

Note: This form is intended for use by Wage and Hour Division Investigators when conducting vehicle safety inspections under MSPA or the H-2A program. This document is for internal WHD use only. Unauthorized disclosure of this form is prohibited. Use a separate form for each vehicle inspected.

Identifiers		
WHI:	Date:	
VIN:	Vehicle Owner:	
Make:	Model:	
License Plate #:	State:	
Responsible Party:	MSPA Jointly Responsible Party:	
Driver(s)/Operator(s):	Driver's License #:	Valid Doctor's Certificate:
1)		Yes No
2)		Yes No
3)		Yes No
4)		Yes No

Instructions: Provide an explanation of the violations in the comments section. Make note of factors that will help determine the gravity of each violation and its impact on worker safety (e.g. the distance traveled, the time of day, the road conditions (e.g. straight or windy, flat or bumpy, highway or local road), the speed of the vehicle, the weather conditions, whether the seats were secure, etc.)

Violation	General Obligations	# Exposed	Photo Exhibit
<input type="checkbox"/>	<p><i>MSPA 500.100(a)</i></p> <ul style="list-style-type: none"> <li>• Failure to comply with applicable federal standards</li> <li>• Failure to comply with applicable state standards</li> <li>• Failure to ensure driver has a currently valid driver's license</li> </ul>		
<input type="checkbox"/>	<p><i>H2A 655.122(h)4</i></p> <ul style="list-style-type: none"> <li>• Failure to comply with applicable federal standards</li> <li>• Failure to comply with applicable state standards</li> <li>• Failure to comply with applicable local standards</li> <li>• Failure to provide, at a minimum, the safety standards, driver licensure, and vehicle insurance requirements set forth in 29 CFR 500.105 and 29 CFR 500.120-500.128</li> </ul>		

Comments:

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Violation	DOL Standards 500.104: <i>Passenger automobiles, station wagons</i>	# Exposed	Photo Exhibit
<input type="checkbox"/>	500.104(a) <i>External Lights</i> <ul style="list-style-type: none"> <li>• Head lights inoperable</li> <li>• Tail lights inoperable</li> <li>• Stop lights inoperable</li> <li>• Back up lights inoperable</li> <li>• Turn signals inoperable</li> <li>• Hazard Warning lights inoperable</li> </ul>		
<input type="checkbox"/>	500.104(b) <i>Brakes</i> <ul style="list-style-type: none"> <li>• Inoperable brakes</li> <li>• Leaky brakes</li> </ul>		
<input type="checkbox"/>	500.104(c) <i>Tires</i> <ul style="list-style-type: none"> <li>• Inadequate tread depth</li> <li>• Cracks/defects in sidewall</li> </ul>		
<input type="checkbox"/>	500.104(d) <i>Steering</i> <ul style="list-style-type: none"> <li>• Steering wheel unsafe</li> <li>• Steering mechanism unsafe</li> </ul>		
<input type="checkbox"/>	500.104(e) <i>Horn</i> <ul style="list-style-type: none"> <li>• Inoperable air or electric horn</li> </ul>		
<input type="checkbox"/>	500.104(f) <i>Mirrors</i> <ul style="list-style-type: none"> <li>• Rear view mirror missing or broken</li> <li>• Side view mirrors missing or broken</li> </ul>		
<input type="checkbox"/>	500.104(g) <i>Windshield/windows/windshield wipers</i> <ul style="list-style-type: none"> <li>• Windshield OR windows missing, broken, cracked, or with opaque obstruction that obscures vision</li> <li>• Wipers missing, inoperable, or otherwise do not allow operator full frontal vision in all weather conditions</li> </ul>		
<input type="checkbox"/>	500.104(h) <i>Fuel system</i> <ul style="list-style-type: none"> <li>• Fuel lines leak</li> <li>• Fuel tank leaks</li> <li>• Fuel tank cap is missing</li> </ul>		
<input type="checkbox"/>	500.104(i) <i>Exhaust system</i> <ul style="list-style-type: none"> <li>• Exhaust system missing</li> <li>• System leaks into passenger compartment</li> </ul>		
<input type="checkbox"/>	500.104(j) <i>Ventilation</i> <ul style="list-style-type: none"> <li>• Windows not operational to allow fresh air to occupants</li> </ul>		
<input type="checkbox"/>	500.104(k) <i>Safe loading</i> <ul style="list-style-type: none"> <li>• Vehicle driven when loaded beyond the manufacturer's gross vehicle weight rating</li> </ul>		
<input type="checkbox"/>	500.104(l) <i>Seats</i> <ul style="list-style-type: none"> <li>• Seats not provided for each occupant or rider in, or on, the vehicle</li> </ul>		
<input type="checkbox"/>	500.104(m) <i>Handles and latches</i> <ul style="list-style-type: none"> <li>• Door handles not provided or maintained</li> <li>• Door latches not provided or maintained</li> </ul>		

