

Worked Example: The Driver Qualification File

Example only. Kettle Creek Freight, Marcus Tiernan, and every name, date, address and number on these pages are illustrative. The regulatory requirements behind them are real.

No value in a fenced box is a sourced fact. The USDOT numbers are deliberately unassignable (00000000–00000003), the phone numbers sit in the reserved 555-01xx fiction range, the email domain is a reserved .example address, and the Registry numbers are placeholder digit runs. If a real company shares one of these names, it has nothing to do with this page, and nothing here describes any real carrier's authority, business failure, or conduct.

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How to read this

What follows is one driver's folder, tab by tab, the way it looks on the table after somebody has already asked for it. Every page is filled in. Beside each page is a margin note saying what an investigator does with that specific sheet of paper and why: not what the rule says, which you can read for yourself, but where the eye goes.

Nothing here is neat for the sake of neat. **This is what "provable" looks like**, which is a different thing from organized. A shoebox of the right receipts beats a beautiful binder of the wrong ones, and if what you have today is the shoebox, you are closer than you think; the work below is mostly labelling and dating what you already own.

One thing to know before you turn the page. An investigator does not usually start at Tab 1. They start with the two items that answer *is this person allowed to drive today* (the license status and the medical certification) and then they walk the timeline backward. So the file is built in the order you'd build it, and read in the order they'd read it, and the cover sheet exists so those two orders don't fight.

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THE COVER SHEET

The one page that turns a folder into a file. It goes on top, inside the front cover, and it is the only page in here you invent yourself; no regulation requires it.

KETTLE CREEK FREIGHT LLC · USDOT 0000000 (specimen)
1140 Marietta Rd, Zanesville, OH 43701 · 22 power units · 26 drivers

DRIVER QUALIFICATION FILE - INDEX

Driver: TIERNAN, Marcus D. File opened: 08/07/2023
CDL: Ohio Class A · #TK4419902 Endorsements: N (tank)
Expires: 06/30/2029 First day driving for us: 08/14/2023
Status: ACTIVE File reviewed by: C. Whitmer

TAB ITEM DATE ON DOC HAVE STALE MISSING

1 Employment application (§391.21) 08/07/2023 X
2a Pre-employment MVR - Ohio 08/09/2023 X
2b Pre-employment MVR - Pennsylvania 08/09/2023 X
3 Safety performance history - 2 employers 08/08/2023 X (see Tab 3)
4 Road test form + certificate (§391.31(g)) 08/11/2023 X
5 Medical certification - see Tab 5 01/16/2026 X
6 Annual MVR (§391.25(a)) 07/20/2026 X
7 Annual review note (§391.25(c)(2)) 07/20/2026 X
8 Certification of violations - RETIRED 01/12/2022 X (not required)
9 Medical variance / SPE (§391.49) - N/A

NEXT DATES: Medical expires 01/14/2028 · Annual MVR due 07/20/2027
CDL expires 06/30/2029 · all three on the office calendar,
alerts at 60 and 30 days

- **Margin:** This sheet is read as a claim, and then the claim gets spot-checked. Two or three tabs get opened against it, and if the dates match, the rest of the folder is usually believed. If one date on this sheet doesn't match the paper behind it, every other line on it stops being evidence and becomes a question.
- **Margin:** The MISSING column is not a confession. A blank column reads as a file nobody has actually looked at; a column with an honest X in it and a gap memo behind it reads as a carrier who audits themselves. That is the single cheapest impression in this folder to make on purpose.
- **Margin:** NEXT DATES is the line that tells an investigator whether they are looking at a folder or at a system.

Nine tabs here, eight documents in Chapter 3; and both are right. The difference is bookkeeping, not disagreement, and it's worth thirty seconds because you'll meet the same confusion in every template you download.

- Chapter 3 counts **the medical certificate and the note proving you checked the examiner against the National Registry** as two items, because they are two separate things you have to do. This file files them behind **one tab** (Tab 5), because in a real drawer they live stapled together.
- **Tab 8 isn't a requirement at all.** §391.27 was removed in 2022. It's here because most templates still ask for it, and you need to recognise it to ignore it. See Tab 8.
- **Tab 9 only exists for some drivers.** If yours doesn't have a variance or an SPE certificate, you don't have a Tab 9.

So: eight things you must do, nine dividers in a folder, and one of those nine is a museum piece. Chapter 3's own note says the count "depends on how you split the conditional items"; this is what that means in practice. Everything in Part 391 is a date that lapses on its own.

