

Operating a commercial vehicle brings additional legal and regulatory responsibilities. If your business involves CDL drivers or vehicles over 10,000 lbs, use this specialized checklist to ensure compliance with DOT and FMCSA regulations.

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# COMMERCIAL DRIVER ACCIDENT CHECKLIST

Safety • Compliance • Liability Protection

## 1. IMMEDIATE SITE SAFETY

- **Secure the Vehicle:** Engage the parking brake. Do not leave the engine running if there is any risk of fire or fuel leak.
- **Warning Devices:** Federal law (**49 CFR 392.22**) requires you to place warning triangles or flares within **10 minutes**.
  - *Two-lane road:* One 10' in front, one 10' behind, and one 100' behind.
  - *Divided highway:* One 10', one 100', and one 200' behind the vehicle.
- **Check for Hazmat:** If you are hauling hazardous materials, check for leaks and notify 911 immediately if a spill is detected.

## 2. MANDATORY NOTIFICATIONS

- **Fleet Manager/Safety Officer:** Call your company contact immediately. Most carriers have a specific protocol for "Response Teams."
- **Law Enforcement:** A police report is vital for your **FMCSA Accident Register**. Ensure the officer knows you are a commercial driver.
- **Do Not Discuss:** Limit your conversation to the facts. Do not discuss your "Hours of Service" (HOS) or logbook status with anyone except the police or your company.



### 3. COMMERCIAL-SPECIFIC DATA COLLECTION

*In addition to standard driver info, collect the following:*

- **[ ] DOT Numbers:** If another commercial vehicle is involved, record the USDOT number on the door.
- **[ ] Tractor & Trailer Info:** Note separate license plates and VINs for both the truck and the trailer.
- **[ ] Shipping Papers:** Keep your Bill of Lading (BOL) and manifest handy for the responding officer.
- **[ ] Dashcam/GPS:** Protect any electronic data. If your truck has a dashcam, ensure the footage is saved/uploaded immediately.



### 4. POST-ACCIDENT DRUG & ALCOHOL TESTING

Per **49 CFR 382.303**, a DOT drug/alcohol test is mandatory if the accident involves:

1. **A Fatality** (regardless of whether you received a citation).
  2. **Bodily Injury** where the person receives immediate medical treatment away from the scene **AND** you receive a citation.
  3. **Disabling Damage** to any vehicle requiring a tow **AND** you receive a citation.
- **Alcohol Test:** Must be completed within **2 hours** (maximum 8 hours).
  - **Drug Test:** Must be completed within **32 hours**.



### 5. THE ACCIDENT REGISTER (For the Office)

*Your carrier must record this accident in their register for the next 3 years. Provide them with:*

- **Date & City/State** of the incident.
- **Number of Injuries** and **Number of Fatalities**.
- **Hazmat Release:** Indicate if any hazardous materials (other than fuel) were released.



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#### PRO-TIP FOR FLEET MANAGERS:

**Preserve the ELD Data.** Immediately "lock" the Electronic Logging Device (ELD) data for the driver involved. In the event of a lawsuit, your HOS compliance will be the first thing scrutinized by opposing counsel.