

The New Entrant Audit File

My audit letter gave me ten calendar days. Yours may differ. Use the deadline and document list in your own notice; they control your audit. This checklist was built from the New Entrant Safety Audit my own trucking company passed.

10 DOCUMENTS

17 QUESTIONS

AUTOMATIC-FAILURE REVIEW

USE THE DEADLINE IN YOUR LETTER

SUBMISSION DEADLINE FROM YOUR NOTICE

YOUR NEWS CODE

What you upload

CHECK EACH ONE OFF

☐ 1. Drivers List

Every company and leased driver used in the past 365 days.

SEND Name, hire date, termination date, rehire date, date of birth, license number and state of issuance. Include drivers who quit and anyone leased on for a single load — this list is what the investigator pulls names from for every other request.

49 CFR Part 391

☐ 2. Vehicle List

Every single vehicle or combination over 10,000 lbs used in interstate commerce in the past 365 days.

SEND Year, make and VIN for power units *and* trailers. Trailers are the most commonly forgotten half of this list, and every one over 10,000 lbs needs its own annual inspection.

49 CFR 390.21 · 396.17

☐ 3. Proof of Insurance **AUTOMATIC FAILURE**

MCS-90 form if applicable, or a certificate of insurance showing your minimum level of financial responsibility.

SEND \$750,000 for for-hire general freight in vehicles over 10,000 lbs. \$1,000,000 for oil and most listed hazardous materials. \$5,000,000 for the highest-risk cargo — bulk Division 1.1–1.3 explosives, Division 2.3 Hazard Zone A and 6.1 PG I Zone A poison gas, bulk 2.1 and 2.2 gases, and highway-route-controlled radioactive — and that tier applies even in vehicles under 10,001 lbs. Coverage must have been continuously in effect; a lapse fails the audit outright, and FMCSA can already see your filing history.

49 CFR 387.7 · 387.9

☐ 4. Medical Certificate

One driver's current medical examiner's certificate, and the long form if you have it.

SEND A current card from an examiner listed on the FMCSA National Registry, valid up to 24 months. Verify the examiner is on the registry *before* the exam. Keep the certificate 3 years.

49 CFR 391.43 · 391.45 · 391.51(b)(6)

☐ 5. Driver's Motor Vehicle Record

One driver's MVR from the state that issued the license.

SEND At hire, an inquiry to every state where the driver held a license in the previous 3 years (391.23). After that, an MVR and a written review at least once every 12 months (391.25). Keep both 3 years. Cheapest item on this list and one of the most frequently missing.

49 CFR 391.23 · 391.25

☐ 6. Driver's License **AUTOMATIC FAILURE**

A copy of one current driver's license.

SEND Current, correctly classed, and endorsed for what the driver actually operates — doubles/triples, tanker, passenger, hazmat. One CDL only, from one state. Class and endorsements have to match the equipment and cargo on your vehicle list.

49 CFR 383.23 · 383.37

☐ 7. Records of Duty Status + supporting documents **AUTOMATIC FAILURE**

30 consecutive days of RODS for one driver, transferred from your ELD, plus supporting documents for the same period.

SEND Use your ELD's data transfer to FMCSA and enter the NEWS-XXXX output file comment code from your letter when prompted — update the ELD software and call the provider before you try. Then upload supporting documents for the same 30 days: fuel receipts, bills of lading, dispatch records, tolls. If every driver runs short-haul, send time records instead, showing report time, release time and total hours on duty for each day. Retain 6 months. Note that the exception is 150 air-miles for CDL and non-CDL drivers alike since the 2020 hours-of-service rule — FMCSA's audit paperwork still says “100/150.”

49 CFR 395.8 · 395.1(e) · 395.11

☐ 8. Vehicle Inspection **AUTOMATIC FAILURE**

A current periodic (annual) inspection report for one power unit.