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TAB 1: The employment application

What must be on it: three years of addresses. Three years of employment, with dates and a reason for leaving each job. Every license or permit held. Accidents and violations from the past three years. And **for anyone who will drive a vehicle that requires a CDL, seven more years of employment history on top of the three:** ten years in total, signed by the driver.

That last scope line is worth a pause. The ten years is keyed to CDL vehicles. A non-CDL driver owes the three.

```
EMPLOYMENT APPLICATION FOR COMMERCIAL DRIVER ($391.21) p.1 of 4
Name: Marcus Dale Tiernan DOB: 04/22/1985 Date: 08/07/2023

ADDRESSES - 3 YEARS
06/2022 – present 418 Sunbury Ct, Zanesville, OH 43701
03/2020 – 06/2022 77 Pearl St Apt 3, Erie, PA 16507

LICENSES / PERMITS HELD - ALL, ANY STATE
Ohio CDL-A #TK4419902 end: N issued 06/2022 exp 06/2029
Penna CDL-A #99-410-882 end: N issued 04/2019 surrendered 06/2022
(no other license or permit held, any state, ever) ..... M.D.T.

EMPLOYMENT - 3 YEARS, ALL EMPLOYERS
06/2021 – 06/2023 Ridgeline Bulk Carriers Inc, Wheeling WV
DOT-regulated: YES USDOT 0000001
Position: driver, tank Reason for leaving:
laid off - lost the Marathon dedicated lane
11/2020 – 05/2021 Cutter & Sons Tank Lines LLC, Erie PA
DOT-regulated: YES USDOT 0000002
Position: driver, tank Reason for leaving:
better pay at Ridgeline
06/2021 GAP - 3 weeks, unemployed between the two jobs
above, no employer ..... M.D.T.
(07/2023 – 08/2023 unemployed, 5 weeks, no employer) ..... M.D.T.

CMV EMPLOYMENT - 7 ADDITIONAL YEARS (10 total)
04/2019 – 11/2020 Halvorsen Freight Systems, Cleveland OH USDOT 0000003
08/2016 – 04/2019 N/A - not employed as a CMV driver; warehouse,
Erie PA (non-DOT), listed for continuity
08/2013 – 08/2016 N/A - no CMV employment in this period ... M.D.T.

ACCIDENTS - 3 YEARS ..... NONE ..... M.D.T.
VIOLATIONS / CONVICTIONS - 3 YEARS ..... NONE ..... M.D.T.
DENIED / SUSPENDED / REVOKED, ever? ..... NO ..... M.D.T.

I certify the information above is true and complete.
/s/ Marcus D. Tiernan 08/07/2023
```

► **Margin:** The first thing read on this page is not the answers. It's **the blanks**. And a blank is usually read as *not asked*, not as *nothing to report*. Which is why every line that doesn't apply here says N/A and every unemployed stretch is written in as a gap with its length. There is nothing on this page for anyone to wonder about.

► **Margin:** The two initialled gap lines are the whole trick. A three-week hole between jobs and a five-week hole before hire are ordinary facts about a working person's life. Unexplained, they are the thing that makes an investigator pull the next tab looking harder.

► **Margin:** Ten years, not three, because he drives a CMV; and the ten-year section here goes all the way back and says *no CMV employment* for the years there wasn't any, rather than stopping where the form ran out of

lines. A ten-year section that ends at three is the most common defect in this document.

► **Margin:** DOT - regulated: YES beside two of the employers is a note to your own future self. That single word is what tells you which employers Tab 3 owes an inquiry to.

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TAB 2: The two pre-employment MVRs

What the rule requires: an inquiry to **each** driver's licensing authority where the driver held a license or permit during the preceding three years. It goes out within **30 days** of the date employment begins, and the record must be in this file within that same 30 days.

```
2a OHIO BMV - CERTIFIED ABSTRACT OF DRIVING RECORD
TIERNAN, MARCUS DALE OL# TK4419902 Class A, end. N
Record run: 08/09/2023 Requested by: Kettle Creek Freight LLC
Status: VALID Withdrawals: NONE
Convictions, 3 yr: NONE
Medical certification status: CERTIFIED, non-excepted interstate,
exp 08/03/2024
-----
RECEIVED 08/09/2023 - filed same day. C.W.

2b PENNSYLVANIA PennDOT - DRIVER HISTORY, 3 YEAR
TIERNAN, MARCUS D. OL# 99-410-882 CDL-A SURRENDERED 06/14/2022
Record run: 08/09/2023 Requested by: Kettle Creek Freight LLC
Status at surrender: VALID, no withdrawals
Convictions, 3 yr: 1 - 07/11/2021, following too closely,
NON-CMV, personal vehicle, PA 4-pt
-----
RECEIVED 08/09/2023 - filed same day. C.W.
NOTE: PA record pulled because he held a PA CDL inside the
preceding 3 years (surrendered 06/2022). One state is not enough
when a driver has moved. C.W. 08/09/2023
```

