**§383.37 – Employer Responsibilities**

## Guidance Q&A

***Question 2:*** Is a driver who has a CDL and has been convicted of a felony disqualified from operating a CMV under the FMCSRs?

***Guidance:*** Not necessarily. The FMCSRs do not prohibit a driver who has been convicted of a felony from operating a CMV unless the offense involved the use of a motor vehicle, either a CMV or a non-CMV. (Table 1 to § 383.51(b)).