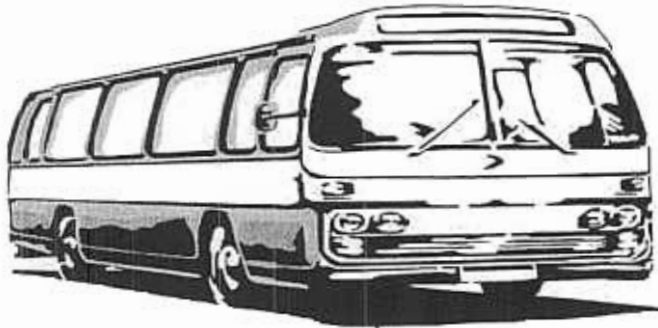


# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## EDUCATIONAL AND TECHNICAL ASSISTANCE PACKET



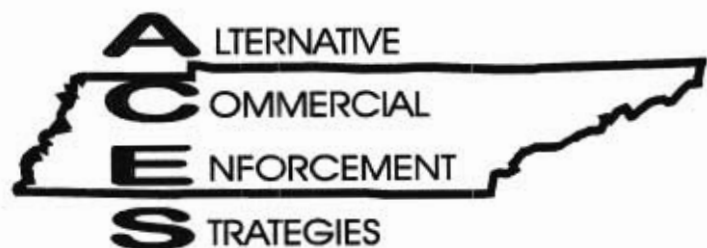
### SPONSORED BY:

Federal Motor Carrier  
Safety Administration



TENNESSEE HIGHWAY PATROL

New Entrant  
Safety Audit Program



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## Federal Motor Carrier Safety Administration Education and Technical Assistance Program

### INTRODUCTION

The Federal Motor Carrier Safety Administration (FMCSA) has produced “A Motor Carrier’s Guide to Improving Highway Safety” for our Education and Technical Assistance Program. This booklet provides basic compliance guidance to the Federal Motor Carrier Safety Regulations (FMCSRs). However, it is not intended to be a substitute for these regulations. To purchase a complete copy of the FMCSRs, Parts 300-399, contact the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, telephone: (202) 512-1800 or at [www.access.gpo.gov](http://www.access.gpo.gov).

Our overall goal is to improve the safe transportation of passengers and goods on the nation’s highways, through a coordinated effort of Federal, State, and industry organizations to reduce fatalities, injuries, property damage and Hazardous Materials incidents. We implement this safety and compliance program through a national network of sixty-four field offices.

This booklet is comprised of thirteen parts, each containing a specific safety regulation topic that is covered in the FMCSRs. These parts are listed in the Table of Contents. Each part contains information sheets that cover the highlights of that section. Please feel free to reproduce any or all material in this package and to distribute copies as needed. You may also obtain this information on our website at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable FMCSRs. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.

## **TENNESSEE HIGHWAY PATROL DISTRICTS 1 – 12**

**KNOXVILLE – DISTRICT 1**  
7601 Kingston Pike 37919  
PUBLIC NUMBER: 865-594-5800  
FAX NUMBER: 865-594-5812  
TOLL FREE: 1-800-490-3490

**CHATTANOOGA – DISTRICT 2**  
4120 Cummings Highway 37419  
PUBLIC NUMBER: 423-821-0722  
FAX NUMBER: 423-821-0722  
TOLL FREE: 1-800-305-2201

**NASHVILLE – DISTRICT 3**  
1603 Murfreesboro Road 37217  
PUBLIC NUMBER: 615-741-3181  
FAX NUMBER: 615-741-4975  
TOLL FREE: 1-800-736-0212

**MEMPHIS – DISTRICT 4**  
6348 Summer Avenue 38134  
PUBLIC NUMBER: 901-534-6256  
FAX NUMBER: 901-385-0177  
TOLL FREE: 1-800-736-9932

**FALL BRANCH – DISTRICT 5**  
184 Joe R. McCrary Road 37656  
PUBLIC NUMBER: 423-834-6144  
FAX NUMBER: 423-348-7043  
TOLL FREE: 1-800-737-2682

**COOKEVILLE – DISTRICT 6**  
1291 S. Walnut Avenue 38501  
PUBLIC NUMBER: 931-528-8496  
FAX NUMBER: 931-528-9185  
TOLL FREE: 1-800-434-6393

**LAWRENCEBURG – DISTRICT 7**  
1209 North Locust Avenue 38464  
PUBLIC NUMBER: 931-766-1425  
FAX NUMBER: 931-766-1429  
TOLL FREE: 1-800-736-1759

**JACKSON – DISTRICT 8**  
20 Vann Drive 38305  
PUBLIC NUMBER: 731-423-6635  
FAX NUMBER: 731-664-5014  
TOLL FREE: -800-736-3993

**GREENE Co. Inspection Station Dist. 5**  
P.O. Box 310 - Mosheim 37818  
PUBLIC NUMBER: 423-235-4104  
FAX NUMBER: 423-235-6298

**KNOX Co. Inspection Station Dist. 11**  
P.O. Box 22249 - Knoxville 37933  
PUBLIC NUMBER: 865-966-5071  
FAX NUMBER: 865-671-1293

**COFFEE Co. Inspection Station Dist. 12**  
P.O. Box 463 - Manchester 37349  
PUBLIC NUMBER: 931-723-5062  
FAX NUMBER: 931-723-5080

**ROBERTSON Co. Inspection Station Dist. 3**  
5753 Highway 31 West – Portland 37148  
PUBLIC NUMBER: 615-325-0424  
FAX NUMBER: 615-325-3196

**HAYWOOD Co. Inspection Station Dist. 4**  
P.O. Box 337 – Brownsville 38012  
PUBLIC NUMBER: 731-772-0812  
FAX NUMBER: 731-772-3686

# Federal Motor Carrier Safety Administration Education and Technical Assistance Program

## FIELD OFFICE DIRECTORY

U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

*Note: All Addresses should be preceded by*

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

### *Service Centers*

#### **Eastern Service Center**

City Crescent Building  
10 South Howard Street, Suite 4000  
Baltimore, MD 21201  
(410) 962-0077

#### **Southern Service Center**

Atlanta Federal Center  
61 Forsyth Street, SW Suite 17T75  
Atlanta, GA 30303-3104  
(404) 562-3600/3601

#### **Midwestern Service Center**

19900 Governors Drive, Suite 210  
Olympia Fields, IL 60461-1021  
(708) 283-3577

#### **Western Service Center**

201 Mission Street, Suite 2100  
San Francisco, CA 94105  
(415) 744-3088

### *Federal Motor Carrier Safety Administration Field Offices*

#### **ALABAMA**

500 Eastern Boulevard, Suite 200  
Montgomery, AL 36117-2018  
(334) 223-7244

#### **ALASKA**

605 W. 4<sup>th</sup> Avenue, Rm 249  
Historic Federal Building  
Anchorage, AK 99501  
(907) 271-4068

#### **ARIZONA**

400 East Van Buren Street, Suite 401  
Phoenix, AZ 85004  
(602) 379-6851

#### **ARKANSAS**

3414 Federal Building  
700 West Capitol  
Little Rock, AR 72201  
(501) 324-5050

#### **CALIFORNIA**

22690 Cactus Avenue, Suite 250  
Moreno Valley, CA 92553  
(909) 653-2299

#### **CALIFORNIA**

980 - 9<sup>th</sup> Street, Suite 450  
Sacramento, CA 95814-2724  
(916) 498-5050

#### **COLORADO**

555 Zang Street, Room 264  
Lakewood, CO 80228  
(303) 969-6748

#### **CONNECTICUT**

Glastonbury Corporate Center  
628-2 Hebron Avenue, Suite 303  
Glastonbury, CT 06033-5007  
(860) 659-6700

#### **DELAWARE**

Federal Office Building  
300 South New Street, Rm 2101  
Dover, DE 19904  
(302) 734-8173

#### **DISTRICT OF COLUMBIA**

1990 K Street, NW, Suite 510  
Washington, DC 20006  
(202) 219-3553

#### **FLORIDA**

227 North Bronough Street, Rm 2060  
Tallahassee, FL 32301  
(850) 942-9338

#### **GEORGIA**

Atlanta Federal Center  
61 Forsyth Street, SW; Suite 17T85  
Atlanta, GA 30303-3104  
(404) 562-3620/21

#### **HAWAII**

Prince Jonah Kuhio Kalaniana'ole  
Building  
300 Ala Moana Blvd, Suite 3-243  
Box 50206  
Honolulu, HI 96850  
(808) 541-2700

#### **IDAHO**

3050 Lakeharbor Lane, Suite 126  
Boise, ID 83703  
(208) 334-1842

**ILLINOIS**

3250 Executive Park Drive  
Springfield, IL 62703-4514  
(217) 492-4608

**INDIANA**

Minton-Capehart Federal  
Building  
575 N. Pennsylvania Street,  
Room 261  
Indianapolis, IN 46204-1520  
(317) 226-7474

**IOWA**

105 6<sup>th</sup> Street  
Ames, IA 50010-6337  
(515) 233-7400408

**KANSAS**

3300 S. Topeka Blvd, Suite 1  
Topeka, KS 66611-2237  
(785) 267-7288

**KENTUCKY**

Federal Building & US  
Courthouse  
330 West Broadway  
Frankfort, KY 40601  
(502) 223-6779

**LOUISIANA**

5304 Flanders Drive, Suite A  
Baton Rouge, LA 70808  
(225) 757-7640

**MAINE**

Federal Building & US Post  
Office  
40 Western Ave., Room 608  
Augusta, ME 04330  
(207) 622-8358

**MARYLAND**

The Rotunda - Suite 220  
711 West 40<sup>th</sup> Street  
Baltimore, MD 21211  
(410) 962-2889