► **Margin:** These two dates get laid beside one date you did not put in this folder: **his first day driving**. First dispatch was 08/14/2023; both records are dated 08/09/2023. That's five days *before* the keys changed hands, and it is the cleanest fact in this file.

► **Margin:** The second state is what gets missed. A driver who moved inside the last three years has a record in two places, and the one you didn't pull is the one with the conviction on it. Here the Pennsylvania record is the one carrying a violation (a minor, non-CMV one), but the file that only holds the Ohio abstract cannot know that.

► **Margin:** The handwritten RECEIVED ... filed same day line costs four seconds and answers a question the paper otherwise can't: the run date tells you when the state printed it, not when you looked at it.

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TAB 3: The inquiries, and the proof you sent them

What the rule requires: an investigation covering **two groups of employers**: everyone who put this driver in a commercial motor vehicle in the preceding three years, DOT-regulated or not, **and** every DOT-regulated employer in a testing-covered job. Then a **written record** for each previous employer contacted: the employer's name and address, the date contacted or the attempts made, and what came back. **Failures also get documented**: an employer you couldn't reach, and an employer who never answered.

One part of this no longer travels by letter. The drug-and-alcohol portion moved to the Clearinghouse on 6 January 2023, and FMCSA states it as a prohibition: manual inquiries **must not** be used for it. What still goes by letter is everything that isn't drug and alcohol.

3a INQUIRY SENT - Ridgeline Bulk Carriers Inc
1902 Warwood Ave, Wheeling WV 26003 · safety@ridgelinebulk.example
Sent 08/08/2023 by email + fax 304-555-0148
Requested: (1) general employment verification, dates and position
(2) accident register information, 3 yr, §390.15(b)(1)
NOT requested: drug & alcohol history. Since 06 Jan 2023
that comes from the Clearinghouse, not from a letter.
Full query run 08/07/2023 - see the restricted file.
PROOF ATTACHED: printed copy of sent email w/ header + fax
confirmation page, 08/08/2023 09:14
RESPONSE RECEIVED 08/21/2023 - 13 days. Attached, 2 pp.
Employment 06/2021-06/2023 confirmed · no DOT-recordable
accidents · d&a history returned separately, see note below

3b INQUIRY SENT - Cutter & Sons Tank Lines LLC
2200 E 12th St, Erie PA 16503
Attempt 1: 08/08/2023, USPS first class. No response.
Attempt 2: 08/22/2023, phone 814-555-0102 - number disconnected.
Note of call attached, time 10:35, C. Whitmer.
Attempt 3: 09/06/2023, USPS CERTIFIED MAIL 9407 1111 ...
Returned 09/19/2023 "not deliverable as addressed."
Green card and returned envelope attached, unopened.
SNAPSHOT: FMCSA company snapshot for USDOT 0000002 printed
09/07/2023 - authority INACTIVE since 03/2022. Attached.

NO-RESPONSE MEMO

Cutter & Sons Tank Lines LLC ceased operations in 2022. Three documented attempts above, over 30 days, by two methods including certified mail. No safety performance history was obtained and none is obtainable. Nothing about this driver's history is being assumed from the absence.

/s/ Carla Whitmer, Office Manager 09/19/2023

WHERE THE DRUG & ALCOHOL RECORD LIVES

Not in this folder, and not in this envelope either. The Clearinghouse full-query result is filed in the restricted driver investigation history file, locked cabinet, office - access: C. Whitmer, R. Okonkwo. Cross-reference card in its place here. §391.53 / §382.401

- **Margin:** You cannot make anybody answer, and **you are not graded on whether they answered.** You're graded on whether you asked, and whether you can prove it. A folder holding two unanswered inquiries with receipts behind them is fine. A folder holding nothing because nobody called back is not.
- **Margin:** Three attempts, two methods, thirty-plus days, and a printed FMCSA snapshot showing the company's authority went inactive. That is what "good faith effort" looks like as paper rather than as a claim.
- **Margin:** The no-response memo is dated the day the certified mail came back, not the day of the audit. Everything in this folder is dated when it happened. That habit is worth more than any single document in here.
- **Margin:** The cross-reference card matters, and what it points at changed in 2023. The drug and alcohol history no longer comes back in this envelope; it comes from the Clearinghouse, and the record of that query still must not sit loose in a folder anyone in the office can open. Splitting it and leaving a pointer is how you satisfy two rules that pull in opposite directions. If your file predates 2023 and the history *is* in this envelope, split it the same way and leave it where it is; nothing about the old records became wrong.

