**§383.37 – Employer Responsibilities**

## Guidance Q&A

***Question 1:*** If an individual driver had two convictions for serious traffic violations while driving a CMV, and neither the FMCSA nor his/her State licensing agency took any disqualification action, does the motor carrier have any obligation under FMCSA regulations to refrain from using the driver for 60 days? If so, when does that time period begin?

***Guidance:*** No. The motor carrier’s responsibility under § 383.37(a) to refrain from using the driver begins only when it learns of a disqualification action imposed by FMCSA or the State agency and continues until the disqualification period set by the State or FMCSA is completed.