

Emerging Proficient



Commercial Driver Program

# Retention of Documentation

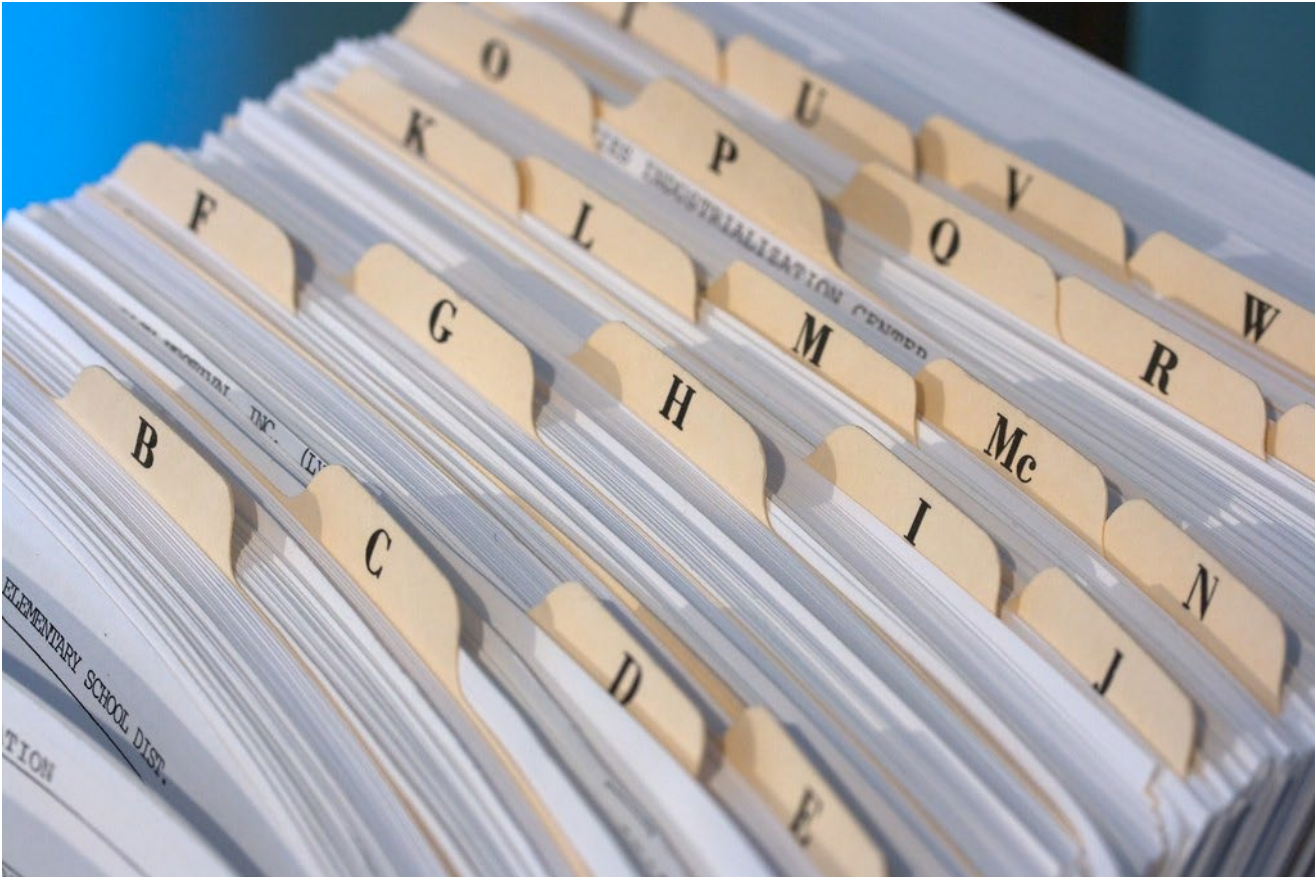
Introductory Curriculum

# EPCD Collaboration of Construction Businesses

Thanks to the advisory committee for your review and approval and to Fortified Development for the development of this curriculum.