**MASSACHUSETTS**

Transportation Systems Center  
55 Broadway, Rm I-35  
Cambridge, MA 02142  
(617) 494-2770

**MICHIGAN**

Federal Building  
315 West Allegan Street,  
Room 205  
Lansing, MI 48933-1514  
(517) 377-1866/1867

**MINNESOTA**

Galtier Plaza, Box 75  
175 Fifth Street East, Suite 500  
St. Paul, MN 55101-2904  
(651) 291-6150

**MISSISSIPPI**

666 North Street, Suite 103  
Jackson, MS 39202-3199  
(601) 965-4219

**MISSOURI**

209 Adams Street  
Jefferson City, MO 65101  
(573) 636-3246/3870

**MONTANA**

2880 Skyway Drive  
Helena, MT 59602  
(406) 449-5304

**NEBRASKA**

Federal Building  
100 Centennial Mall North  
Room 220  
Lincoln, NE 68508-5146  
(402) 437-5986

**NEVADA**

705 North Plaza Street,  
Suite 220  
Carson City, NV 89701  
(775) 687-5335

**NEW HAMPSHIRE**

279 Pleasant Street, Room 202  
Concord, NH 03301  
(603) 228-3112

**NEW JERSEY**

840 Bear Tavern Road; Suite 310  
West Trenton, NJ 08628  
(609) 637-4222

**NEW JERSEY**

275 Paterson Avenue  
Little Falls, NJ 07424  
(973) 357-4134

**NEW MEXICO**

2400 Louisiana Blvd., NE  
AFC-5 Suite 520  
Albuquerque, NM 87110-4316  
(505) 346-7858

**NEW YORK**

Leo W. O'Brien Federal  
Building  
Clinton Ave. & Pearl Street,  
Room 719  
Albany, NY 12207  
(518) 431-4145

**NEW YORK**

One Bowling Green, Room 420  
New York, NY 10004  
(212) 668-2130

**NEW YORK**

Federal Office Building  
111 West Huron Street,  
Room 909B  
Buffalo, NY 14202  
(716) 551-4701

**NEW YORK**

Federal Station  
James M. Hanley US  
Courthouse & Federal Building  
Room 129  
P.O. Box 7065  
Syracuse, NY 13261  
(315) 448-0311

**NORTH CAROLINA**

310 New Bern Avenue, Rm 468  
Raleigh, NC 27601  
(919) 856-4378

**NORTH DAKOTA**

1471 Interstate Loop  
Bismarck, ND 58503  
(701) 250-4346

**OHIO**

200 North High Street,  
Room 328  
Columbus, OH 43215-2482  
(614) 280-5657

**OKLAHOMA**

300 N. Meridian, Suite 106-S  
Oklahoma City, OK 73107-6560  
(405) 605-6047

OREGON  
The Equitable Center  
530 Center Street, NE, Suite 100  
Salem, OR 97301  
(503) 399-5775

PENNSYLVANIA  
228 Walnut Street, Rm 560  
Harrisburg, PA 17101-1720  
(717) 221-4443

PENNSYLVANIA  
Federal Building, Room 305  
1000 Liberty Avenue  
Pittsburgh, PA 15222  
(412) 395-6935/36

PENNSYLVANIA  
900 East Eighth Ave., Suite 202  
King of Prussia, PA 19406  
(610) 992-8680

PENNSYLVANIA  
U.S. Courthouse  
P.O. Box 430  
235 N. Washington Avenue  
Scranton, PA 18501  
(570) 346-4949  
(570) 346-5205

PUERTO RICO  
US Courthouse & Federal  
Building  
Carlos Chardon Street, Rm 329  
Hato Rey, PR 00918  
(787) 766-5985

RHODE ISLAND  
380 Westminster Mall,  
Room 547  
Providence, RI 02903  
(401) 528-4578

SOUTH CAROLINA  
1835 Assembly Street,  
Suite 1253  
Columbia, SC 29201-2430  
(803) 765-5414

SOUTH DAKOTA  
116 East Dakota Street  
Pierre, SD 57501  
(605) 224-8202

TENNESSEE  
640 Grassmere Park, Suite 111  
Nashville, TN 37211  
(615) 781-5781

TEXAS  
Room 8A06 Federal Building  
819 Taylor Street  
Fort Worth, TX 76102  
(817) 978-3225

TEXAS  
Lincoln-Juarez International  
Bridge  
Building 4, Rm 405  
P.O. Box 1579  
Laredo, TX 78042-1579  
(956) 794-1006

TEXAS  
826 Federal Building  
300 East 8<sup>th</sup> Street  
Austin, TX 78701  
(512) 536-5980

TEXAS  
5109 82<sup>nd</sup> St., #7  
Lubbock, TX 79424  
(806) 745-5630

UTAH  
2520 West 4700 South, Suite 9B  
Salt Lake City, Utah 84118  
(801) 963-0096

VERMONT  
Federal Building  
87 State Street, Room 216  
P.O. Box 568  
Montpelier, VT 05602  
(802) 828-4480

VIRGINIA  
400 North 8<sup>th</sup> Street, Room 750  
P.O. Box 10249  
Richmond, VA 23240-0249  
(804) 775-3322

WASHINGTON  
Evergreen Plaza  
711 South Capitol Way, Suite 501  
Olympia, WA 98501  
(360) 753-9875

WEST VIRGINIA  
700 Washington Street East  
Suite 205, Geary Plaza  
Charleston, WV 25301  
(304) 347-5935

WISCONSIN  
567 D'Onofrio Drive, Suite 101  
Madison, WI 53719-2814  
(608) 829-7530

WYOMING  
1916 Evans Avenue  
Cheyenne, WY 82001  
(307) 772-2305



# Federal Motor Carrier Safety Administration Education and Technical Assistance Program

## HOW TO OBTAIN MANUALS AND FORMS

1. Federal Motor Carrier Safety Regulations (FMCSRs)
2. Driver Qualification Packets
3. Accident Countermeasure Manuals

The Federal Motor Carrier Safety Administration does not stock or supply manuals and forms, such as the FMCSRs, "Accident Countermeasure" Manual, Medical Examiner's Certificate, Driver's Qualification File Forms, Driver's Daily Log Books, Hazardous Materials Placards, Hazardous Materials Labels, etc. They may be obtained from printing firms, State motor carrier associations, or other sources including, but not confined to, those listed below. Please note that the following suppliers may carry only certain items.

ArtCrest, Inc  
2003 Louisiana Street  
Little Rock, AR 72216  
(501) 374-6427  
www.artcrest.com  
(Placards & Labels)

Jack Bilt Corporation  
108 W. 19th St.  
Kansas City, MO 64105  
(816) 842-5068  
www.jack-bilt.net

J.J. Keller & Associates, Inc.  
3003 West Breezewood Lane  
P.O. Box 368  
Neenah, WI 54957-0368  
(877) 564-2333  
www.jjkeller.com  
(Various Forms and Manuals)

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402  
(202) 512-1800  
<http://bookstore.gpo.gov>

Federal Motor Carrier Safety Regulations  
Federal Hazardous Materials Regulations  
HM Container Regulations

Lancer Insurance Company  
370 West Park Avenue  
Long Beach, NY 11561  
(516) 431-4441  
www.lancer-ins.com  
(Bus/Accident Countermeasure Manual)

LabelMaster  
5724 North Pulaski Road  
Chicago, IL 60646-6797  
(800) 621-5808  
www.labelmaster.com  
(Placards & Labels)

(Your) State Motor Carrier Association  
(See the white pages of telephone directory in  
state capital city for address and number)

Triodyne, Inc.  
5950 West Touhy Avenue  
Niles, IL 60714-4610  
(847) 677-4730  
www.triodyne.com  
(Accident Countermeasure Manual)

49 CFR Parts 200-399  
49 CFR Parts 100-177  
49 CFR Parts 178-199

## **NEW ENTRANT BACKGROUND INFORMATION**

### ***What are the requirements of the New Entrant rule?***

All new entrant motor carriers must complete an application package consisting of a MCS-150, and a MCS-150A. This application may be completed online at <http://safer.fmcsa.dot.gov>, or by contacting our headquarters office at (800) 832-5660 and requesting an application mail. For-hire motor carriers must complete an OP-1, or OP-1(P), the BOC-3, and pay a \$300.00 filing fee. Private, and exempt for-hire carriers will not be required to pay any fee. Once the application package is completed, the carrier will be granted new entrant registration (USDOT number).

After being issued a new entrant registration, the carrier will be subject to an 18-month safety-monitoring period. During this safety-monitoring period, the carrier will receive a safety audit and have their roadside crash and inspection information closely evaluated. The carrier will be required to demonstrate it has the necessary systems in place to ensure basic safety management controls. Failure to demonstrate basic safety management controls may result in the carrier having their new entrant registration revoked.

#### **Who is subject to this rule?**

Beginning January 1, 2003, all new motor carriers (private and for-hire) operating in interstate commerce must apply for registration (USDOT Number) as a "new entrant".

#### **What happens after the 18-month new entrant registration?**

The carrier will be notified in writing that the "new entrant" designation will be removed from their registration at the end of the 18-month safety-monitoring period, if the carrier meets the following requirements:

- The new entrant has passed a safety audit, or has not been deemed "unfit" following a compliance review; and
- The new entrant does not have any outstanding civil penalties.

#### **Where will these safety audits be conducted?**

The safety audits will primarily be conducted on-site at the carrier's principle place of business. However, some safety audits may be conducted at other locations.

