

## Top 10 Most Cited Acute and Critical Violations for 2012

### Top 10 Acute Violations (acute violations are considered to be the most serious)

Rank	Section	Description
1	382.115(a)	Failing to implement an alcohol and/or drug testing program
2	382.305	Failing to implement random drug or alcohol testing
3	383.37(a)	Allowing driver to operate with a suspended/revoked CDL
4	387.7(a)	Inadequate or no financial responsibility
5	390.35	Requiring, permitting, or making false statements or records
6	382.215	Using a driver who has tested positive for a drug
7	396.9(c)2	Operating an out-of-service vehicle
8	172.800(b)	Transporting HAZMAT without a security plan
9	391.11(a)	Using an unqualified driver
10	383.51(a)	Driving a CMV with a disqualified CDL

### Top 10 Critical Violations (critical violations are deemed less severe than acute)

Rank	Section	Description
1	396.11(a)	Failing to require driver to prepare vehicle inspection report
2	395.8e	False report of drivers record of duty status
3	395.8(a)	No record of drivers duty status
4	395.8(k)(1)	Retention of drivers record of duty status
5	382.301(a)	Using a driver before receiving a pre-employment drug testing result
6	396.17(a)	Using a CMV without an annual inspection
7	391.51(b)(2)	Inquiries into driving record not kept in driver qualification file
8	396.3(b)	Failing to keep minimum records of inspection and maintenance
9	382.305(b)(2)	Failing to do random drug test at applicable annual rate
10	395.8(i)	Failing to submit record of duty status within 13 days

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