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Violation	DOL Standards 500.104: <i>Passenger automobiles, station wagons (cont'd)</i>	# Exposed	Photo Exhibit
<input type="checkbox"/>	<p><i>500.104(n) Passenger compartment</i></p> <ul style="list-style-type: none"> <li>• Compartment floor not free of openings, rusted areas, or other defects</li> <li>• Compartment sides not free of openings, rusted areas, or other defects</li> </ul>		
<p><b>Comments:</b></p>			

<b>DOT Standards 500.105</b>			
<ul style="list-style-type: none"> <li>• <i>Vehicles other than passenger automobiles and station wagons for MSPA purposes</i></li> <li>• <i>All employer-provided transportation under the 2010 H-2A Rule</i></li> </ul>			
Violation	Qualification of drivers or operators 500.105(b)(1)	# Exposed	Photo Exhibit
<input type="checkbox"/>	<p><i>500.105(b)(1)(ii) Minimum physical requirements</i></p> <ul style="list-style-type: none"> <li>• Loss of foot, leg, hand, or arm</li> <li>• Mental, nervous, organic, or functional disease likely to interfere with safe driving</li> <li>• Poor eyesight</li> <li>• Poor hearing</li> <li>• Addicted to the use of narcotics, habit forming drugs, or alcohol</li> <li>• Drives (or requires a person to drive) without a valid physical examination in the previous 36 months</li> <li>• Does not have (or maintain a copy of) a valid, unexpired doctor's certificate</li> </ul>		
<input type="checkbox"/>	<p><i>500.105(b)(1)(iii) – Minimum age and experience requirements</i></p> <ul style="list-style-type: none"> <li>• Does not meet minimum age (21)</li> <li>• Inadequate driving skill</li> <li>• Insufficient knowledge of regulations</li> <li>• Insufficient knowledge of English</li> <li>• Does not have proper driver's permit</li> </ul>		
<p><b>Comments:</b></p>			

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Violation	Driving of motor vehicles 500.105(b)(2)	# Exposed	Photo Exhibit
<input type="checkbox"/>	<i>500.105(b)(2)(ii) Driving rules to be obeyed</i> <ul style="list-style-type: none"> <li>• Vehicle not driven in accordance with the laws, ordinance, &amp; regulations of the jurisdiction in which it is operated</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(iv) Alcoholic beverages</i> <ul style="list-style-type: none"> <li>• Vehicle driven under the influence of alcohol</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(v) Schedules to conform with speed limits</i> <ul style="list-style-type: none"> <li>• Vehicle driven over the speed limit</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(vi) Equipment and emergency devices not in working order</i> <ul style="list-style-type: none"> <li style="width: 50%;">• Service brakes</li> <li style="width: 50%;">• Windshield wiper/wipers</li> <li style="width: 50%;">• Parking brake</li> <li style="width: 50%;">• Rear-vision mirror(s)</li> <li style="width: 50%;">• Steering mechanism</li> <li style="width: 50%;">• Coupling devices</li> <li style="width: 50%;">• Lighting devices &amp; reflectors</li> <li style="width: 50%;">• Fire extinguisher</li> <li style="width: 50%;">• Tires</li> <li style="width: 50%;">• Road warning devices</li> <li style="width: 50%;">• Horn</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(vii) Safe loading</i> <ul style="list-style-type: none"> <li>• Improper loading distribution or inadequately secured</li> <li>• Tailgate, tailboard, tarpaulins, doors, equipment, and rigging not securely in place</li> <li>• Objects obscure driver's view, interfere with the movement of arms or legs, prevent access to emergency accessories, or prevent exit from cab</li> <li>• Number of passengers exceeds seating capacity</li> <li>• Passengers not seated</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(viii) Rest and meal stops</i> <ul style="list-style-type: none"> <li>• Rest stops not provided at least once between meal stops</li> <li>• Meal stops more than 6 hours apart</li> <li>• Fewer than 30 minutes given for meal breaks</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(ix) Kinds of motor vehicles to transport workers</i> <ul style="list-style-type: none"> <li>• Workers transported in prohibited vehicle type</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(x) Limitation on distance</i> <ul style="list-style-type: none"> <li>• Transportation not ceased for a period of at least eight consecutive hours when transporting migrants more than 600 miles</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xi) Lighting devices and reflectors</i> <ul style="list-style-type: none"> <li>• Required lamps or reflectors are obscured by the tailboard</li> <li>• Lighting devices not lighted during darkness</li> </ul>		