### **Where can carriers get more information?**

Carriers can get the **Educational and Technical Assistance (ETA)** package at [www.fmcsa.dot.gov/safety-security/eta/index.htm](http://www.fmcsa.dot.gov/safety-security/eta/index.htm). Carriers without Internet access may need to contact J.J. Keller at (800) 327-6868 to purchase a copy of the ETA package.

### **When does this rule go into effect?**

The rule becomes effective January 1, 2003.

### **When will safety audits be conducted?**

New entrant motor carriers can expect to start receiving safety audits 3-6 months after they are granted new entrant registration. Consolidated Safety Services (CSS) is the only private company authorized by FMCSA to conduct safety audits on New Entrant carriers. CSS safety auditors have been trained and certified in accordance with FMCSA standards. There is no charge to the carrier for these safety audits.

### **Why were these rules created?**

Congress required the FMCSA to establish minimum requirements for new motor carriers seeking federal interstate operating authority. These minimum requirements include having the carrier certify that it has systems in place to ensure compliance with the Federal Motor Carrier Safety Regulations, and a safety audit conducted within the first 18 months of the carrier's interstate operation.

### **How will the safety audit be conducted?**

The safety audit will be conducted by a State or Federal Auditor and will consist of a review of the carrier's safety management system. The areas of review include, but are not limited to, the following:

- Driver Qualifications;
- Driver Duty Status;
- Vehicle Maintenance;
- Accident Register; and
- Controlled Substances and Alcohol use and testing requirements.

### **How will the FMCSA notify a carrier of their safety audit results?**

FMCSA will notify the carrier in writing of the results of the safety audit within 45 days from the date it was completed.



**U.S. Department of  
Transportation**

**Federal Motor Carrier Safety Administration  
640 Grassmere Park, Suite #111  
Nashville, TN 37211  
(615) 781-5781 (phone) (615) 781-5780 (fax)**

**WEB SITES OF INTEREST AND ASSISTANCE**

**Where to Apply on Line for a DOT#**

**[www.mchqecom.com/mcs150v5/welcome.asp](http://www.mchqecom.com/mcs150v5/welcome.asp)**

**Where to Register on line as a For-Hire-Motor Carrier**

**<http://diy.dot.gov/cust/cdeploy?ecaction=edwalking&sect=omc&ecsid=1048&eccookie=@eccookie@&echehomep=@echehomepage@&template=diymall> walkin.en.ht**

**Where to Register on Line as a Hazardous Materials Carriers, Pay Civil Fines and Penalties and submit FOIA Request.**

**<https://diy.dot.gov/cust/cdeploy?ecaction=ecwalkin&sect=haz&ecsid=1055&eccookie=@eccookie@&echehomep=@echehomepage@&template=diymall> walkin.en.htm**

**The Federal Motor Carrier Safety Administration Home Page**

**[www.fmcsa.dot.gov/](http://www.fmcsa.dot.gov/)**

**Where to Download the Federal Motor Carrier Safety, hazardous Materials Regulations and Interpretations**

**[www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm](http://www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm)**

**Where to Obtain Motor Carrier Information, DOT #'S, MC #'S, On-line Carrier Profiles, Out of Service Rates, Insurance and Process Agent Information.**

**[www.safersys.org/](http://www.safersys.org/)**

**Truck Safety Statistics and Analysis (including SafeStat Scores)**

**<http://ai.volpe.dot.gov/mcspa.asp>**

**Forms and Publications**

**DOT # Application: [www.mchqecom.com/mcs150v5/welcome.asp](http://www.mchqecom.com/mcs150v5/welcome.asp)**

**Federal Road Use Tax Form: [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)**

\*\*\*\*\*

**Other Resources: Tennessee**

**Dept. of Safety – ACES Program 615-251-5139**

**IFTA (International Fuel Tax Agreement) 615-687-2274**

**IRP (International Registration Plan) 615-687-2260**

**State of Tennessee website: [www.tennessee.gov](http://www.tennessee.gov)**

**Department of Safety website: [www.tennessee.gov/safety](http://www.tennessee.gov/safety)**

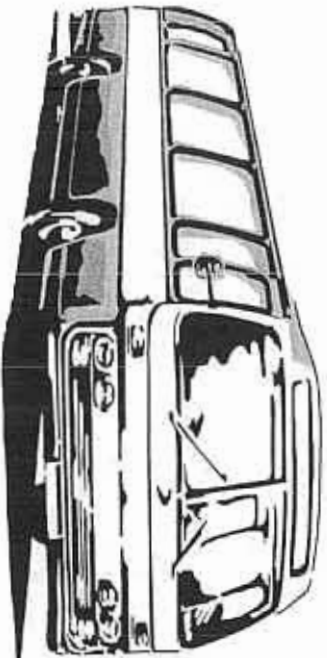
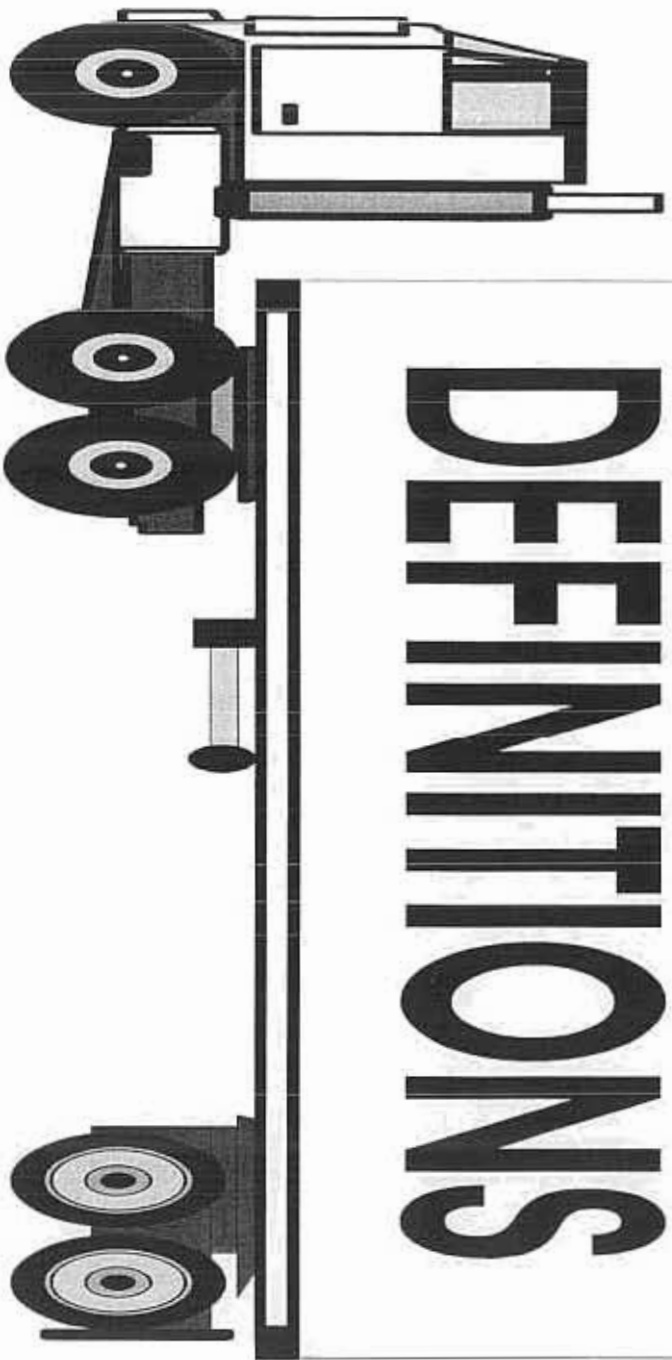
## Frequently Asked Questions About FMCSA Web Sites

Below are frequently asked questions (FAQ) about the Federal Motor Carrier Safety Administration (FMCSA) Web site and its related sites.

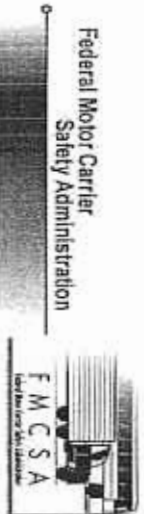
1. What is the Federal Motor Carrier Safety Administration's official Web site address? **<http://www.fmcsa.dot.gov> (English) or <http://www.fmcsa.dot.gov/spanish> (Spanish)**
2. How can I locate the nearest field office?  
**<http://www.fmcsa.dot.gov/about/contact/offices/displayfieldroster.asp>**
3. Where can I obtain information about Federal safety regulations and interpretations? **<http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguide.htm>**
4. Where can I find information about the transportation of Hazardous Materials?  
**<http://hazmat.dot.gov>**
5. How do I obtain a USDOT number?  
**<http://safer.fmcsa.dot.gov>**
6. Where can I find statistics and analysis regarding the truck and bus industry?  
**<http://ai.fmcsa.dot.gov>**
7. How can I obtain a motor company's safety profile?  
**<http://safer.fmcsa.dot.gov>**
8. Where can I find carrier safety ratings, inspections, and accident summary data?  
**<http://safer.fmcsa.dot.gov>**
9. How do I report safety violations?  
**<http://www.1-888-dot-saft.com>**
10. What must I do to start a trucking business?  
**<http://safer.fmcsa.dot.gov>**
11. Where can I file forms and pay fees for registration, insurance, and fines?  
**<http://safer.fmcsa.dot.gov>**
12. How can I change the name and address of my business online?  
**<http://safer.fmcsa.dot.gov>**
13. Where can I find the latest information about safety programs?  
**<http://www.fmcsa.dot.gov/safety-security/safety-security.htm>**
14. How can I learn about the Share the Road Safely program?  
**<http://www.sharetheroadsafely.org>**
15. How can I obtain the latest research on truck and bus safety?  
**<http://www.fmcsa.dot.gov/facts-research/research-technology/saftresearch.htm>**
16. Where can I find consumer information about moving household goods?  
**<http://www.fmcsa.dot.gov/about/outreach/consumers/moving.htm>**
17. How can I obtain information about a motor carrier, broker, or freight forwarder's application, insurance, and process agent?  
**<http://li-public.fmcsa.dot.gov>**
18. Where can government safety officials get training to enhance their capabilities?  
**<http://www.fmcsa.dot.gov/ntc>**

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## DEFINITIONS



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Safety Audit Program**



## DEFINITIONS

### §390.5 Definitions.

Unless specifically defined elsewhere, in this subchapter:

**Accident** means—

(1) Except as provided in paragraph (2) of this definition, an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

(i) A fatality;

(ii) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

(iii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicles to be transported away from the scene by a tow truck or other motor vehicle.

