

Minnesota Commercial Truck and Passenger Regulations Fact Sheet

Driver Qualifications

The driver qualification rules set minimum standards of driver training, experience, and ability. They are designed to reduce fatalities, injuries, property damage, and hazardous material (HM) incidents. Minnesota has adopted the Federal Motor Carrier Safety Regulations for Driver Qualifications found in 49 CFR, Part 391. This fact sheet discusses those rules as they apply to **intrastate transportation** in Minnesota.

Carriers Subject to Driver Qualification (DQ) Rules

A carrier engaged in Minnesota intrastate transportation is subject to DQ rules if it is a:

- For-hire carrier operating any size vehicle;
- Private carrier operating a vehicle over 10,000 pounds gross vehicle weight (GVW);
- Carrier operating a vehicle over 10,000 pounds GVW and exclusively transporting “exempt” commodities, as described in Minnesota Statutes, Section 221.025 (M.S. § 221.025);¹
- Person transporting HM of a type or quantity that requires the vehicle to be placarded;
- Certain transit providers;² or
- Solid waste transporters.³

Carriers NOT Subject to DQ Rules

A carrier is not required to follow the DQ rules if the carrier is:

- A farm operation and its vehicles are operated by the farmer or farm employee to transport agricultural products, farm machinery, or supplies to or from a farm, if (1) the transportation is not for-hire and (2) the vehicle is not carrying HM that must be marked or placarded;⁴
- A farmer, or farmer’s employee, when transporting diesel fuel or gasoline in small tanks or, agricultural chemicals or fertilizer when the product is to be used on the farm;⁵ or
- Exclusively engaged in transporting agriculturally related products described in M. S. § 221.025.⁶

Minimum Qualifications of a Driver⁷

A driver is considered qualified if the driver:

- Is 18 years old, 21 if transporting HM (see exceptions M.S. § 221.033, 2a);
- Can speak and read English well enough to do the job;
- Has the ability to drive the vehicle safely;
- Knows how to properly load and secure cargo;
- Meets the physical qualifications in the DQ rules; and
- Has a driver’s license that is valid for the type of vehicle driven.

Offenses that Disqualify a Driver⁸

A driver becomes disqualified if the driver is convicted of one of the following offenses committed while on-duty and employed (including independent contractor) by a motor carrier or engaged in activity furthering commercial enterprise:

- Driving under the influence of alcohol (or with alcohol concentration of .04% or more);
- Refusal to undergo testing for alcohol;
- Driving under the influence of, transportation, possession, or unlawful use of an illegal drug;
- Leaving the scene of an accident in a commercial motor vehicle;
- Any felony involving the use of a commercial motor vehicle; or
- Violation of an out of service order.

How a Driver Becomes Medically Qualified⁹

A driver must get the required DOT physical and a signed medical examiner's certificate (health card). The health card must be in the driver's possession while driving a commercial vehicle.

Mn/DOT may grant waivers from the physical qualification requirements (vision, insulin-dependent diabetes, hearing impairment, and limb impairment). Waiver applications are available from, and must be submitted to, Mn/DOT's Office of Freight and Commercial Vehicle Operations.

What a DQ File Must Contain¹⁰

A motor carrier must keep a driver qualification file for each driver at its principal place of business for as long as the driver is employed by the carrier and for 3 years after the driver leaves the carrier's employ. The file must contain:

- Driver's application for employment;
- Driver's medical examiner's certificate (medical waiver if one has been granted);
- Driver's road test and certificate of road test or legible photocopy of the driver's commercial driver's license;
- Record of response from past employers for past 3 years;
- Response from state agencies about driver's driving record from past 3 years;
- Note on the carrier's annual review of driving record, showing date and who performed the review;
- Response from state agencies to the annual driving record inquiry;
- Driver's listing of all his/her moving traffic violations for the past 12 months; and
- Certain information on those drivers who are subject to controlled substance testing.

Drug and Alcohol Testing Requirements

Carriers operating commercial motor vehicles, whose operators are required to possess a commercial driver's license, are required to implement the testing requirements of 49 CFR, Part 382. For additional information see the Controlled Substance and Alcohol Testing Fact Sheet.

This Fact Sheet is intended as a resource. It is not intended to explain all the requirements of Minnesota or Federal law. The actual Statutes and Regulations are recommended as a resource, and can be purchased at the Minnesota Bookstore (phone number 651/297-3000 or 1-800-657-3757). For additional assistance contact the US DOT at 651/291-6150 or Mn/DOT's Office of Freight and Commercial Vehicle Operations.

¹ M.S. § 221.025 (2), (4), (7), (8), (9), (11), (14), (15)

² M.S. § 221.031, subd. 3a

³ M.S. § 221.031, subd. 3c

⁴ M.S. § 221.031, subd. 2(c)

⁵ M.S. § 221.033, subd. 2(b)

⁶ M.S. § 221.031, subd. 3(b)

⁷ 49 CFR 391.11

⁸ 49 CFR 391.15

⁹ 49 CFR 391.41, 43, 45, 47, 49

¹⁰ 49 CFR 391.51



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