

# Legal Information for Moving Companies

*For all US DOT FMCSA regulated interstate movers of household goods*

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## *How long must you keep your records?*

The DOT/FMCSA regulations require that a mover must keep certain records/file in their office for certain periods of time. These files must be made available to representatives of the US DOT/FMCSA upon request. At a minimum a mover must keep records for the time period specified in the chart below.

NOTE: You may wish to keep the records/files for a longer period of time for tax purposes or to assist you in defending against potential litigation. For example, in many jurisdictions a customer can bring a lawsuit for damages to property up to two (2) years from the date of delivery. For example, even though the mover is only required to keep a Bill of Lading on file for one (1) year, it would be necessary to have the Bill of Lading longer than the one (1) year minimum time frame to help defend against a potential lawsuit.

## *USDOT/FMCSA Carrier Record Retention Requirements:*

<b>Driver Files/Safety Records:</b>	<b>Retention</b>	<b>Citation</b>
Driver application	During and 3 years after employment	49 CFR § 391.21
DMV record	During and 3 years after employment	49 CFR § 391.23
Road test or DCL	During and 3 years after employment	49 CFR § 391.33
Driver's medical card	During and 3 years after employment	49 CFR § 391.43(h)
Annual review	During and 3 years after employment	49 CFR §§ 391.25; .27
Log books; duty status	6 months after delivery	49 CFR § 395.8(k)
Accident Report	3 years	49 CFR § 379.7; Appen. A.

<b>Shipper Files:</b>	<b>Retention</b>	<b>Citation</b>
Bills of lading and releases	1 year	49 CFR § 379.7; Appen. A.
Estimate of charges	1 year	49 CFR § 379.7; Appen. A.
Order of service	1 year	49 CFR § 379.7; Appen. A.
Vehicle load manifest	1 year	49 CFR § 379.7; Appen. A.
Descriptive inventory	1 year	49 CFR § 379.7; Appen. A.

<b>Carrier Files:</b>	<b>Retention</b>	<b>Citation</b>
Agent agreements	2 years after termination of agreement	49 CFR § 375; Appen. A.

ABOUT THIS DOCUMENT: This document was created to help protect consumers by educating moving companies as to the regulations they must follow. Federal laws regulating moving companies are designed to help protect consumers and create an even playing field for moving companies. By following the law, moving companies can avoid government fines, lawsuits, and provide better service to their customers. This document is provided for general informational purposes only. This document is not intended to and does not provide legal advice or counsel. The author of this document is offering general information about the law cited and is not offering specific legal advice. Laws and procedures change frequently, and they can be interpreted differently by different people. For legal advice and answers to specific questions regarding your situation please call the Law Offices of Michael Garcia at 408-730-5683.