(2) The term accident does not include:

(i) An occurrence involving only boarding and alighting from a stationary motor vehicle; or

(ii) An occurrence involving only the loading or unloading of cargo.

**Alcohol concentration (AC)** means the concentration of alcohol in a person's blood or breath. When expressed as a percentage it means grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

**Bus** means any motor vehicle designed, constructed, and or used for the transportation of passengers, including taxicabs.

**Business district** means the territory contiguous to and including a highway when within any 600 feet along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings which occupy at least 300 feet of frontage on one side or 300 feet collectively on both sides of the highway.

**Charter transportation of passengers** means transportation, using a bus, of a group of persons who pursuant to a common purpose, under a single contract, at a fixed charge for the motor vehicle, have acquired the exclusive use of the

motor vehicle to travel together under an itinerary either specified in advance or modified after having left the place of origin.

**Commercial motor vehicle** means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—

(1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or

(2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or

(3) Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

(4) Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

**Conviction** means an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

**Direct Assistance** means transportation and other relief services provided by a motor carrier or its driver(s) incident to the immediate restoration of essential services (such as, electricity, medical care, sewer, water, telecommunications, and telecommunication transmissions) or essential supplies (such as, food and fuel). It does not include transportation related to long term rehabilitation of damaged physical infrastructure or routine commercial deliveries after the initial threat to life and property has passed.

**Direct compensation** means payment made to the motor carrier by the passengers or a person acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services.

**Disabling damage** means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.



(1) Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

(2) Exclusions.

(i) Damage which can be remedied temporarily at the scene of the accident without special tools or parts.

(ii) Tire disablement without other damage even if no spare tire is available.

(iii) Headlamp or taillight damage.

(iv) Damage to turn signals, horn, or windshield wipers which makes them inoperative.

**Driveaway-towaway operation** means an operation in which an empty or unladen motor vehicle with one or more sets of wheels on the surface of the roadway is being transported:

(1) Between vehicle manufacturer's facilities;

(2) Between a vehicle manufacturer and a dealership or purchaser;

(3) Between a dealership, or other entity selling or leasing the vehicle, and a purchaser or lessee;

(4) To a motor carrier's terminal or repair facility for the repair of disabling damage (as defined in § 390.5) following a crash; or

(5) To a motor carrier's terminal or repair facility for repairs associated with the failure of a vehicle component or system; or

(6) By means of a saddle-mount or tow-bar.

**Driver** means any person who operates any commercial motor vehicle.

**Driving a commercial motor vehicle while under the influence of alcohol** means committing any one or more of the following acts in a CMV: Driving a CMV while the person's alcohol concentration is 0.04 or more; driving under the influence of alcohol, as prescribed by State law; or refusal to undergo such testing as is required by any State or jurisdiction in the enforcement of Table 1 to §383.51 or §392.5(a)(2) of this subchapter.

**Emergency** means any hurricane, tornado, storm (e.g. thunderstorm, snowstorm, icestorm, blizzard, sandstorm, etc.), high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, mud slide, drought, forest fire, explosion, blackout or other occurrence, natural or man made, which interrupts the delivery of essential services

(such as, electricity, medical care, sewer, water, telecommunications, and telecommunication transmissions) or essential supplies (such as, food and fuel) or otherwise immediately threatens human life or public welfare, provided such hurricane, tornado or other event results in:

(1) A declaration of an emergency by the President of the United States, the Governor of a State, or their authorized representatives having authority to declare emergencies; by the FMCSA Field Administrator Director of Motor Carriers for the geographical area in which the occurrence happens; or by other Federal, State or local government officials having authority to declare emergencies; or

(2) A request by a police officer for tow trucks to move wrecked or disabled motor vehicles.

**Emergency relief** means an operation in which a motor carrier or driver of a commercial motor vehicle is providing direct assistance to supplement State and local efforts and capabilities to save lives or property or to protect public health and safety as a result of an emergency as defined in this section.

**Employee** means any individual, other than an employer, who is employed by an employer and who in the course of his or her employment directly affects commercial motor vehicle safety. Such term includes a driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle), a mechanic, and a freight handler. Such term does not include an employee of the United States, any State, any political subdivision of a State, or any agency established under a compact between States and approved by the Congress of the United States who is acting within the course of such employment.

**Employer** means any person engaged in a business affecting interstate commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such term does not include the United States, any state, any political subdivision of a State, or an agency established under a compact between States approved by the Congress of the United States.

**Exempt intracity zone** means the geographic area of a municipality or the commercial zone of that municipality described in Appendix F to Subchapter B of this Chapter. The term "exempt intracity zone" does not include any municipality or commercial zone in the State of Hawaii. For purposes of §391.62, a driver may be considered to operate a commercial motor vehicle wholly within an exempt intracity zone notwithstanding any common control, management, or arrangement for a continuous carriage or shipment to or from a point without such zone.

**Exempt motor carrier** means a person engaged in transportation exempt from economic regulation by the Federal Motor Carrier Safety Administration (FMCSA) under 49

U.S.C. 13506, "Exempt motor carriers" are subject to the safety regulations set forth in this subchapter.

**Farm vehicle driver** means a person who drives only a commercial motor vehicle that is —

- (a) Controlled and operated by a farmer as a private motor carrier of property;
- (b) Being used to transport either
  - (1) Agricultural products, or
  - (2) Farm machinery, farm supplies, or both, to or from a farm;
- (c) Not being used in the operation of a for-hire motor carrier;
- (d) Not carrying hazardous materials of a type or quantity that requires the commercial motor vehicle to be placarded in accordance with §177.823 of this subtitle; and
- (e) Being used within 150 air miles of the farmer's farm.

**Farmer** means any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which —

- (a) Are owned by that person; or
- (b) Are under the direct control of that person.

**Fatality** means any injury which results in the death of a person at the time of the motor vehicle accident or within 30 days of the accident.

**Federal Motor Carrier Safety Administrator** means the chief executive of the Federal Motor Carrier Safety Administration, an agency within the Department of Transportation.

**FMCSA Field Administrator** means the Field Administrator, Federal Motor Carrier Safety Administration, for a given geographical area of the United States.

**For-hire motor carrier** means a person engaged in the transportation of goods or passengers for compensation.

**Gross combination weight rating (GCWR)** means the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be

determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

**Gross vehicle weight rating (GVWR)** means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

**Hazardous material** means a substance or material which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated.

**Hazardous substance** means a material, and its mixtures or solutions, that is identified in the appendix to §172.101, List of Hazardous Substances and Reportable Quantities, of this title when offered for transportation in one package, or in one transport motor vehicle if not packaged, and when the quantity of the material therein equals or exceeds the reportable quantity (RQ). This definition does not apply to petroleum products that are lubricants or fuels, or to mixtures or solutions of hazardous substances if in a concentration less than that shown in the table in §171.8 of this title, based on the reportable quantity (RQ) specified for the materials listed in the Appendix to §172.101.

**Hazardous waste** means any material that is subject to the hazardous waste manifest requirements of the EPA specified in 40 CFR Part 262 or would be subject to these requirements absent an interim authorization to a State under 40 CFR Part 123, Subpart F.

**Highway** means any road, street, or way, whether on public or private property, open to public travel. "Open to public travel" means that the road section is available, except during scheduled periods, extreme weather or emergency conditions, passable by four-wheel standard passenger cars, and open to the general public for use without restrictive gates, prohibitive signs, or regulation other than restrictions based on size, weight, or class of registration. Toll plazas of public toll roads are not considered restrictive gates.

**Interstate commerce** means trade, traffic, or transportation in the United States—

- (1) Between a place in a State and a place outside of such State (including a place outside of the United States);
- (2) Between two places in a State through another State or a place outside of the United States; or
- (3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.

**Intrastate commerce** means any trade, traffic, or transportation in any State which is not described in the term "interstate commerce."

**Medical examiner** means a person who is licensed, certified, and/or registered, in accordance with applicable State laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.

**Motor carrier** means a for hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of subchapter B, this definition includes the terms **employer** and **exempt motor carrier**.

**Motor vehicle** means any vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Motor Carrier Safety Administration, but does not include any vehicle, locomotive, or car operated exclusively on a rail or rails, or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.

**Multiple-employer driver** means a driver, who in any period of 7 consecutive days, is employed or used as a driver by more than one motor carrier.

**Operating authority** means the registration required by 49 U.S.C. 13902, 49 CFR part 365, 49 CFR part 368, and 49 CFR 392.9a.

**Operator**— See driver.

**Other terms**— Any other term used in this subchapter is used in its commonly accepted meaning, except where such other term has been defined elsewhere in this subchapter. In that event, the definition therein given shall apply.

**Out-of-service order** means a declaration by an authorized enforcement officer of a Federal, State, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out of service pursuant to 49 CFR 386.72, 392.5, 392.9a, 395.13, or 396.9, or compatible laws, or the North American Standard Out-of-Service Criteria.

