§ 391.63 - Multiple-employer drivers.

(a) If a motor carrier employs a person as a multiple-employer driver (as defined in [§ 390.5](https://www.customsmobile.com/regulations/49/390.5) of this subchapter), the motor carrier shall comply with all requirements of this part, except that the motor carrier need not -

(1) Require the person to furnish an application for employment in accordance with [§ 391.21](https://www.customsmobile.com/regulations/49/391.21);

(2) Make the investigations and inquiries specified in [§ 391.23](https://www.customsmobile.com/regulations/49/391.23) with respect to that person;

(3) Perform the annual driving record inquiry required by [§ 391.25](https://www.customsmobile.com/regulations/49/391.25)(a);

(4) Perform the annual review of the person's driving record required by [§ 391.25](https://www.customsmobile.com/regulations/49/391.25)(b); or

(5) Require the person to furnish a record of violations or a certificate in accordance with [§ 391.27](https://www.customsmobile.com/regulations/49/391.27).

(b) Before a motor carrier permits a multiple-employer driver to drive a commercial motor vehicle, the motor carrier must obtain his/her name, his/her social security number, and the identification number, type and issuing State of his/her commercial motor vehicle operator's license. The motor carrier must maintain this information for three years after employment of the multiple-employer driver ceases.

[63 FR 33278, June 18, 1998, as amended at 79 FR 59457, Oct. 2, 2014]

**authority:** [49 u.s.c. 504](https://www.customsmobile.com/uscode/49/504),[508](https://www.customsmobile.com/uscode/49/508),[31133](https://www.customsmobile.com/uscode/49/31133),[31136](https://www.customsmobile.com/uscode/49/31136),[31149](https://www.customsmobile.com/uscode/49/31149),[31502](https://www.customsmobile.com/uscode/49/31502); sec. 4007(b), pub. l. 102-240, 105 stat. 1914, 2152; sec. 114, pub. l. 103-311, 108 stat. 1673, 1677; sec. 215, pub. l. 106-159, 113 stat. 1748, 1767; sec. 32934, pub. l. 112-141, 126 stat. 405, 830; secs. 5403 and 5524, pub. l. 114-94, 129 stat. 1312, 1548, 1560; sec. 2, pub. l. 115-105, 131 stat. 2263; and [49 cfr 1.87](https://www.customsmobile.com/regulations/49/1.87)

**source:** 35 fr 6460, apr. 22, 1970, unless otherwise noted.

**cite as:** 49 cfr 391.63

§ 391.63 - Multiple-employer drivers.

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(2) Make the investigations and inquiries specified in [§ 391.23](https://www.customsmobile.com/regulations/49/391.23) with respect to that person;

(3) Perform the annual driving record inquiry required by [§ 391.25](https://www.customsmobile.com/regulations/49/391.25)(a);

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