TAB 4: The road test form and certificate

What the rule requires: **two documents where most carriers keep one.** The signed road test form (the scored evaluation sheet the examiner filled in) and the **certificate** issued off it. The rule wants the **original of the form**; the certificate may be a copy.

Or, instead of a road test, a copy of the license or certificate the carrier accepted under §391.33. A CDL **may** be accepted, but a CDL carrying a **double/triple trailer or tank vehicle endorsement must not** be accepted for a driver assigned to that kind of vehicle.

Most carriers threw the scoring sheet away. They have a certificate and a folder that looks finished. That's the finding here, and it's one piece of paper.

CERTIFICATE OF DRIVER'S ROAD TEST (§391.31(e))

Driver: Marcus D. Tiernan CDL: OH TK4419902, Class A, end. N
 Date of test: 08/11/2023 Duration: 1 h 40 min
 Route: Zanesville yard → US-22 W → I-70 W to SR-256 → return.
 Includes: coupling/uncoupling, backing to dock, two grades,
 one railroad crossing, city surface streets, 41 mi total.
 Vehicle operated: 2019 Peterbilt 579 tractor, unit 14,
 + 6,800 gal aluminum crude tanker, trailer T-07 - loaded
 to 41,200 lb with water for the test.

Pre-trip inspection satisfactory
 Coupling / uncoupling satisfactory
 Placing in operation satisfactory
 Use of controls / emergency. satisfactory
 Operation in traffic satisfactory
 Turning, backing, parking ... satisfactory
 Braking / speed control satisfactory

I certify that this driver was given a road test under my supervision
 on the date shown, in the type of vehicle he is to be assigned, and
 that he passed.
 /s/ Raymond Okonkwo, Safety & Maintenance 08/11/2023

WHY A ROAD TEST AND NOT A LICENSE COPY:
 This driver holds a tank endorsement and is assigned to tank.
 A CDL may not stand in for the road test in that case. §391.33
 A legible copy of the CDL is also filed behind this page for
 reference - it is not doing the road test's job. C.W.

► **Margin:** This is the tab where a whole fleet fails at once. Carriers that run tankers, doubles or triples very often hold a photocopied CDL where a road test certificate belongs, because for every other driver in the building the license genuinely is enough. Twenty tidy folders, one wrong assumption, and it is the same finding twenty times.

► **Margin:** Read the vehicle line. A road test given in a day-cab bobtail to a driver you are going to put behind a loaded tanker is a certificate that describes a test of something else. The type of vehicle is the point of the test.

► **Margin:** The last block on the page is a note to whoever inherits this office. Somebody two years from now will look at a road test certificate with a CDL copy behind it and wonder which one is load-bearing. Now they don't have to.

TAB 5: Medical certification (this tab changed in 2025, read it twice)

What the rule requires now, for a driver who holds a CDL: medical certification status is carried on the driving record, and the file holds a CDLIS MVR reflecting the new certification status after each exam. On and after June 23, 2025, the paper certificate is **not** what proves medical certification for a CDL driver: the driving record is. The National Registry verification note is **no longer required** for CDL drivers whose licensing state receives certification results directly.

⚠ **Read the direction of the risk on this tab, because it runs opposite to Tab 8.** Tab 8 describes a document you can stop collecting, and collecting it anyway costs you a signature. This tab describes a document you can stop *writing*, and if that's wrong, you've stopped doing something required, one driver at a time, for as long as the mistake lasts. **Don't drop the Registry verification note on the strength of this page.** Keep writing it until you have confirmed the current rule and your own state's status yourself, or until somebody you pay to be right tells you in writing. Writing a note you no longer need costs a minute. The other error costs a finding per driver per exam.