- Amanda Corum - Pueblo Corporate College
- Cathy Kramer - Connect2DOT
- Cheryl Gallegos - DOC Employment & Training Navigator
- Denise Tolmich - Ram-CO
- Emily Crespín – CDOT
- Ira Martin - Colorado Aggregate Hauling
- Irasema Moreno - CHOM Trucking
- Martell Dyles – JE Dunn Construction
- Monica Gilbert – Fortified Development
- Omar Moreno - Iron Woman
- Reggie Gamlin – Flatiron

# Let's Get Started



# Overview

The FMCSA rules include a section on [record retention](#). In other words: how long you have to keep your business-related documents. Some things you can get rid of after a few months; other things you have to keep around for many years. If you get rid of your records too early, you could face hefty fines if there's an audit or investigation.



# Retention of Hours of Service Records

# HOS – Truck Driver's Responsibilities

- Complete a record of duty status (a physical or electronic log)
- Stay under the 60/70-hour driving/working limits
- When on the road, carry a copy of the previous 7 days' worth of logs
- Send log originals and time sheets to your employer daily
- Send all supporting documents that show hours of service evidence (receipts, statements, bills of lading, accident reports, phone bill statements, traffic citations, etc.) to your employer

# HOS – Employer's Responsibilities

- Show due diligence in enforcing the 60/70 hour driving rules and the 10-hours-off-duty-prior-to-first-dispatch rule
- Keep drivers' tickets/logs and supporting documents for 6 months after they are received
- For short-haul hours of service, record the driver's clock-in, total time worked, time clocked out, and total time for preceding 7 days

# Retention of Repair and Maintenance Records



# Repair and Maintenance Records

When a vehicle is under a company's control for 30 or more days, the company must have certain information about it on file, including:

- Identifying aspects of the vehicle, including company number (if it has one), the make, the serial number, year, and tire size
- Title and registration of the vehicle
- Record of inspections, repairs, and maintenance
- A means of showing how future inspections and maintenance will be scheduled
- Maintenance records for a company's vehicles must be kept for at **least 12 months**. If a company leases or sells a vehicle, those records must be kept for whichever occurs first: a) the remaining time left of the 12 months, or b) 6 months from when the vehicle leaves the company's control.

# Retention of Inspection Records

# Annual Inspections

In-depth vehicle inspections must be done annually. These inspections:

- Must be performed by a qualified inspector (in accordance with [§396.19](#))
- Must contain the name of the inspector, the motor carrier name, the date, the vehicle, the components inspected.
- Must contain a statement certifying accuracy and completeness
- Must be kept for 14 months
- A copy must be kept in the vehicle, or a decal with the information required in [§396.17](#)

# Daily Vehicle Inspections

- Brake inspections
  - The person inspecting brakes must be shown to be capable by reason of experience, training, or both
  - Records are kept until **1 year** after the employee stops performing inspections
- Roadside inspection reports
  - Drivers must turn roadside inspection forms into their carriers within 24 hours (can fax, mail, or otherwise transmit)
  - If repairs are required, carriers must send evidence of repairs to the state and keep a copy on file for **1 year**.

# Training and Driver Qualification

# Training and Qualification Records

- Monitor and track all records related to training
- Evidence of training must be kept for the **duration of employment, plus 1 year**
- Most driver qualification records must be kept for **the length of employment, plus 3 years**



# Accidents

# If there is an accident

- Retain proof of insurance covering the period when the accident happened
- If you have paperwork connected to an accident or lawsuit (i.e., driver training, truck maintenance reports, or drug/alcohol tests) talk to legal counsel before discarding





# Drug and Alcohol Testing

# Drug and Alcohol Test Results

There are varied amounts of retention length for various drug and alcohol test records. The most important ones are:

- Negative or cancelled tests only have to be kept 1 year
- Positive tests must be kept 5 years
- Names selected for testing and who was actually tested: must be kept for 2 years

