

# Are your Mechanics and Inspectors DOT qualified?

Some shop personnel need to be trained

Can you provide documented proof that the people who perform maintenance and inspection tasks on your commercial motor vehicles are qualified? If not, you may be in violation of the Federal Motor Carrier Safety Regulations and may be opening yourself up to liability, even if you rely on another company to do all your maintenance and inspections.

In terms of liability, allowing unqualified or unknown persons to inspect or work on critical safety components could be a costly mistake. If a contracted maintenance facility uses an unqualified technician to fix the brakes on one of your tractors, for example, and that tractor is involved in a serious accident later in the day, you could face an expensive lawsuit for using an unqualified brake mechanic to repair your vehicles.

Whether you perform inspections and maintenance in-house or have another party perform those tasks for you, you (as the motor carrier) are ultimately responsible for providing that they're qualified.

In terms of the regulations, the Federal Motor Carrier Safety Regulations require qualifications for anyone performing:

- Annual (periodic) vehicle inspections – see 49 CFR 396.19; or
- Brake inspections, maintenance, service, or repairs – see 49 CFR 396.25.

In either case, formal training is not necessarily required. Knowing the regulations or having at least one year of experience performing these tasks can be enough to satisfy the qualification requirements.

No matter who performs these tasks for you, make sure you either have documentation on file showing that those individuals are qualified or have a contract specifying that only qualified personnel will be allowed to inspect or repair your equipment. If you do not have proof of qualifications on hand, then, at a minimum, make sure your maintenance personnel can provide that proof on demand. In the event of an audit, you could be asked to provide such proof within 48 hours.

So before you cross paths with a plaintiff's attorney or a government auditor, ask yourself if you're using qualified inspection and maintenance personnel, and make sure you can prove it!

Starting in February 2012, NTA will be offering FMCSA Certified Safety Auditors (NESCAP) or State of California Certified Safety Auditors for either BIT inspections and/or Driver Qualification File Inspections. Call 800-805-0040 now to reserve a specialist as there are only a limited number of Certified Safety Auditors.