

## 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](#).

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

<b>Vehicle Maintenance Violations (vehicle violations)</b>	<b>Relevant Code</b>
Operating a CMV without proof of a periodic inspection	<a href="#">396.17(c)</a>
Parts or accessories in disrepair	<a href="#">396.3(a)(1)</a>
Oil or grease leak	<a href="#">396.5(b)</a>
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.	<a href="#">396.3(a)(1)</a>
Failure to correct defects noted on previous inspection report	<a href="#">396.9(d)(2)</a>
Hubs - oil and/or grease leaking from hub - outer wheel	<a href="#">396.5(b)</a>
Tires (general)	<a href="#">396.3(a)(1)</a>
A liquid fuel system with a dripping leak at any point.	<a href="#">396.3(a)(1)</a>
Hubs—wheel seal leaking	<a href="#">396.5(b)</a>
Unsafe operations forbidden	<a href="#">396.7</a>
Universal joint with loose, broken, or missing component, or bearing strap	<a href="#">396.3(a)(1)</a>

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

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

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

<b>Driving Violation (driver violations)</b>	<b>Relevant Code</b>
Moving violations, such as: <ul style="list-style-type: none"> <li>• Speeding</li> <li>• Following too closely</li> <li>• Improper lane changes</li> <li>• Reckless driving</li> <li>• Improper turns</li> <li>• Failure to yield to right of way</li> <li>• Railroad grade crossing violations</li> <li>• Failure to obey a traffic control device</li> </ul>	<a href="#">392.2</a>
Failing to use seat belt while operating CMV	<a href="#">392.16</a>
Using a hand-held mobile telephone while operating a CMV	<a href="#">392.82</a>
Driver on duty and in possession of a narcotic drug / amphetamine	<a href="#">392.4(a)</a>
Failing to use hazard warning flashers	<a href="#">392.22(b)</a>
Operating a property-carrying commercial motor vehicle while all other occupants are not properly restrained.	<a href="#">392.16(b)</a>
Using or equipping a CMV with radar detector	<a href="#">392.71(a)</a>

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

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

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

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

See also, FMCSA's [Top Twenty Cargo Tank Facility Violations](#).