For a driver who does **not** need a CDL, the older shape still applies: the medical examiner's certificate, or a copy, goes in the file, **and** a note verifying the examiner was listed on the National Registry on the date of the exam.

```
5a CDLIS MVR - MEDICAL CERTIFICATION STATUS (CDL path)
TIERNAN, MARCUS DALE OH TK4419902
Record run 01/16/2026 · requested by Kettle Creek Freight LLC
Self-certification: NON-EXCEPTED INTERSTATE
Medical certification status: CERTIFIED
Med cert expiration on record: 01/14/2028
Exam date on record: 01/14/2026
Restrictions/variances on record: NONE
-----
Pulled 2 days after his exam because the certification is only
real to us once it is on the record. Prior CDLIS MVR (08/2024
cycle, exp 08/03/2024 → 01/2026) retained behind this page.
C. Whitmer 01/16/2026

5b ARCHIVE - NATIONAL REGISTRY VERIFICATION NOTE, 2023
"Verified that Dr. Priya Nandakumar, DO, was listed on the
National Registry of Certified Medical Examiners on 07/28/2023,
the date of this driver's exam. Registry number 1234567890.
Checked at the FMCSA National Registry site, 08/10/2023, 4:12 pm."
/s/ Carla Whitmer 08/10/2023
RETAINED, NOT REPEATED: this note was required for CDL drivers
when it was written. We stopped writing new ones for CDL drivers
after 06/23/2025 and now pull 5a instead. We still write them for
our two non-CDL straight-truck drivers. §391.23(m)(1) C.W.

5c PAPER CARD - reference copy only, 01/14/2026
Filed for the driver's convenience. NOT the proof of medical
certification for a CDL holder. 5a is. C.W.
```

► **Margin:** The expiration date on this tab is the one that gets laid directly next to your dispatch records and your logs. A driver who ran on the 12th with certification that lapsed on the 3rd is visible without anyone in your office saying a word. That cross-check needs no cooperation and no interview.

► **Margin:** And notice what that means for the dates on this very page. Under a live transition waiver, the paper card may well have been acceptable proof on the day this file was assembled. The specimen would be

telling you it wasn't. That is precisely why the rule prints and the window doesn't.

► **Margin:** A certificate runs a **maximum of 24 months and is often shorter**: a one-year or even three-month card is ordinary for a driver managing a condition. The card that says 24 months when you assumed 24 months is not the problem. The one that says three is.

► **Margin:** Note what 5b does *not* do. It doesn't get quietly thrown away because the rule moved, and it doesn't get re-created for the current exam to make the tab look consistent. It sits there dated 2023, correct for 2023, with one line saying why there's no 2026 version of it.

► **Margin:** If you run any vehicle that doesn't require a CDL (a 26,000-pound straight truck, a service body over the line) you have drivers on the *other* medical path in the same cabinet, and they still need the Registry note. Two paths, one drawer, and mixing them up is the near miss on the next page.

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TAB 6: The current annual MVR

What the rule requires: an inquiry to the licensing authority at least once every **12 months**, and the record placed in the file.

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OHIO BMV - CERTIFIED ABSTRACT OF DRIVING RECORD
TIERNAN, MARCUS DALE OL# TK4419902 Class A, end. N
Record run: 07/20/2026 Requested by: Kettle Creek Freight LLC
Status: VALID Withdrawals: NONE
CONVICTIONS:
  02/03/2026 speed 11 mph over limit, SR-60 Muskingum Co OH
      NON-CMV - personal vehicle, off duty. 2 pt.
Medical certification status: CERTIFIED, exp 01/14/2028

