

New Entrant Safety Audit Checklist

Prepared by DOT Audit Binder.

Use this as a starting point for a U.S. new entrant safety audit. Follow your auditor's request. Requirements and exceptions depend on your operation. Additional documents may be requested.

Side 1 — Collect your documents

Order follows the FMCSA Safety Audit Resource Guide. "Keep current" includes practical preparation tips; it does not create a separate legal requirement for a particular checklist or roster format.

1. Drivers List

What it is: An inventory of your drivers. **Who provides it:** You.

Applies if: You use drivers, including yourself. **Keep current:** Update when drivers join or leave. Use the auditor's requested scope.

2. Driver's License

What it is: The license authorizing the driver to operate the vehicle. **Who provides it:** State licensing agency; driver supplies it. **Applies if:** The driver operates a covered vehicle. **Keep current:** Check validity, class, endorsements, and restrictions. §§391.11(b)(5), 383.23.

3. Records of Duty Status + Supporting Documents

What it is: Duty logs and records supporting them. **Who provides it:** Driver/ELD, plus your business records. **Applies if:** Part 395 applies; logging exceptions may change the records needed. **Keep current:** Keep required logs and supporting documents for six months after receipt. Qualifying short-haul operations keep required time records instead. §§395.8(k), 395.1(e).

4. Motor Vehicle Record

What it is: The state driving-history record. **Who provides it:** State licensing agency. **Applies if:** Part 391's qualification requirements apply. **Keep current:** Obtain the hiring MVR within 30 days of employment and obtain/review MVRs at least annually. §§391.23(a)(1) and (b), 391.25.

5. Medical Certificate

What it is: Evidence of medical qualification. **Who provides it:** Medical examiner; state CDLIS/MVR for applicable CDL records. **Applies if:** Medical qualification rules apply. **Keep current:** Check the actual expiration and restrictions. Keep the appropriate certificate or CDLIS MVR in the qualification file. §§391.45, 391.51(b)(6).

6. Vehicle List

What it is: An inventory of vehicles used in your operation. **Who provides it:** You. **Applies if:** You operate vehicles. **Keep current:** Update when vehicles enter or leave service. Include leased equipment within the requested scope.

7. Vehicle Inspection

What it is: The periodic inspection report and required inspection documentation. **Who provides it:** Qualified person who performed the inspection. **Applies if:** Part 396's periodic inspection rule applies. **Keep current:** Each vehicle component must have a qualifying inspection within the preceding 12 months. Keep reports 14 months. §§396.17, 396.19, 396.21.

8. HM Shipping Papers

What it is: Shipment information required for covered hazardous materials. **Who provides it:** Shipper; you retain the carrier's copy. **Applies if:** You transport HM requiring shipping papers. **Keep current:** Check each shipment. Retain one year after acceptance; hazardous-waste papers, three years after initial-carrier acceptance. §177.817.

9. Proof of Insurance

What it is: Evidence of required financial responsibility. **Who provides it:** Insurer or other authorized coverage provider. **Applies if:** Part 387 applies to your operation. **Keep current:** Keep coverage effective at the required level and retain the required proof. §§387.7, 387.9, 387.31, 387.33.

10. Drug & Alcohol Program

What it is: Testing-program records and required Clearinghouse queries. **Who provides it:** You, testing provider/consortium, and Clearinghouse. **Applies if:** Part 382 applies, generally to CDL-required driving, including covered owner-operators. **Keep current:** Maintain required pre-employment and random testing, plus pre-employment and annual Clearinghouse queries. §§382.103, 382.301, 382.305, 382.701.

11. Accident Register

What it is: A record of qualifying crashes and required accident reports. **Who provides it:** You; government/insurer supplies related reports. **Applies if:** A crash meets the §390.5 definition. **Keep current:** Update after qualifying crashes. Retain each entry and required reports for three years. §390.15.

Medical-record note: The applicable medical-certificate and CDLIS MVR requirements are in §391.51(b)(6). A paper card alone is not always the required CDL driver-file evidence.

Crash note: The definition covers a death, an injury requiring immediate treatment away from the scene, or disabling damage requiring towing, subject to the rule's exclusions. Not every tow or minor injury qualifies. If you have no qualifying crashes, tell the auditor.

ELD note: Keep original electronic records and follow requested transfer instructions. A PDF does not replace every required ELD output. §395.22(j).

Side 2 — Review the 16 automatic-failure provisions

49 CFR 385.321(b) contains **16 entries**.

Threshold: One occurrence for every entry below except **13 and 16**, which require violations in **51% or more of the examined records** to trigger automatic failure under this table.

1. **No required drug/alcohol testing program.** §382.115(a)/(b).
2. **Using a driver known to have an alcohol concentration of 0.04 or higher** for a safety-sensitive function. §382.201.
3. **Using a driver barred from duty after refusing a required alcohol or drug test.** §382.211.
4. **Using a driver barred from duty after a known positive drug test.** §382.215.
5. **No required random drug/alcohol testing program.** §382.305.
6. **Knowingly using a driver without a valid CDL when one is required.** §§383.3(a), 383.23(a).
7. **Knowingly allowing an employee to drive with a disqualified CLP/CDL, lost CMV driving rights, or a CMV disqualification.** §383.37(b).
8. **Knowingly allowing a driver disqualified under the CDL rules to operate a CMV covered by §383.5.** §383.51(a).
9. **Operating without required minimum financial responsibility under the property-carrier rules.** §387.7(a).
10. **Operating a passenger-carrying vehicle without required minimum financial responsibility.** §387.31(a).
11. **Knowingly using a driver disqualified under the driver-qualification rules.** §391.15(a).
12. **Knowingly using a physically unqualified driver in a CMV covered by §390.5.** §391.11(b)(4).
13. **Not requiring required records of duty status.** §395.8(a). **Threshold: 51% or more of examined records.**
14. **Operating a vehicle declared out of service before required repairs.** §396.9(c)(2).
15. **Not correcting out-of-service defects recorded in a driver vehicle inspection report before operation.** §396.11(a)(3).
16. **Using vehicles without required periodic inspections.** §396.17(a). **Threshold: 51% or more of examined records.**

Apply each entry only where its underlying rule applies. For entries 3–4, return-to-duty requirements matter. Falling below a table threshold does not make a violation acceptable or establish that an audit will be passed.

Sources and review date

Document order: FMCSA Safety Audit Resource Guide.

Current rules: 49 CFR, eCFR.

Automatic-failure table: 49 CFR 385.321(b).

Checked October 5, 2026. eCFR Title 49 displayed as current through October 1, 2026.

The guide contains older details. Current rules control. Periodic inspections use Appendix A to Part 396.

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