

New entrant safety audit checklist

Print this and go through it before your audit notice arrives. Part 1 covers the 16 violations that fail the audit automatically. Part 2 lists the records the auditor will ask for.

Part 1 — The 16 automatic-failure violations

Under 49 CFR 385.321, finding any of these fails the new entrant safety audit. Most fail on a single occurrence; two fail when found in 51% or more of the records checked.

Drug and alcohol testing

- ☐ You have a DOT drug and alcohol testing program in place. (49 CFR 382.115(a) · Fails on 1 occurrence)
- ☐ No driver with an alcohol concentration of 0.04 or higher was allowed to drive. (49 CFR 382.201 · Fails on 1 occurrence)
- ☐ No driver who refused a required test was allowed to drive. (49 CFR 382.211 · Fails on 1 occurrence)
- ☐ No driver who tested positive was allowed to drive. (49 CFR 382.215 · Fails on 1 occurrence)
- ☐ Every CDL driver, including you, is in a random testing program. (49 CFR 382.305 · Fails on 1 occurrence)

CDL and driver qualification

- ☐ Every driver holds a valid CDL of the right class. (49 CFR 383.3(a) / 383.23(a) · Fails on 1 occurrence)
- ☐ No driver with a disqualified CLP or CDL is driving. (49 CFR 383.37(b) · Fails on 1 occurrence)
- ☐ No disqualified driver is driving. (49 CFR 383.51(a) · Fails on 1 occurrence)
- ☐ You have not knowingly used a disqualified driver. (49 CFR 391.15(a) · Fails on 1 occurrence)
- ☐ Every driver is physically qualified, with a current medical certificate. (49 CFR 391.11(b)(4) · Fails on 1 occurrence)

Hours of service

- ☐ Every driver keeps a record of duty status (ELD or another allowed method) unless truly exempt. (49 CFR 395.8(a) · Fails at 51% of records)

Vehicles

- ☐ No vehicle placed out of service moved before it was repaired. (49 CFR 396.9(c)(2) · Fails on 1 occurrence)
- ☐ Out-of-service defects reported on a DVIR were fixed before the vehicle ran again. (49 CFR 396.11(a)(3) · Fails on 1 occurrence)
- ☐ Every truck and trailer has a periodic (annual) inspection from the last 12 months. (49 CFR 396.17(a) · Fails at 51% of records)

Insurance

- ☐ Your insurance is active at the required limit, with no lapses. (49 CFR 387.7(a) · Fails on 1 occurrence)
- ☐ Passenger carriers only: the required passenger coverage is in force. (49 CFR 387.31(a) · Fails on 1 occurrence)

Part 2 — Documents to have ready

Have each item ready for every driver and every vehicle you have used.

Company

- ☐ USDOT number details
- ☐ MC authority (if for-hire)
- ☐ Current MCS-150 information
- ☐ BOC-3 (if for-hire)

Insurance

- ☐ Current policy and proof of required coverage at your principal place of business

Drivers

- ☐ Complete DQ file for each driver
- ☐ Application, MVRs and road test (or equivalent)
- ☐ Medical certificate
- ☐ Previous employer checks

Drug and alcohol

- ☐ Consortium enrollment
- ☐ Written policy and signed receipts
- ☐ Pre-employment test results
- ☐ Random selection records and any post-accident tests
- ☐ Clearinghouse registration and queries

Hours of service

- ☐ Records of duty status (ELD data or logs) for each driver
- ☐ Supporting documents
- ☐ ELD account information

Vehicles

- ☐ List of all trucks and trailers
- ☐ Maintenance file for each vehicle
- ☐ Periodic inspection reports
- ☐ DVIRs and repair records
- ☐ Roadside inspection reports and proof of repairs

Accidents

- ☐ Accident register
- ☐ Any accident reports required by states or insurers

Hazmat (if applicable)

- ☐ Hazmat registration
- ☐ Shipping papers
- ☐ Training records and other hazmat records

Never backdate records

If you find gaps, fix them now — but don't backdate anything. Creating records after the fact and passing them off as original is a far bigger problem than the original gap.

Based on 49 CFR 385.321 and the documents FMCSA auditors review. General information, not legal advice; confirm details

with FMCSA.