SEND The inspection report itself — not the decal, and not a roadside inspection. Every CMV needs one every 12 months, including each trailer and converter dolly in a combination. Keep the report 14 months.

49 CFR 396.17 · 396.21

☐ 9. Drug & Alcohol Program **4 AUTOMATIC FAILURES**

Consortium enrollment letter, random pool roster, and one pre-employment test result with chain of custody.

SEND A *signed and dated* enrollment letter naming the consortium and the enrollment date; the consortium's roster showing your drivers in the random pool; and a pre-employment result with its chain-of-custody form, conducted within 365 days of that driver's hire date. Be ready to show Clearinghouse queries too — a full query before hire, and a query at least annually for every driver.

49 CFR 382.115 · 382.301 · 382.305 · 382.701

☐ 10. Safety Audit Information Sheet

The information sheet emailed to you, completed and returned.

SEND Fleet size, driver count, annual mileage, gross revenue, fiscal year end, cargo types. These numbers become Part A of your audit report, and annual mileage is the denominator for your crash rate — it should tie to your IFTA filings.

Part of the audit record

How long you have to keep it

THE AUDIT IS ONLY THE FIRST LOOK

RECORD	RETENTION	REGULATION
Driver qualification file (application, employment verifications, road test)	Employment + 3 years	391.51
Medical examiner's certificate	3 years	391.51(d)(3)
Motor vehicle record and your annual review of it	3 years	391.25(c) · 391.51
Records of duty status and supporting documents	6 months	395.8(k)
Short-haul time records (150 air-mile exception)	6 months	395.1(e)
Driver vehicle inspection reports (DVIR)	3 months	396.11
Periodic (annual) inspection report	14 months	396.21(b)
Vehicle maintenance and repair records	1 year, +6 months after the vehicle leaves you	396.3(c)
Roadside inspection reports	12 months	396.9(d)
Accident register and supporting documents	3 years per accident	390.15(b)
Verified positives, alcohol results 0.02+, refusals, referrals, annual summaries	5 years	382.401(c)
Collection process records, including random selection documents	2 years	382.401(c)
Negative and cancelled results, alcohol results under 0.02	1 year	382.401(c)
Clearinghouse query records and results	3 years	382.701(e)

The seventeen questions

ANSWER AS YOUR RECORDS ACTUALLY STAND

How scoring really works. The seventeen questions roll up into six factors: General, Driver, Operations, Maintenance, HazMat and Accidents. A wrong answer on a *critical* question costs 1 point, an *acute* question costs 1.5. A factor fails at 3 points, and three failed factors fail the audit. But twelve of these questions are listed in 49 CFR 385.321(b) as automatic failures — miss one and the score is never calculated. Note the reversals: on six of them — Q6, Q8, Q9, Q11, Q12 and Q13 — **No** is the compliant answer.

#	QUESTION	COMPLIANT	WEIGHT	AUTO	REGULATION
Q1	Does the carrier have the required minimum level of financial responsibility in effect?	Yes	Acute · 1.5	●	387.7(a)
Q2	Is the motor carrier authorized to conduct interstate operations in the United States?	Yes	—		13901 / 392.9a
Q3	Can the carrier provide a complete accident register of recordable accidents for up to 3 years after each accident?	Yes / N-A	—		390.15(b)(1)
Q4	Does the carrier maintain the medical examiner's certificate as required by 391.43(g)?	Yes	Critical · 1		391.51(b)(6)
Q5	Is the carrier using physically qualified drivers?	Yes	Acute · 1.5	●	391.11(b)(4)
Q6	Is the carrier using any disqualified drivers?	No	Acute · 1.5	●	391.15(a)
Q7	Has the carrier implemented an alcohol and/or controlled substances testing program?	Yes	Acute · 1.5	●	382.115(a), (b)
Q8	Has the carrier used a driver who has tested positive, or adulterated or substituted a test specimen, for a controlled substance?	No	Acute · 1.5	●	382.215
Q9	Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	No	Acute · 1.5	●	382.201
Q10	Has the carrier implemented a random testing program?	Yes	Acute · 1.5	●	382.305
Q11	Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	No	Acute · 1.5	●	382.211
Q12	Has a driver operated a CMV without a current operating license, or one that hasn't been properly classed and endorsed?	No	Critical · 1	●	383.23(a)
Q13	Has the carrier knowingly allowed drivers whose CDLs are suspended, revoked, canceled or disqualified to operate a CMV?	No	Acute · 1.5	●	383.37(b)
Q14	Does the carrier have a system for recording hours of duty status on 100/150 air-mile radius drivers, and are they properly using the exemption?	Yes / N-A	—		395.1(e)(1), (2)
Q15	Does the carrier require drivers to make a record of duty status using the required method?	Yes / N-A	Critical · 1	●	395.8(a)
Q16	Does the motor carrier conduct periodic (annual) inspections for selected vehicles?	Yes	Critical · 1	●	396.17(a)
Q17	Did you review HM shipping papers?	Yes / N-A	—		Parts 171, 177, 180, 397