PRIOR ANNUAL MVRs IN THIS TAB: 08/04/2025 · 08/05/2024
(pre-employment records at Tab 2 - not annuals, kept separately)
```

► **Margin:** Three dates in a column (08/05/2024, 08/04/2025, 07/20/2026) and every interval under twelve months. **The interval is the finding, not the newest date.** A file with a current MVR and a fourteen-month gap two years back still has a gap two years back.

► **Margin:** Pulling in July when the anniversary is in August is not sloppiness, it's margin. Anyone who has waited on a state record system in the last week of a month understands why.

► **Margin:** The conviction on this record is the interesting part of this tab, and it is interesting because of what Tab 7 does with it. An MVR with something on it is the test of whether your review is real.

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TAB 7: The annual review note

What the rule requires: three things, and only the third one is paperwork. Review the driving record at least once every 12 months. Decide whether the driver still meets the minimum requirements for safe driving, considering any evidence of violations. Then keep a **note** of that review in the file, **identifying the person who performed it and carrying the date.**

Those last two elements are the whole finding when this goes wrong. A note with no name and no full date fails, however thoughtful it reads.

ANNUAL REVIEW OF DRIVING RECORD (§391.25)

Driver reviewed: Marcus D. Tiernan

Record reviewed: Ohio BMV abstract run 07/20/2026 (Tab 6)

Date of this review: 07/20/2026

WHAT I CONSIDERED

License valid, Class A with N endorsement, correct for the equipment he is assigned. No withdrawals, suspensions or disqualifying actions on the record.

One conviction since the last review: 02/03/2026, 11 mph over, personal vehicle, off duty, non-CMV. Two points. No pattern - this is the first conviction on his record in five years and the second in ten. Discussed with the driver 07/22/2026.

No CMV convictions. No accidents on our register for him.

DETERMINATION

Marcus D. Tiernan MEETS the minimum requirements for safe driving and remains QUALIFIED to operate a commercial motor vehicle for Kettle Creek Freight LLC.

Reviewed and determined by:

/s/ Carla Whitmer, Office Manager 07/20/2026

Reviewed by (2nd): /s/ R. Okonkwo 07/20/2026

- **Margin:** This is the item most often missing from a carrier's files, and the reason is that pulling the MVR *feels* like the work. It isn't. **The record is evidence; the note is the decision:** the moment your company looked at a driver's history, said "still qualified," and put a name on it.
- **Margin:** Look at what makes this note believable: it names the specific abstract it reviewed, by run date. A review note that could have been written without the MVR in front of it reads exactly like one that was.
- **Margin:** The conviction is handled in three sentences and then *decided*. That is the difference between a review and a rubber stamp: not the length, the fact that the record's contents appear in the note at all. A file where the note says the same thing every year on a record that changed every year is the one that gets read closely.
- **Margin:** The date on this note is the date of the review. Not the hire anniversary, not the audit date, not the date somebody noticed it was missing. Current dates for current work, always.

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TAB 8: The annual certification of violations (retired, keep reading anyway)

This one is not required, and most blank templates still ask for it. FMCSA eliminated the annual driver's certification of violations at §391.27 effective May 9, 2022, on the reasoning that the annual MVR at §391.25 already produces the same information. Lists collected before that date carried a three-year retention, so **the last one in existence aged out on 8 May 2025**. If you're reading this in 2026, you may throw every one of them away. Nothing about this requirement reaches your file at all.

Why it's still printed here. Not because you owe it, because most blank DQ templates still ask for it, including ones sold this year, and the tab you can't find is the one you go looking for. This page exists so you recognize the item and stop hunting.

DRIVER'S CERTIFICATION OF VIOLATIONS - ARCHIVED

Last one in the file: 01/12/2022, covering calendar 2021.
Signed by driver at Ridgeline Bulk Carriers; came to us in the 2023 hiring packet. Ridgeline collected it, not us - the old retention duty ran to whoever collected the list, so it was never ours to keep.
Its three-year retention expired 05/08/2025 in any event.
KEPT because it costs nothing and it dates the file. Not required. We stopped asking for these after 05/09/2022; the annual MVR at Tab 6 does this job. C. Whitmer

If you are working from a blank DQF template that lists this as item 6 or 7 of the required file: your template predates the change. Collecting it anyway is not a violation, and it is not worth a driver's signature or your afternoon.

► **Margin:** Nobody is ever written up for having this page. The reason it's in this worked example is the opposite problem: a reader with a 2019 template thinks their file is short one document, chases a signature they don't need, and burns the hour that Tab 3 needed. **Knowing what to stop doing is part of the work.**

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TAB 9: Medical variance or SPE certificate, if the driver has one

Not applicable to this driver, and the tab exists anyway with N/A written on it. If a driver holds a Skill Performance Evaluation certificate or a federal medical variance, that document belongs in the file.

MEDICAL VARIANCE / SPE CERTIFICATE

N/A - this driver holds no variance, exemption or SPE certificate.
Confirmed against CDLIS MVR run 01/16/2026 (Tab 5a), which shows no restriction or variance on the record.
C. Whitmer 01/16/2026

► **Margin:** An N/A with a date and a source beside it is worth having. It says somebody checked, on a day, against a specific record. An empty tab says nobody's been in here.

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WHAT WE'RE NOT KEEPING IN THIS FOLDER

