**§391.15 Disqualification of drivers.**

## Guidance Q&A

***Question 9:*** If a driver commits a felony while operating a CMV but not in the employ of a motor carrier, is the offense disqualifying?

***Guidance:*** No. There are 2 conditions required to be present for a felony conviction to be a disqualifying offense under §391.15: (1)The offense was committed during on-duty time; and (2) the driver was employed by a motor carrier or was engaged in activities that were in furtherance of a commercial enterprise. However, neither of these conditions is a prerequisite for a disqualifying offense under §383.51.