**Person** means any individual, partnership, association, corporation, business trust, or any other organized group of individuals.

**Previous employer** means any DOT regulated person who employed the driver in the preceding 3 years, including any possible current employer.

**Principal place of business** means the single location designated by the motor carrier, normally its headquarters, for purposes of identification under this subchapter. The motor carrier must make records required by parts 382, 387, 390, 391, 395, 396, and 397 of this subchapter available for inspection at this location within 48 hours (Saturdays, Sundays, and Federal holidays excluded) after a request has been made by a special agent or authorized representative of the Federal Motor Carrier Safety Administration.

**Private motor carrier** means a person who provides transportation of property or passengers, by commercial motor vehicle, and is not a for-hire motor carrier.

**Private motor carrier of passengers (business)** means a private motor carrier engaged in the interstate transportation of passengers which is provided in the furtherance of a commercial enterprise and is not available to the public at large.

**Private motor carrier of passengers (nonbusiness)** means private motor carrier involved in the interstate transportation of passengers that does not otherwise meet the definition of a private motor carrier of passengers (business).

**Radar detector** means any device or mechanism to detect the emission of radio microwaves, laser beams or any other future speed measurement technology employed by enforcement personnel to measure the speed of commercial motor vehicles upon public roads and highways for enforcement purposes. Excluded from this definition are radar detection devices that meet both of the following requirements:

(1) Transported outside the driver's compartment of the commercial motor vehicle. For this purpose, the driver's compartment of a passenger carrying CMV shall include all space designed to accommodate both the driver and the passengers; and

(2) Completely inaccessible to, inoperable by, and imperceptible to the driver while operating the commercial motor vehicle.

**Residential district** means the territory adjacent to and including a highway which is not a business district and for a distance of 300 feet or more along the highway is primarily improved with residences.

**School bus** means a passenger motor vehicle which is designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary determines is likely to be significantly used for the purpose of transporting preprimary, primary, or secondary school students to such schools from home or from such schools to home.

**School bus operation** means the use of a school bus to transport only school children and/or school personnel from home to school and from school to home.

**Secretary** means the Secretary of Transportation.

**Single-employer driver** means a driver who, in any period of 7 consecutive days, is employed or used as a driver solely by a single motor carrier. This term includes a driver who operates a commercial motor vehicle on an intermittent, casual, or occasional basis.

**Special agent:** See Appendix B to Subchapter B Special agents.

**State** means a State of the United States and the District of Columbia and includes a political subdivision of a State.

**Trailer** includes:

(a) **Full trailer** means any motor vehicle other than a pole trailer which is designed to be drawn by another motor vehicle and so constructed that no part of its weight, except for the towing device, rests upon the self propelled towing motor vehicle. A semitrailer equipped with an auxiliary front axle (converter dolly) shall be considered a full trailer.

(b) **Pole trailer** means any motor vehicle which is designed to be drawn by another motor vehicle and attached to the towing motor vehicle by means of a "reach" or "pole," or by being "boomed" or otherwise secured to the towing motor vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members, which generally are capable of sustaining themselves as beams between the supporting connections.

(c) **Semitrailer** means any motor vehicle, other than a pole trailer, which is designed to be drawn by another motor vehicle and is constructed so that some part of its weight rests upon the self propelled towing motor vehicle.

**Truck** means any self propelled commercial motor vehicle except a truck tractor, designed and/or used for the transportation of property.

**Truck tractor** means a self propelled commercial motor vehicle designed and/or used primarily for drawing other vehicles.

**United States** means the 50 States and the District of Columbia

**Document 1 of 1**

**Source:**

Tennessee Code/Title 65 Public Utilities And Carriers/Chapter 15 Motor Carriers/Part 1 —General Provisions/65-15-113. Safety rules and regulations — Inspection of vehicles, etc. —

**65-15-113. Safety rules and regulations    Inspection of vehicles, etc.**

(a) The department, by the authority vested in it by this part to license, supervise and regulate certain motor vehicles operating on the highways of Tennessee, shall periodically promulgate such safety rules and regulations as the department deems necessary to govern and control the safety operations and safe use of equipment by the following:

(1) Each holder of an interstate or intrastate permit;

(2) Any individual, corporation or partnership operating a motor vehicle in commerce which has a gross vehicle weight rating or gross combination weight rating of ten thousand and one (10,001) or more pounds, or the motor vehicle is designed to transport more than fifteen (15) passengers, including the driver; and

(3) Any individual, corporation or partnership operating a motor vehicle of any gross vehicle weight transporting hazardous material. The safety rules and regulations described in this chapter do not apply to any motor vehicle transporting nonhazardous materials for farm purposes which does not travel outside the boundaries of this state.

(b) The department may inspect these motor vehicles for the purpose of safety.

(c) This section applies only to the safety inspection of such vehicles, and does not require the department to issue certificates of convenience and necessity, contract hauler's permits or interstate permits to motor vehicles operating under this section.

(d) Vehicles, trailers, semi-trailers and pole trailers subject to this section are placed under the jurisdiction of the department's statutes, rules and regulations pertaining to safety, and every officer, agent or employee of any corporation or any other person who violates or fails to comply with this section or who procures, aids or abets in the violation of this section shall be subject to the penalties provided in § 65-15-122.

(e) (1) The department shall inspect and certify all homemade or materially reconstructed trailers, semi-trailers, and pole trailers which are required to be titled or registered in accordance with title 55, chapters 1-6, for compliance with all applicable safety rules and regulations promulgated by the department.

(2) The fee for such inspection to be collected by the department is twenty-five dollars (\$25.00) per trailer inspected. The department may promulgate rules and regulations to implement the provisions of this subsection (e).

(f) Notwithstanding the provisions of this chapter to the contrary, 49 CFR parts 390-397, shall not apply to commercial motor vehicles operated in intrastate commerce to transport property, that have a gross vehicle weight rating or gross combination weight rating of twenty-six thousand pounds (26,000 lbs.) or less. The exception provided by this subsection (f) shall not apply to vehicles transporting hazardous materials required to be placarded, or to vehicles designed to transport sixteen (16) or more passengers,



including the driver, as defined in title 49 of the CFR.

[Acts 1933, ch. 119, § 11; C. Supp. 1950, § 5501.12 (Williams, § 5501.11); Acts 1972, ch. 632, §§ 1-4; 1979, ch. 424, § 3; T.C.A. (orig. ed.), § 65-1515; Acts 1985, ch. 111, § 1; 1988, ch. 817, §§ 5, 6; 1993, ch. 270, § 1; 1993, ch. 327, § 5; 1994, ch. 705, §§ 1, 2; 1995, ch. 305, § 30; 1999, ch. 97, §§ 18, 19; 2005, ch. 400, § 1.]

1. Compliance With Regulations.
2. Searches.

1. Compliance With Regulations.

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**Source:**

Tennessee Code/Title 65 Public Utilities And Carriers/Chapter 15 Motor Carriers/Part 1 —General Provisions/65-15-116. Inspection, control, and supervision fee — Motor vehicle account. —

**65-15-116. Inspection, control, and supervision fee    Motor vehicle account.**

(a) (1) Beginning January 1, 1994, for that calendar year and each calendar year thereafter, every freight motor vehicle required to register with the state of Tennessee pursuant to the provisions of § 55-4-113, with the exception of those vehicles described in § 55-4-113(4), shall pay a safety inspection fee. This safety inspection fee shall provide a means for the state to exercise its police powers in order to protect the highways, and to promote the safety of the traveling public by the regulation of the use of and safe operation of such vehicles over the highways. This safety inspection fee shall be an amount equal to two and one-half percent (2.5%) of the vehicle registration fees prescribed in § 55-4-113, for those freight motor vehicles subject to the fee. This fee shall be paid in addition to all property, franchise, license, or other taxes, fees and charges assessed or charged by law against the vehicle.

(2) This safety inspection fee shall be paid annually as a part of the registration taxes due to the state for such freight motor vehicles. This fee shall be remitted to the department and shall be used in accordance with the provisions of this section.

(b) It is the duty of the department to keep a separate account of the fees so collected, to be known as the “motor vehicle account,” the funds so raised to be segregated. Any funds remaining in the motor vehicle account at the end of the year shall be carried over from year to year and expended only for the purposes specified in this part.

(c) In case of default in the payment of any such fees, or part thereof, when same shall become due, any such certificate or permit holder in default shall be liable to a penalty of ten percent (10%) per month, for every month it remains in default, on the amount of the fee, which penalty may be recovered by suit of the state; and any such penalty, as well as all such fees, when collected, shall be paid into the state treasury as a part of the motor vehicle account; provided, that out of any such penalty, the department may employ and pay counsel, who shall have the power to institute suit in any court of competent jurisdiction in this or other states for the recovery of any such delinquent fee and penalty, but in no event, shall anything more than the penalty be allowed to such counsel for making such collection.

(d) A lien is declared, and shall exist, upon all the property of each such certificate or permit holder, which shall be used upon the highways of this state, and upon which such fees shall be properly payable, for the payment of the fees prescribed by this part, together with all penalties accruing hereunder, which lien shall be superior to all other liens, except federal, state, county and municipal taxes.

(e) All fines levied as well as all fees and penalties collected under this part shall be paid into the state treasury to the credit of the motor vehicle account, and used to defray the expenses incurred by the department in the enforcement of this part.

[Acts 1933, ch. 119, § 14; 1941, ch. 70, § 1; C. Supp. 1950, § 5501.15 (Williams, § 5501.14); impl. am. Acts 1955, ch. 69, § 1; Acts 1955, ch. 148, § 1; 1961, ch. 326, § 2; 1971, ch. 168, § 5; 1972, ch. 471, § 1; 1979, ch. 137, § 1; T.C.A. (orig. ed.), § 65-1518; Acts 1989, ch. 371, § 1; 1993, ch. 327, §§ 6-9; 1995, ch. 305, § 30.]

