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**Title 49 - Transportation**

**Subtitle B - Other Regulations Relating to Transportation**

**Chapter III - Federal Motor Carrier Safety Administration, Department of Transportation**

**Subchapter B - Federal Motor Carrier Safety Regulations**

**Part 391 - Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors**

**Subpart G - Limited Exemptions**

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**EDITORIAL NOTE ON PART 391**

**Editorial Note:** Nomenclature changes to part 391 appear at 66 FR 49874, Oct. 1, 2001.

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**§ 391.63 Multiple-employer drivers.**

- (a) If a motor carrier employs a person as a multiple-employer driver (as defined in § 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;
  - (2) Make the investigations and inquiries specified in § 391.23 with respect to that person;
  - (3) Perform the annual driving record inquiry required by § 391.25(a);
  - (4) Perform the annual review of the person's driving record required by § 391.25(b); or
  - (5) Require the person to furnish a record of violations or a certificate in accordance with § 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]*



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**§ 391.65 Drivers furnished by other motor carriers.**

(a) A motor carrier may employ a driver who is not a single-employer driver, as defined in § 390.5, of that motor carrier without complying with the generally applicable driver qualification file requirements in this part, if -

- (1) The driver is a single-employer driver for another motor carrier; and
- (2) That other motor carrier certifies that the driver is fully qualified to drive a commercial motor vehicle in a written statement which -
  - (i) Is signed and dated by an officer or authorized employee of the motor carrier that employs the single-employer driver;
  - (ii) Contains the driver's name and signature;
  - (iii) Certifies that the driver has been employed as a single-employer driver.
  - (iv) Certifies that the driver is fully qualified to drive a commercial motor vehicle under the rules in part 391 of the Federal Motor Carrier Safety Regulations;
  - (v) States the expiration date of the driver's medical examiner's certificate;
  - (vi) Specifies an expiration date for the certificate, which shall be not longer than 2 years or, if earlier, the expiration date of the driver's current medical examiner's certificate; and
  - (vii) Is substantially in accordance with the following form:

\_\_\_\_\_(Name of driver)

\_\_\_\_\_(SS No.)

\_\_\_\_\_(Signature of driver)

I certify that the above named driver, as defined in § 390.5, is a single-employer driver driving a commercial motor vehicle operated by the below named carrier and is fully qualified under part 391, Federal Motor Carrier Safety Regulations. His/her current medical examiner's certificate expires on \_\_\_(Date).

This certificate expires:

(Date not later than expiration date of medical certificate)

Issued on\_\_\_(date)

Issued by\_\_\_\_\_

(Name of carrier)

(Address)

(Signature)

(Title)

- (b) A motor carrier that obtains a certificate in accordance with paragraph (a)(2) of this section shall:
- (1) Contact the motor carrier which certified the driver's qualifications under this section to verify the validity of the certificate. This contact may be made in person, by telephone, or by letter.
  - (2) Retain a copy of that certificate in its files for three years.
- (c) A motor carrier which certifies a driver's qualifications under this section shall be responsible for the accuracy of the certificate. The certificate is no longer valid if the driver leaves the employment of the motor carrier which issued the certificate or is no longer qualified under the rules in this part.

*[41 FR 36656, Aug. 31, 1976, as amended at 53 FR 18057, May 19, 1988; 60 FR 38745, July 28, 1995; 63 FR 33278, June 18, 1998; 67 FR 61824, Oct. 2, 2002; 78 FR 58483, Sept. 24, 2013]*