**§391.25 Annual inquiry and review of driving record.**

Below are the available interpretations for the given section. To return to the list of parts, use the.

## Guidance Q&A

***\*Question 4:*** Does the use of a third-party computerized system that provides motor carriers with a complete department of motor vehicle report for every State in which the driver held a commercial motor vehicle operator’s license or permit when a driver is enrolled in the system, and then automatically provides an update anytime the State licensing agency enters new information on the driving record, satisfy the requirements of §391.25?

***Guidance:*** Yes. Since motor carriers would be provided with complete department of motor vehicle report for every State in which the driver held a commercial motor vehicle operator’s license or permit when a driver is enrolled in the system, and the provided with an update any time the State licensing agency enters new information on the driving record, the requirements of §391.25(a) would be satisfied. When the motor carrier manager reviews the information on the driving record, and the License Monitor system records the identity of the manger who conducted the review, the requirements of §391.25(b) and (c) would be satisfied.

With regard to the requirement that the response from each State agency, and a note identifying the person who performed the review, may be maintained in the driver’s qualification files, motor carriers may satisfy the record keeping requirement by using computerized records in accordance with 49 CFR 390.31. Section allows all records that do not require signatures to be maintained through the use of computer technology provided the motor carrier can produce, upon demand, a computer printout of the required data. Therefore, motor carriers using an automated computer system would not be required to maintain paper copies of the driving records, or a note identifying the person who performed the review, in each individual driver qualification file provided a computer printout can be produced upon demand of a Federal or State enforcement official.