Common Violations

The following tables categorizes some of the most common violations cited during roadside inspections conducted in 2021. To find additional data, visit FMCSA's Analysis & Information (A&I) website.

Parts & Accessories Violations (vehicle violations)	Relevant Code
Not having required operable lamps	393.9
Clamp/roto-chamber type brake(s) out of adjustment	393.47(e)
No/discharged/unsecured fire extinguisher	393.95(a)
Inoperative turn signal	393.9TS
Tire-flat and/or audible air leak	393.75(a)
No/defective lighting devices/reflective devices	393.11
CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear	393.53(b)
Windshield wipers inoperative/defective	393.78
Tire tread depth less than 2/32 of an inch	393.75(c)
No/insufficient warning devices	393.95(f)

Vehicle Maintenance Violations (vehicle violations)	Relevant Code
Operating a CMV without proof of a periodic inspection	396.17(c)
Parts or accessories in disrepair	396.3(a)(1)
Oil or grease leak	396.5(b)
Brakes out of service: the number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination. Breaks General. Brake system pressure loss.	396.3(a)(1)
Failure to correct defects noted on previous inspection report	396.9(d)(2)
Hubs - oil and/or grease leaking from hub - outer wheel	396.5(b)
Tires (general)	396.3(a)(1)
A liquid fuel system with a dripping leak at any point.	396.3(a)(1)
Hubs—wheel seal leaking	396.5(b)
Unsafe operations forbidden	396.7
Universal joint with loose, broken, or missing component, or bearing strap	396.3(a)(1)

Driver Qualification Violations (driver violations)	Relevant Code
No medical certificate in driver's possession, and operating a property-carrying vehicle without possessing a valid medical certificate	391.41
Expired medical examiner's certificate	391.45
Driver does not have a valid operator's license for the CMV being operated	391.11
Driver cannot read or speak the English language sufficiently to respond to official inquiries	391.11
Driver lacking physical qualification(s)	391.11

Driver operating a CMV without proper endorsements or in violation of restrictions	391.11
Driving a CMV while disqualified—suspended for safety-related or unknown reason and in the State of driver's license issuance	391.15
Driving a CMV while disqualified—suspended for non-safety-related reason and in the State of driver's license issuance	391.15
Driving a CMV in Interstate Commerce and driver is less than 21 years of age	391.11
Driving a CMV while disqualified—suspended for a safety-related or unknown reason and outside the driver's license State of issuance	391.15

Driver Training Violations (driver violations)	Relevant Code
Operating a CMV without a CDL	383.23
Driving a CMV while CDL is suspended for a safety-related or unknown reason and in state of driver's license issuance.	383.51
Failing to submit medical certification documentation as required	383.71
Operating a CMV with an improper CDL group	383.91
Driving a CMV while CDL is suspended for a non-safety-related reason and in the state of driver's license issuance	383.51
Driving a CMV while CDL is suspended for safety-related or unknown reason and outside the state of driver's license issuance	383.51
Operating on learner permit without a CDL holder	383.25
Driving a CMV while CDL is suspended for a non-safety-related reason and outside the state of driver's license issuance.	383.51
Operating a commercial motor vehicle without the required knowledge of general areas	383.111
No hazardous materials endorsement on CDL	383.93

Driving Violation (driver violations)	Relevant Code
Moving violations, such as: • Speeding • Following too closely • Improper lane changes • Reckless driving • Improper turns • Failure to yield to right of way • Railroad grade crossing violations • Failure to obey a traffic control device	392.2
Failing to use seat belt while operating CMV	392.16
Using a hand-held mobile telephone while operating a CMV	392.82
Driver on duty and in possession of a narcotic drug / amphetamine	392.4(a)
Failing to use hazard warning flashers	392.22(b)
Operating a property-carrying commercial motor vehicle while all other occupants are not properly restrained.	392.16(b)
Using or equipping a CMV with radar detector	392.71(a)

Driver having possession of alcohol while on duty, or operating, or in physical control of a CMV	392.5(a)(3)
Unauthorized passenger on board CMV	392.60
Driving a commercial motor vehicle while texting	392.80(a)

Hours of Service Violations (driver violations)	Relevant Code
False RODS	395.8(e)
ELD - No record of duty status (ELD Required)	395.8(a)
Form and manner issues, such as: log does not include miles traveled / log does not include locations	395.8
ELD cannot transfer ELD records electronically	395.24(d)
Driver failed to maintain supply of blank drivers records of duty status graph-grids	395.22(h)
Drivers record of duty status not current	395.8(f)
Driver failed to manually add shipping document number	395.24(c)
Driver failing to maintain ELD instruction sheet	395.22(h)
Portable ELD not mounted in a fixed position and visible to driver	395.22(g)
Driver failed to certify the accuracy of the information gathered by the ELD	395.30(b)
No record of duty status when one is required (ELD not required)	395.8
Driver failing to maintain ELD user manual	395.22
Driving beyond 14-hour duty period (property carrying vehicle)	395.3
Driving beyond 11-hour driving limit (property carrying vehicle)	395.3

Controlled Substances & Alcohol Violations	Relevant Code
Failing to Implement a drug/alcohol testing program	382.115(a)
Using a driver before receiving a pre-employment drug test result	382.301(a)
Failing to conduct post-accident alcohol or drug test	382.303
Failing to do random drug tests at applicable annual rate	382.305(b)(2)
Driver performing safety-sensitive function without follow-up	382.503
Using a driver who refused to take drug/alcohol test	382.211
Using a driver with a .04 alcohol level	382.201
Failing to implement a random controlled substance or alcohol testing program	382.305
Failing to do random alcohol tests at the applicable annual rate	382.305(b)(1)
Using a driver who has tested positive for a drug	382.215

Hazardous Materials Violations	Relevant Code
Package not secure in vehicle	177.834(a)
No copy of USDOT hazmat registration number	107.620(b)
No shipping papers, carrier	177.817(a)
Shipping paper accessibility	177.817(e)
No required placards or markings when required	177.823(a)
Vehicle not placarded as required	172.504(a)
Prohibited placarding	172.502(a)(1)
Placard damaged, deteriorated, or obscured	172.516(c)(6)
Maintenance/accessibility of emergency response information	172.602(c)(1)
Offer or transport without emergency response information	172.600(c)

See also, FMCSA's Top Twenty Cargo Tank Facility Violations.