- Constitutionality.
- 2. Not Discriminatory.

**Document 1 of 1**

**Source:**

Tennessee Code/Title 55 Motor and Other Vehicles/Chapter 1 Motor Vehicle Title and Registration Law—Definitions/55-1-104. “Farm tractor,” “motor home,” “truck” and “truck tractor” defined. —

**55-1-104. “Farm tractor,” “motor home,” “truck” and “truck tractor” defined.**

(1) “Farm tractor” means every motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines, and other implements of husbandry;

(2) “Motor home” means every motor vehicle which is designed, constructed (either originally by the manufacturer or rebuilt by another) and equipped as a dwelling place, living abode or sleeping place;

(3) “Truck” means every motor vehicle designed, used, or maintained primarily for the transportation of property; and

(4) “Truck tractor” means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn. [Acts 1951, ch. 70, § 3 (Williams, § 5538.103); 1974, ch. 525, § 1; T.C.A. (orig. ed.), § 59-104.]

1. “Truck” Defined.

**1. “Truck” Defined.**

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**Source:**

Tennessee Code/Title 55 Motor and Other Vehicles/Chapter 1 Motor Vehicle Title and Registration Law—  
Definitions/55-1-105. “Manufactured home,” “Mobile home or house trailer,” “pole trailer,” “semitrailer” and “trailer”  
defined. —

**55-1-105. “Manufactured home,” “Mobile home or house trailer,” “pole trailer,” “semitrailer”  
and “trailer” defined. —**

(1) “Manufactured home” means any structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) or more body-feet in width or forty (40) or more body-feet in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. The term includes any structure that meets all of the requirements of this subdivision (1) except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established by title 42 of the United States Code. As defined in this subdivision (1), “manufactured home” also has the same meaning as “mobile home”, as defined in title 68, chapter 126, and “manufactured home”, as defined in § 47-9-102;

(2) “Mobile home or house trailer” means any vehicle or conveyance, not self-propelled, designed for travel upon the public highways, and designed for use as a residence, office, apartment, storehouse, warehouse, or any other similar purpose. “Mobile home or house trailer” shall include any “manufactured home” as defined in subdivision (5);

(3) “Pole trailer” means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections;

(4) “Semitrailer” means every vehicle without motive power and not a motor vehicle as defined in this section, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and

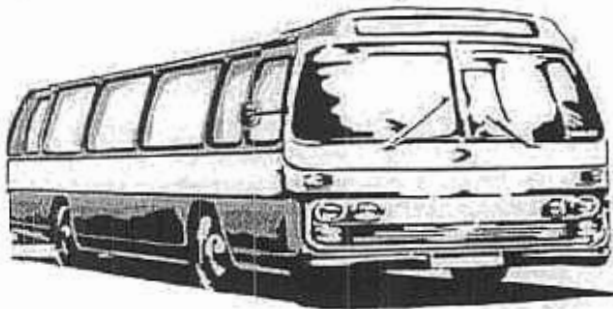
(5) “Trailer” means every vehicle with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

[Acts 1951, ch. 70, § 4 (Williams, § 5538.104); Acts 1963, ch. 143, § 2; 1970, ch. 433, § 1; 1971, ch. 274, § 1; T.C.A. (orig. ed.), § 59-105; 2003, ch. 76, §§ 1, 2.]

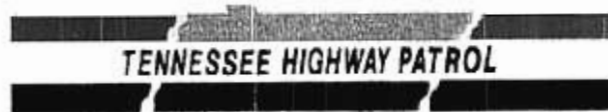
1. Nature of Vehicle.
2. Semitrailers.

1. Nature of Vehicle.

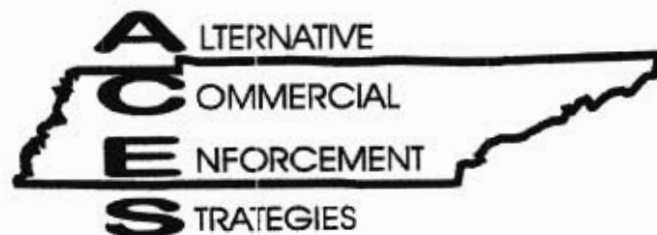
# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



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New Entrant  
Safety Audit Program



## HIGHWAY FUEL TAX PROVISIONS

Foreign registered trucks weighing in excess of 26,000 pounds, having a registered weight in excess of 26,000 pounds or having three (3) or more axles on the power unit will be required to have a valid Tennessee Highway Fuel Tax Permit or Temporary Fuel Permit upon entry in Tennessee.

### **EXCEPTIONS:**

Recreational vehicles such as motor home, pickup trucks with attached campers, and buses when used exclusively for personal pleasure by an individual are exempt from the Highway User Fuel Tax law.

2. Freight motor vehicles transporting products of the farm during harvest season and transporting such products to a Tennessee plant or mill for processing are exempt from these provisions. Owners or operators entitled to this exemption shall be required to apply fuel tax on the fuel used for this purpose in the State of Tennessee. Satisfactory evidence of such fuel tax payment shall be retained in the vehicle while being operated in Tennessee and shall be available for inspection by enforcement authorities.

## INTERNATIONAL FUEL TAX AGREEMENT (IFTA)

The International Fuel Tax Agreement (IFTA) is a base state fuel tax agreement and is administered similarly to the International Registration Plan. Upon application, the carrier's base jurisdiction will issue credentials, which allow the IFTA license to travel in all IFTA member jurisdictions.

Carriers traveling to non-IFTA jurisdictions must continue to follow the procedures and file the returns required by the statutes and regulations of those non-IFTA jurisdictions.

Upon issuance of the IFTA license and decals, the licensee is required to make legible copies of the license so that one copy is carried in each vehicle. A vehicle will not be considered to be operating under the IFTA unless there is a copy of the license in each vehicle. **FAILURE TO DISPLAY A COPY OF THE LICENSE MAY SUBJECT THE VEHICLE OPERATOR TO A CITATION AND/OR PURCHASE A TRIP PERMIT.**

Each licensee will be issued two decals for each qualified vehicle in its fleet. The identification decals must be placed on the exterior portion of the power unit on both sides.

Vehicles operating under a permit issued to a member state of the International Fuel Tax Agreement (IFTA) will be allowed to operate under the decal issued to such member state.

**Motor Carriers may log onto the Tennessee website and download a Carrier's Handbook.**

[www.tennessee.gov/revenue/motorcarrier/index.htm](http://www.tennessee.gov/revenue/motorcarrier/index.htm)

## **INTERNATIONAL REGISTRATION PLAN REQUIREMENTS**

Any apportionable vehicle, registered in a state that is a member of the IRP, must be apportionally registered in Tennessee. If not apportionally registered, a Temporary Operational Permit is required. The temporary permit is valid for seventy-two (72) hours and maybe obtained from one of the various wire services that issue temporary permits.

**THESE PERMITS MUST BE OBTAINED PRIOR TO ENTRY INTO TENNESSEE.**

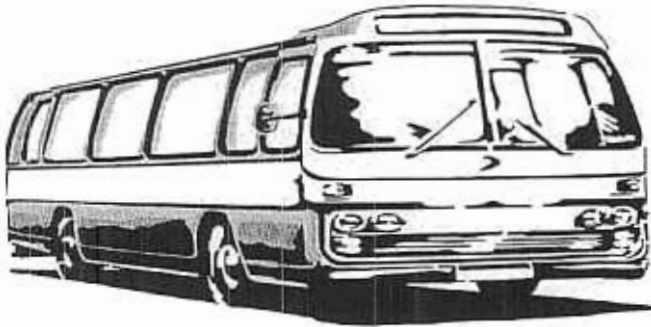
“Apportionable Vehicle” means any power unit with two (2) axles, having a gross weight in excess of 26,000 pounds, or a power unit having three (3) or more axles regardless of weight.

**EXCEPTIONS:** Recreational vehicles, vehicles, displaying restricted plates, city pickup and delivery trucks and buses used in transportation of chartered parties and government owned/license vehicles.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## ALCOHOL AND DRUG TESTING PART 382



## SPONSORED BY:

Federal Motor Carrier  
Safety Administration



TENNESSEE HIGHWAY PATROL

New Entrant  
Safety Audit Program



**A** LTERNATIVE  
**C** OMMERCIAL  
**E** NFORCEMENT  
**S** TRATEGIES



## Alcohol and Drug Testing Requirements

### Applicability

Drivers required to have a commercial drivers license (CDL) are subject to the controlled substance and alcohol testing rules. This requirement extends to those drivers currently covered by the rule, including interstate and intrastate truck and motor coach operations.

This includes commercial motor vehicles operated by:

- For-hire and private companies
- Federal, State, local, and tribal governments
- Church and civic organizations
- Apiarian industries

### Exemptions

Drivers exempt from commercial driver's license requirements by their issuing State  
Active duty military personnel

### Types of alcohol and controlled substance tests

**Pre-employment:** No employer shall allow a driver to perform a safety sensitive function until they have received the negative controlled substance test result.

**Post-Accident:** As soon as practicable following an accident involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol and controlled substances each surviving driver: *Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or Who receives a citation under State or local law for a moving traffic violation arising from the accident, if the accident involved: Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.*

**Random:** Companies are to randomly test drivers at a minimum annual percentage rate of 10% of the number of drivers for alcohol testing, and 50% for controlled substances testing. The random alcohol test must be performed immediately prior, during or immediately after a driver is about to, or has performed a safety sensitive function as defined in Section 382.107. All drivers must have an equal chance of being selected.