Drug and alcohol testing records and Clearinghouse queries live in a separate file with **restricted access**, and the driver investigation history from Tab 3 goes with them. That's Chapter 4: a program, not a page in this folder. The cross-reference card in Tab 3 is how the two files stay connected without the confidential material ending up in a folder you hand to a stranger.

Retention, plainly: this file is kept for as long as the driver works for you and for **three years after they leave**. Some items (the annual MVRs, the annual review notes, the medical certification records and any medical variance) **may** be removed three years after the date of execution.

► **Margin:** *May* be removed, not must. Thinning a file is a housekeeping decision, not a requirement, and the space you save is almost never worth the afternoon you spend deciding what qualifies.

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FOUR PAGES THAT LOOK RIGHT AND AREN'T

Everything above is the file that survives. These are the four sheets that have shown up in finished-looking folders and cost carriers findings anyway. Each one is shown **wrong first**, then fixed, because the wrong version is the one you'll recognize.

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Near miss 1: the MVR that arrived after the driver did

x WRONG
OHIO BMV ABSTRACT - TIERNAN, MARCUS D.
Record run: 09/20/2023
Requested by: Kettle Creek Freight LLC
[First day driving for us: 08/14/2023]

Thirty-seven days after the first dispatch, and **forty-four** after the file was opened on 08/07/2023, which is the count that probably matters. The record must be in the file within **30 days of the date employment begins**, and *employment begins* is not the same event as *first day driving*. On either reading this one is late, which is why it's the near miss; but note that the book cannot tell you which number to write on your own file until that anchor is settled

✓ FIXED
Record run: 08/09/2023 First day driving: 08/14/2023
RECEIVED 08/09/2023 - filed same day. C.W.

► **Margin:** Now the harder version of the same page, and this is the one that matters more than the 30 days. Suppose the record had come back on day 8 (inside the window, no violation) **showing a suspension**. You would not have had a paperwork problem that week. You'd have had an unqualified driver in a truck for eight days, and every mile of it already happened. The rule gives you a month. Your call, but here's what I'd do: pull it before the keys change hands, and let the rule's window be your safety net instead of your plan.

...

Near miss 2: the medical examiner who wasn't on the Registry

This one is about a different driver in the same cabinet: **Odell Ray Pruitt**, who drives a 26,000-pound straight truck and does **not** need a CDL. Non-CDL drivers are still on the older medical path: the certificate goes in the file, *and* a note verifying the examiner was listed on the National Registry on the date of the exam.

x WRONG
MEDICAL EXAMINER'S CERTIFICATE
PRUITT, ODELL RAY Exam date: 04/02/2026
Examined at: Wellness Express Occupational Clinic, Newark OH
Examiner: B. Halloran, PA-C
National Registry no.: _____
Certified 24 months, expires 04/02/2028
[No verification note behind it. Registry number blank on the card. Nobody looked.]

The card is real paper, signed by a real clinician, at a real clinic. The examiner was not listed on the National Registry on 04/02/2026; his listing had lapsed in January. Every mile Pruitt ran after that exam was run by a driver who is not, on paper, medically qualified, and the carrier believed the opposite in good faith the entire time.

✓ FIXED

1. New exam, 07/24/2026, examiner confirmed on the Registry BEFORE the appointment was booked.
2. Verification note behind the new card:
"Verified L. Okafor, MD, NRCME 9876543210, was listed on the National Registry on 07/24/2026, the date of this exam. Checked at the FMCSA National Registry site 07/24/2026, 8:50 am, before the driver's appointment."
/s/ C. Whitmer 07/24/2026
3. Gap memo, dated 07/24/2026: what we found, when we found it, the dates it covers, and what we did. Filed in the folder.

► **Margin:** Verifying a doctor feels absurd, which is exactly why it gets skipped, and it is the only part of that card you control. A minute on a public site, and a note that you did it.

► **Margin:** The two-cabinet trap. Everything you learned about the medical tab from a CDL driver's file is the wrong answer for the non-CDL driver two folders down, and the folder gives you no warning. If you run anything that doesn't require a CDL, mark those files on the outside.

► **Margin:** Notice what the fix does *not* do: it doesn't date the new note 04/02/2026 to make the gap disappear. Missing costs money. Fake costs everything.

...

Near miss 3: the inquiry with nothing behind it

x WRONG

SAFETY PERFORMANCE HISTORY - Ridgeline Bulk Carriers Inc
Contacted: 08/2023
Response: none received
Note: "Called them, nobody ever called back." - C.W.

Everything on that page may be perfectly true. None of it is provable, and the rule wants a written record naming the employer, the address, the date contacted or the attempts made, and what came back, including the fact that nothing did.

✓ FIXED - same facts, made provable

Attempt 1: 08/08/2023, email to safety@ridgelinebulk.example
- printed sent copy with header attached
Attempt 2: 08/08/2023, fax 304-555-0148
- confirmation page attached, 09:14
Attempt 3: 08/22/2023, phone 304-555-0119, 10:35, spoke to nobody, voicemail left - call note attached
Attempt 4: 09/06/2023, USPS certified, tracking 9407 1111 ...
- green card attached
Dated no-response memo, 09/19/2023, signed.

► **Margin:** "Nobody called back" and "here are four receipts and a signed memo" describe the identical week of your life. One of them is a finding.

► **Margin:** Ask in a way that leaves a receipt and the work is already done: email with the sent copy filed, fax with the confirmation page, certified mail for a company gone quiet. The receipt is a byproduct of the method, not an extra task.

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Near miss 4: the annual review that reviewed nothing