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<b>DOT Standards 500.105</b>			
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<b>Violation</b>	<b>Driving of motor vehicles 500.105(b)(2) (cont'd)</b>	<b># Exposed</b>	<b>Photo Exhibit</b>
<input type="checkbox"/>	<i>500.105(b)(2)(xii) Ignition of fuel; prevention</i> <ul style="list-style-type: none"> <li>• Vehicle fueled when engine running</li> <li>• Driver or another person smokes or exposes an open flame in the vicinity of the vehicle when being fueled</li> <li>• Vehicle fueled while fuel hose not continuously in contact with the intake pipe of fuel tank</li> <li>• Driver or another person engages in an activity likely to result in fire or explosion</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xiii) Reserve fuel</i> <ul style="list-style-type: none"> <li>• Fuel supply carried on the motor vehicle in an improperly mounted fuel tank or tanks</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xiv) Driving by unauthorized person</i> <ul style="list-style-type: none"> <li>• Vehicle driven by unauthorized driver</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xv) Protection of passengers from weather</i> <ul style="list-style-type: none"> <li>• Passengers not protected from inclement weather by use of the top or protective devices</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xvi) Unattended vehicles; precautions</i> <ul style="list-style-type: none"> <li>• Vehicle left unattended without setting the parking break, chocking the wheels, or taking reasonable precautions to prevent the movement of the vehicle</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(2)(xvii) Railroad grade crossings; stopping required; sign on rear of vehicle</i> <ul style="list-style-type: none"> <li>• Less than a full stop made at railroad crossing</li> <li>• Missing sign on rear of vehicle</li> </ul>		
<b>Comments:</b>			
<b>Violation</b>	<b>Parts and accessories necessary 500.105(b)(3)</b>	<b># Exposed</b>	<b>Photo Exhibit</b>
<input type="checkbox"/>	<i>500.105(b)(3)(ii) Lighting devices</i> <ul style="list-style-type: none"> <li>• Vehicle not equipped with required lights and reflectors</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(3)(iii) Brakes</i> <ul style="list-style-type: none"> <li>• Vehicles not equipped with proper brakes</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(3)(iv) Coupling devices; fifth wheel mounting &amp; locking</i> <ul style="list-style-type: none"> <li>• Fifth wheel coupling devices unsafe/missing</li> </ul>		
<input type="checkbox"/>	<i>500.105(b)(3)(v) Tires</i> <ul style="list-style-type: none"> <li>• Unsafe tires used</li> </ul>		

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<b>Violation</b>	<b>Parts and accessories necessary 500.105(b)(3) (cont'd)</b>	<b># Exposed</b>	<b>Photo Exhibit</b>
<input type="checkbox"/>	<p><i>500.105(b)(3)(vi) Passenger compartment (other than a bus)</i></p> <ul style="list-style-type: none"> <li>• Inadequate floors</li> <li>• Inadequate sides</li> <li>• Nails, screws, splinters present potential injury to passengers</li> <li>• No or inadequate seats for each passenger</li> <li>• Inadequate protection from weather</li> <li>• Inadequate exit(s) from compartment</li> <li>• Inadequate gates/doors</li> <li>• Missing/inadequate ladders or steps</li> <li>• Missing/inadequate hand holds</li> <li>• No/inadequate emergency exit</li> <li>• No means of communication with driver</li> </ul>		
<input type="checkbox"/>	<p><i>500.105(b)(3)(vii) Protection from the cold</i></p> <ul style="list-style-type: none"> <li>• Exhaust heaters used</li> <li>• Unenclosed flame heaters</li> <li>• Heater fuel leakage</li> <li>• Heater air contamination</li> <li>• Heater not securely fastened to the vehicle</li> <li>• Hours of service; maximum driving time not adhered to</li> <li>• Vehicle not inspected and maintained</li> </ul>		
<b>Comments:</b>			

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