● = listed in 49 CFR 385.321(b) as an automatic failure. Two further automatic failures never appear as questions but come up in the file: operating a vehicle declared out of service before repairs (396.9(c)(2)) and failing to correct out-of-service defects listed on a DVIR (396.11(a)(3)).

Where small carriers actually lose it

The drug program that was never really joined

An enrollment email is not an enrollment letter. FMCSA wants the signed, dated consortium letter, the roster showing your drivers in the random pool, and a pre-employment result with its chain-of-custody form dated within 365 days of hire.

Hiring first, testing second

The pre-employment test has to clear before the driver performs a safety-sensitive function, and a full Clearinghouse query has to run before you hire. Miss the order of operations and the paperwork can never be made right after the fact.

The annual inspection nobody did

Every power unit and every trailer over 10,000 lbs needs a periodic inspection. A decal on the door is not the report. Keep the report 14 months.

Claiming short-haul without the time records

The short-haul exception — 150 air-miles for CDL and non-CDL drivers alike since 2020, though FMCSA's forms still say "100/150" — only holds if you keep time records showing report time, release time and total hours for each day, retained 6 months. If a driver breaks the radius or the 14-hour window even once, that day needs a log.

The MVR nobody pulled

391.25 requires a motor vehicle record at hire and annually after, with a written review on file. It costs a few dollars and it is on the list every single time.

Insurance that lapsed for a week

387.7(a) requires the minimum coverage in effect the entire time you operate. A gap is an automatic failure, and FMCSA already sees your filing status.

What happens after

OUTCOME	WHAT IT MEANS	YOUR CLOCK
Pass	“Carrier has adequate basic safety management controls in place.” You stay in new entrant status until the monitoring period ends, then convert to a standard USDOT number.	18-month monitoring
Fail	Written notice that your new entrant registration will be revoked and operations placed out of service unless you file an acceptable corrective action plan (385.319).	60 days 45 for passenger / HM
No response	Your letter cites 385.337(b): not producing the documentation is handled as refusing the audit. You get written notice, 10 days to agree in writing, and on day 11 registration is revoked and operations go out of service.	10 days
Revoked	No interstate operation. Re-registering means starting the new entrant process over from the beginning.	—

Want a second set of eyes before you upload?

I have been through this audit and passed it clean — zero failed questions across all six factors. If you want someone to look at the file

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Built from an actual New Entrant Safety Audit that passed with a zero-point score in all six factors — a two-truck, two-driver Washington State carrier running short-haul general freight, audited April 2024. Requirements, question wording and scoring reflect 49 CFR Parts 382, 383, 385, 387, 391, 392, 395 and 396 as of August 2026. This is a preparation aid, not legal advice. Your audit letter governs your deadline and your document list — read it, and take specific questions to the safety investigator named on it or to FMCSA at 800-832-5660.