM report **on or about October 2 each year** to extract all pertinent data for employees required to possess/retain a CDL and will send results to DMV.
- III. DMV will send a hard copy of the certified driving history record to DAS.
- IV. DAS will distribute driver history records to each agency.
- V. Agencies will review and file the certified driving history record in the appropriate employee's driver's qualification file (or operating driver's file).

Procedures for Maintaining Driver Qualification Files

In addition to reviewing and maintaining the certified driving history reports that the DMV will provide annually, agencies are responsible for maintaining an operating driver's file for each employee required to possess a CDL as a condition of employment. Therefore, agencies must obtain a copy of each employee's current CDL and retain a copy of the CDL in the operating driver's file. The operating driver's file is to be kept separate from the employee's personnel file and must be maintained for all employees operating a commercial vehicle. **This file contains the following materials:**

- A copy of the Medical Certificate Card and any waivers
- Application and application materials
- Copy of CDL
- Initial driver evaluation
- Annual review of employee's safety record (provided by DMV)
- Copies of any CDL-related motor vehicle incidents
- Any other documentation related to the employee's CDL

Please share this information with your staff and direct questions to Shari Grzyb, Statewide HR Program Manager via e-mail – Shari.Grzyb@CT.Gov or at (860) 713-5176.

Brenda L. Sisco

BRENDA L. SISCO
COMMISSIONER – DAS

08-03

cc: Robert M. Ward, Commissioner – DMV
Thomas Ruby, Bureau Chief – DMV

The statutory definition of Commercial Motor Vehicle is:

"Commercial motor vehicle" means a vehicle designed or used to transport passengers or property, except a vehicle used for farming purposes in accordance with 49 CFR 383.3(d), fire fighting apparatus or an emergency vehicle, as defined in section 14-283, or a recreational vehicle in private use, which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more, or gross combination weight rating of twenty-six thousand and one pounds or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than ten thousand pounds; (B) is designed to transport sixteen or more passengers, including the driver, or is designed to transport more than ten passengers, including the driver, and is used to transport students under the age of twenty-one years to and from school; or (C) is transporting hazardous materials and is required to be placarded in accordance with 49 CFR 172, Subpart F, as amended, or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73;

The federally required items that must be in a driver qualification file are:

49 CFR §391.51 General requirements for driver qualification files.

(a) Each motor carrier shall maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.

(b) The qualification file for a driver must include:

(b)(1) The driver's application for employment completed in accordance with §391.21;

(b)(2) A copy of the response by each State agency concerning a driver's driving record pursuant to §391.23(a)(1);

(b)(3) The certificate of driver's road test issued to the driver pursuant to §391.31(e), or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to §391.33;

(b)(4) The response of each State agency to the annual driver record inquiry required by §391.25(a);

(b)(5) A note relating to the annual review of the driver's driving record as required by §391.25(c)(2);

(b)(6) A list or certificate relating to violations of motor vehicle laws and ordinances required by §391.27;

(b)(7) The medical examiner's certificate of his/her physical qualification to drive a commercial motor vehicle as required by §391.43(f) or a legible photographic copy of the certificate; and

(b)(8) A letter from the Field Administrator, Division Administrator, or State Director granting a waiver of a physical disqualification, if a waiver was issued under §391.49.

(c) Except as provided in paragraph (d) of this section, each driver's qualification file shall be retained for as long as a driver is employed by that motor carrier and for three years thereafter.

(d) The following records may be removed from a driver's qualification file three years after the date of execution:

(d)(1) The response of each State agency to the annual driver record inquiry required by §391.25(a);

(d)(2) The note relating to the annual review of the driver's driving record as required by §391.25(c)(2);

(d)(3) The list or certificate relating to violations of motor vehicle laws and ordinances required by §391.27;

(d)(4) The medical examiner's certificate of the driver's physical qualification to drive a commercial motor vehicle or the photographic copy of the certificate as required by §391.43(f); and

(d)(5) The letter issued under §391.49 granting a waiver of a physical disqualification.