**Reasonable Suspicion:** An employer shall require a driver to submit to an alcohol and/or controlled substance test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol and/or controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol and/or controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The required observations shall be made by a supervisor or company official who is trained in accordance with 382.603.

**Return-to-Duty:** Each employer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by subpart B of this part concerning alcohol or controlled substances, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02 and/or the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

**Follow-up:** The Substance Abuse Professional will establish a follow-up testing plan. The employer must ensure that the follow-up testing plan is carried out. A minimum of six tests must be conducted in the first 12 months, and the driver may be subject to this test for a maximum of 60 months.

**Retention of records**

**Five Years:**

- Alcohol test results indicating a Breath Alcohol Concentration (BAC) of 0.02 or greater
- Verified positive drug test results
- Refusals to submit to required alcohol and drug tests
- Driver evaluations and referrals
- Required calibration of Evidential Breath Testing (EBT) devices
- A copy of each calendar year summary required by 382.403.

**Two Years:**

- Records related to the collection process

**One Year:**

- Negative and canceled controlled substance test results
- Alcohol test results indicating a BAC of less than 0.02

**Indefinite Period:**

- Education and training records

**Location of Records**

All required records shall be maintained in a secure location with limited access, and shall be made available for inspection by an authorized representative of the Federal Motor Carrier Safety Administration.

**Supervisor training/Driver awareness**

Every motor carrier shall provide educational materials explaining the requirements of the regulations as well as the employer's policies regarding alcohol misuse and controlled substances abuse. At a minimum, detailed discussions should include:

- The identity of the person designated to answer drug and alcohol questions
- Which drivers are subject to these requirements, what behavior is prohibited, and clarification of what a "safety sensitive function" is.
- The circumstances under which a driver will be tested, and the procedures that will be used for testing.
- Explanations of the requirement that a driver submit to the testing, as well as what constitutes a driver's refusal to submit to testing.
- The consequences for drivers who have violated the testing requirements.
- Information concerning the effects of alcohol misuse, and controlled substances abuse on health, work, and personal life.

**Inquiries to previous employers**

A motor carrier, with the driver's written authorization, shall inquire about the following information on a driver from the driver's previous employers for a period of two years preceding the driver's date of application:

- Alcohol tests with a result of 0.04 alcohol concentration or greater;
- Verified positive controlled substances test results;
- Refusals to be tested;
- Other violations of drug and alcohol regulations; and
- Documentation of completion of return-to-duty requirements.

**Applicant's previous pre-employment tests**

A motor carrier must ask an applicant about previous pre-employment tests or refusals where the applicant did not obtain a job, during the two years preceding the applicant's date of application. If the applicant had any positive tests or refusals, the applicant must have documented completion of the return-to-duty process.

It is not required to complete either the "FMCSA Controlled Substance and Alcohol Testing MIS Data Collect Report" form or the "EZ" version of the form contained in this section unless you have received official notification from the Federal Motor Carrier Safety Administration.

# U.S. Department of Transportation (DOT)

## Alcohol Testing Form

(The instructions for completing this form are on the back of Copy 3)

### Step 1: TO BE COMPLETED BY ALCOHOL TECHNICIAN

A: Employee Name \_\_\_\_\_  
(Print) (First, M.I., Last)

B: SSN or Employee ID No. \_\_\_\_\_

C: Employer Name \_\_\_\_\_  
Street \_\_\_\_\_  
City, ST ZIP \_\_\_\_\_

DER Name and Telephone No. \_\_\_\_\_  
DER Name \_\_\_\_\_ DER Phone Number \_\_\_\_\_

D: Reason for Test: Random Reasonable Susp Post-Accident Return to Duty Follow-up Pre-employment

Affix  
Or  
Print  
Screening Results  
Here

Affix  
With  
Tamper Evident Tape

### STEP 2: TO BE COMPLETED BY EMPLOYEE

I certify that I am about to submit to alcohol testing required by US Department of Transportation regulations and that the identifying information provided on the form is true and correct.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

Affix  
Or  
Print  
Confirmation Results  
Here

### STEP 3: TO BE COMPLETED BY ALCOHOL TECHNICIAN

(If the technician conducting the screening test is not the same technician who will be conducting the confirmation test, each technician must complete their own form.) I certify that I have conducted alcohol testing on the above named individual in accordance with the procedures established in the US Department of Transportation regulation, 49 CFR Part 40, that I am qualified to operate the testing device(s) identified, and that the results are as recorded.

TECHNICIAN: BAT STT DEVICE: SALIVA BREATH\* 15-Minute Wait: Yes No

SCREENING TEST: (For BREATH DEVICE\* write in the space below only if the testing device is not designed to print.)

Test #	Testing Device Name	Device Serial # OR Lot # & Exp Date	Activation Time	Reading Time	Result
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CONFIRMATION TEST: Results MUST be affixed to each copy of this form or printed directly onto the form.

REMARKS:

Alcohol Technician's Company \_\_\_\_\_ Company Street Address \_\_\_\_\_  
(PRINT) Alcohol Technician's Name (First, M.I., Last) \_\_\_\_\_ Company City, State, Zip \_\_\_\_\_ Phone Number \_\_\_\_\_

Signature of Alcohol Technician \_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

Affix  
With  
Tamper Evident  
Tape

Affix  
Or  
Print  
Additional Results  
Here

Affix  
With  
Tamper Evident  
Tape

### STEP 4: TO BE COMPLETED BY EMPLOYEE IF TEST RESULT IS 0.02 OR HIGHER

I certify that I have submitted to the alcohol test, the results of which are accurately recorded on this form. I understand that I must not drive, perform safety-sensitive duties, or operate heavy equipment because the results are 0.02 or greater.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

OMB No. 2105-0529

COPY 1 - ORIGINAL - FORWARD TO THE EMPLOYER

# U.S. Department of Transportation (DOT)

## Alcohol Testing Form

(The instructions for completing this form are on the back of Copy 3)

### Step 1: TO BE COMPLETED BY ALCOHOL TECHNICIAN

A: Employee Name \_\_\_\_\_  
(Print) (First, M.I., Last)

B: SSN or Employee ID No. \_\_\_\_\_

C: Employer Name \_\_\_\_\_  
Street \_\_\_\_\_  
City, ST ZIP \_\_\_\_\_

DER Name and Telephone No. \_\_\_\_\_  
DER Name \_\_\_\_\_ DER Phone Number \_\_\_\_\_

D: Reason for Test:  Random  Reasonable Susp  Post-Accident  Return to Duty  Follow-up  Pre-employment

Affix  
Or  
Print  
Screening Results  
Here

Affix  
With  
Tampers Evident Tape

### STEP 2: TO BE COMPLETED BY EMPLOYEE

I certify that I am about to submit to alcohol testing required by US Department of Transportation regulations and that the identifying information provided on the form is true and correct.

Signature of Employee \_\_\_\_\_ Date Month Day Year

Affix  
Or  
Print  
Confirmation Results  
Here

Affix  
With  
Tampers Evident  
Tape

### STEP 3: TO BE COMPLETED BY ALCOHOL TECHNICIAN

(If the technician conducting the screening test is not the same technician who will be conducting the confirmation test, each technician must complete their own form.) I certify that I have conducted alcohol testing on the above named individual in accordance with the procedures established in the US Department of Transportation regulation, 49 CFR Part 40, that I am qualified to operate the testing device(s) identified, and that the results are as recorded.

TECHNICIAN:  BAT  STT DEVICE:  SALIVA  BREATH\* 15-Minute Wait:  Yes  No

SCREENING TEST: (For BREATH DEVICE\* write in the space below only if the testing device is not designed to print.)

Test #	Testing Device Name	Device Serial # <u>OR</u> Lot # & Exp Date	Activation Time	Reading Time	Result
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CONFIRMATION TEST: Results MUST be affixed to each copy of this form or printed directly onto the form.

#### REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alcohol Technician's Company \_\_\_\_\_ Company Street Address \_\_\_\_\_  
(PRINT) Alcohol Technician's Name (First, M.I., Last) \_\_\_\_\_ Company City, State, Zip \_\_\_\_\_ Phone Number \_\_\_\_\_  
Signature of Alcohol Technician \_\_\_\_\_ Date Month Day Year

Affix  
Or  
Print  
Additional Results  
Here

Affix  
With  
Tampers Evident  
Tape

### STEP 4: TO BE COMPLETED BY EMPLOYEE IF TEST RESULT IS 0.02 OR HIGHER

I certify that I have submitted to the alcohol test, the results of which are accurately recorded on this form. I understand that I must not drive, perform safety-sensitive duties, or operate heavy equipment because the results are 0.02 or greater.

Signature of Employee \_\_\_\_\_ Date Month Day Year

OMB No. 2105-0529

COPY 2 - EMPLOYEE RETAINS

# U.S. Department of Transportation (DOT)

## Alcohol Testing Form

(The instructions for completing this form are on the back of Copy 3)

### Step 1: TO BE COMPLETED BY ALCOHOL TECHNICIAN

A: Employee Name \_\_\_\_\_  
(Print) (First, M.I., Last)

B: SSN or Employee ID No. \_\_\_\_\_

C: Employer Name \_\_\_\_\_  
Street \_\_\_\_\_  
City, ST ZIP \_\_\_\_\_

DER Name and Telephone No. \_\_\_\_\_  
DER Name \_\_\_\_\_ DER Phone Number \_\_\_\_\_

D: Reason for Test:  Random  Reasonable Susp  Post-Accident  Return to Duty  Follow-up  Pre-employment

Affix  
Or  
Print  
Screening Results  
Here

Affix  
With  
Tamper Evident Tape

### STEP 2: TO BE COMPLETED BY EMPLOYEE

I certify that I am about to submit to alcohol testing required by US Department of Transportation regulations and that the identifying information provided on the form is true and correct.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

Affix  
Or  
Print  
Confirmation Results  
Here

### STEP 3: TO BE COMPLETED BY ALCOHOL TECHNICIAN

(If the technician conducting the screening test is not the same technician who will be conducting the confirmation test, each technician must complete their own form.) I certify that I have conducted alcohol testing on the above named individual in accordance with the procedures established in the US Department of Transportation regulation, 49 CFR Part 40, that I am qualified to operate the testing device(s) identified, and that the results are as recorded.