```
x WRONG
ANNUAL REVIEW OF DRIVING RECORD
Driver: Marcus D. Tiernan
"MVR reviewed. Driver OK."
Reviewed: 2026 (no day, no month)
          (unsigned)
[ Attached MVR run date: 07/20/2026.
  Previous review note in file dated: 08/04/2025.
  Interval: 11 months 16 days - fine.
  The note: not fine. ]
```

Two things here are actual violations, and they are the only two. Nobody is identified as the reviewer, and there is no complete date: "2026" is not a date. That's it. That's the finding.

Which means a note reading "MVR reviewed. Driver OK. C. Whitmer, 07/20/2026" is *compliant*, and it is still nearly worthless. So fix the two violations first. Then keep reading, because everything else wrong with this note costs you something an auditor won't cite you for. It doesn't say which record was reviewed. It doesn't mention the conviction sitting on that record. It doesn't state a determination. A year from now nobody can tell whether you read the record and decided, or wrote a sentence.

Don't let the two lists blur. A reader who fixes the four weaknesses and still leaves off a name and a full date has fixed nothing. A reader who adds only a name and a date is compliant and no better informed.

```
✓ FIXED
See Tab 7. Names the abstract by run date. States what was
considered, including the 02/03/2026 conviction. States a
determination - QUALIFIED. Signed and dated 07/20/2026 by the
person who made the determination.
```

► **Margin:** This is the most common finished-looking failure in the whole folder, because everybody knows the MVR has to be current and nobody was ever told what the note has to say. **The note is the only page in this file where your company makes a decision.** Every other page is somebody else's document that you collected.

► **Margin:** A second signature isn't required and isn't a bad habit: it means somebody who drives for a living looked at the record too. Your call.

...

WHAT MAKES THIS FILE SURVIVE AN AUDITOR

DO-CONFIRM checklist: work from memory first, then come back and confirm. Eight items. These aren't everything in Part 391; they're the ones most dangerous to miss and still routinely missed.

PAUSE POINT: after the folder is assembled, before it goes back in the drawer. Not on audit day. The whole value of this list is that it runs on an ordinary Tuesday, one folder at a time.

- ☐ 1. The newest MVR is under twelve months old, and so was the one before it. Check the interval, not just the top date.
- ☐ 2. Every MVR has a review note attached that names the record it reviewed, states a determination, and is signed and dated by a person.

- ☐ **3. Medical certification is unexpired and proven the right way for this driver:** the CDLIS MVR for a CDL holder, the certificate plus a Registry verification note for a non-CDL driver.
- ☐ **4. The pre-employment MVR is dated before the driver's first trip,** from every state that licensed them in the preceding three years, not just the current one.
- ☐ **5. Every inquiry has proof it was sent,** and every silence has a dated memo saying so.
- ☐ **6. Drivers assigned to tank, doubles or triples have an actual road test certificate,** in the type of vehicle they drive, not a license copy.
- ☐ **7. The application has no blanks:** N/A on every line that doesn't apply, every gap in employment written in, ten years of CMV history for CMV drivers.
- ☐ **8. Every unrecoverable gap has a dated gap memo, and every expiration date is on one calendar** with alerts at 60 and 30 days.

Eight boxes. Get them checked and you can hand a stranger this folder without narrating it, which is the actual test, and the reason to do any of this. Not a clean audit. **A file you don't have to explain.**

. . .

Where to go from here

This specimen is Chapter 3's worked example. When you're ready to build your own, the blank version of everything above is **The Driver Qualification File Template:** the eight items as a printable cover sheet with a date column, plus a compliant application checklist, the MVR annual-review note wording, and a safety-performance-history inquiry letter you can send today. Ask for it by name.

Keep this page beside it while you fill the first two folders in. After that you won't need it.