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Revised 2026-10-23

Pre-employment driver qualification checklist

Hire tasks under 49 CFR 391.21, 391.23, and 382.701 before a new driver performs safety-sensitive work.

Before safety-sensitive work

Complete these before the driver's first safety-sensitive function unless Part 382 provides a narrow exception.

- [ ] **Employment application on the carrier's form, signed**
  49 CFR 391.21
  Collect three years of addresses, licenses, experience, accidents, convictions, employer history, and the signed certification before the driver operates a CMV.

- [ ] **Prior-employer and Clearinghouse notices**
  49 CFR 391.21(d), 391.23(i)
  Tell the applicant that previous employers will be contacted and provide the due-process notice about investigative information.

- [ ] **Pre-employment Clearinghouse full query with consent**
  49 CFR 382.701(a)
  Run a full query before the first safety-sensitive function. If the driver refuses consent, do not permit CMV operation.

- [ ] **Verified negative pre-employment drug test**
  49 CFR 382.301
  Hold a verified negative result before safety-sensitive work unless a limited exception applies.

- [ ] **Consent to seek alcohol and controlled substances history**
  49 CFR 391.23(f)(1)
  Without Part 40–compliant consent, the driver must not operate a CMV for you. Keep consent in the investigation history file.

Within 30 days of the start date

File qualification items in the driver qualification file and investigation replies in the secured history file.

- [ ] **Motor vehicle records from each licensing state (3-year history)**
  49 CFR 391.23(a)(1), (b)
  Request within 30 days of the start date and file copies within those 30 days. Document good-faith efforts when a state sends nothing.

- [ ] **Safety performance history investigations**
  49 CFR 391.23(c)–(e)
  File each employer reply or good-faith documentation in the driver investigation history file, not the open qualification file.

- [ ] **Road test certificate or accepted CDL equivalent**
  49 CFR 391.31, 391.33
  Retain road test forms and certificates, or a legible copy of an accepted CDL or prior certificate.

- [ ] **Medical certification and Registry verification**
  49 CFR 391.23(m), 391.51(b)(6)
  Non-CDL: certificate plus Registry note. CDL: CDLIS record from the current licensing state with self-certification type documented.

Sources, checked against the eCFR and the Federal Register on 2026-10-23

- 49 CFR 391.21 — Application for employment
- 49 CFR 391.23 — Investigation and inquiries
- 49 CFR 391.51 — Driver qualification files
- 49 CFR 391.53 — Driver investigation history file
- 49 CFR 382.701 — Drug and Alcohol Clearinghouse

A general reference for motor carriers, not legal advice. Follow your written policy and the current rules.