TECHNICIAN:  BAT  STT DEVICE:  SALIVA  BREATH\* 15-Minute Wait:  Yes  No

SCREENING TEST: (For BREATH DEVICE\* write in the space below only if the testing device is not designed to print.)

Test #	Testing Device Name	Device Serial # <u>OR</u> Lot # & Exp Date	Activation Time	Reading Time	Result
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CONFIRMATION TEST: Results MUST be affixed to each copy of this form or printed directly onto the form.

REMARKS:

Alcohol Technician's Company \_\_\_\_\_ Company Street Address \_\_\_\_\_  
(PRINT) Alcohol Technician's Name (First, M.I., Last) \_\_\_\_\_ Company City, State, Zip \_\_\_\_\_ Phone Number \_\_\_\_\_  
Signature of Alcohol Technician \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

Affix  
With  
Tamper Evident Tape

Affix  
Or  
Print  
Additional Results  
Here

Affix  
With  
Tamper Evident  
Tape

### STEP 4: TO BE COMPLETED BY EMPLOYEE IF TEST RESULT IS 0.02 OR HIGHER

I certify that I have submitted to the alcohol test, the results of which are accurately recorded on this form. I understand that I must not drive, perform safety-sensitive duties, or operate heavy equipment because the results are 0.02 or greater.

Signature of Employee \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year

OMB No. 2105-0529

COPY 3 – ALCOHOL TECHNICIAN RETAINS

**PAPERWORK REDUCTION ACT NOTICE (as required by 5 CFR 1320.21)**

Public reporting burden for this collection of information is estimated for each respondent to average: 1 minute/employee, 4 minutes/Breath Alcohol Technician. Individuals may send comments regarding these burden estimates, or any other aspect of this collection of information, including suggestions for reducing the burden, to U.S. Department of Transportation, Drug and Alcohol Policy and Compliance, Room 10403, 400 Seventh St., SW, Washington, D.C. 20590. Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number associated with the collection is 2105-0529.

**BACK OF PAGES 1 and 2**

INSTRUCTIONS FOR COMPLETING THE U.S. DEPARTMENT OF TRANSPORTATION ALCOHOL TESTING FORM

**NOTE:** Use a ballpoint pen, press hard, and check all copies for legibility.

**STEP 1** The Breath Alcohol Technician (BAT) or Screening Test Technician (STT) completes the information required in this step. Be sure to print the employee's name and check the box identifying the reason for the test.

**NOTE:** If the employee refuses to provide SSN or I.D. number, be sure to indicate this in the remarks section in STEP 3. Proceed with STEP 2.

**STEP 2** Instruct the employee to read, sign, and date the employee certification statement in STEP 2.

**NOTE:** If the employee refuses to sign the certification statement, do not proceed with the alcohol test. Contact the designated employer representative.

**STEP 3** The BAT or STT completes the information required in this step and checks the type of device (saliva or breath) being used. After conducting the alcohol screening test, do the following (as appropriate):

Enter the information for the screening test (test number, testing device name, testing device serial number or lot number and expiration date, time of test with any device-dependent activation times, and the results), on the front of the ATF. For a breath testing device capable of printing, the information may be part of the printed record.

**NOTE:** Be sure to enter the result of the test exactly as it is indicated on the breath testing device, e.g., 0.00, 0.02, 0.04, etc.

Affix the printed information to the front of the form in the space provided, or to the back of the form, in a tamper-evident manner (e.g., tape), or the device may print the results directly on the ATF. If the results of the screening test are less than 0.02, print, sign your name, and enter today's date in the space provided. The test process is complete.

If the results of the screening test are 0.02 or greater, a confirmation test must be administered in accordance with DOT regulations. An EVIDENTIAL BREATH TESTING device that is capable of printing confirmation test information must be used in conducting this test.

Ensure that a waiting period of at least 15 minutes occurs before the confirmation test begins. Check the box indicating that the waiting period lasted at least 15 minutes.

After conducting the alcohol confirmation test, affix the printed information to the front of the form in the space provided, or to the back of the form, in a tamper-evident manner (e.g., tape), or the device may print the results directly on the ATF. Print, sign your name, and enter the date in the space provided. Go to STEP 4.

**STEP 4** If the employee has a breath alcohol confirmation test result of 0.02 or higher, instruct the employee to read, sign, and date the employee certification statement in STEP 4.

**NOTE:** If the employee refuses to sign the certification statement in STEP 4, be sure to indicate this in the remarks line in STEP 3.

Immediately notify the DER if the employee has a breath alcohol confirmation test result of 0.02 or higher.

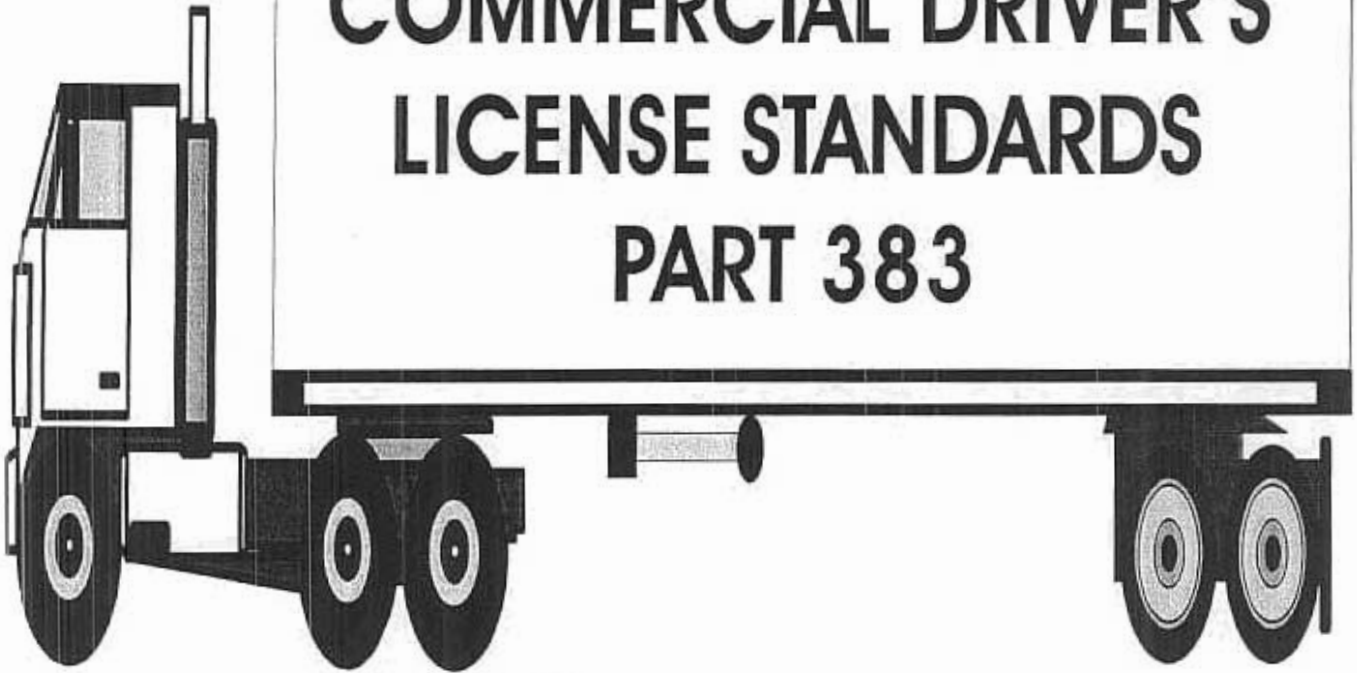
Forward **Copy 1** to the employer. Give **Copy 2** to the employee. Retain **Copy 3** for BAT/STT records.

**BACK OF PAGE 3**



# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## COMMERCIAL DRIVER'S LICENSE STANDARDS PART 383



## SPONSORED BY:

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Safety Administration



TENNESSEE HIGHWAY PATROL

New Entrant  
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## Commercial Driver's License Standards: Requirements and Penalties

The licensing provisions in **Part 383** are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL); and
- Disqualify drivers who do not operate *Commercial Motor Vehicles (CMVs)* safely.

### Commercial Driver's License Information System (CDLIS)

The CDLIS enables the States to exchange information about the driving records and *driver's licenses* of CMV drivers. This helps assure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL. *Employers* have access to the CDLIS clearinghouse through their State's vehicle licensing agency.

### Vehicles requiring commercial driver's licenses

Drivers must hold CDLs if they operate in interstate, intrastate, or foreign *commerce* and drive a vehicle:

- With a Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW) of at least 26,001 pounds, whichever is greater, or a lesser GVWR or GVW the Secretary of Transportation prescribes by regulation, but not less than a GVWR of 10,001 pounds; or
- Designed to transport at least 16 passengers including the driver; or
- Transporting a quantity of *hazardous materials* requiring placarding.
- Because the CDL is a State-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

### Notification to employer and licensing State

Upon *conviction* for *any* State or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense, and
- Driver's signature.

### Disqualifying offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- Driving a CMV while *under the influence of alcohol*.
- Driving a CMV while under the influence of a disqualifying drug or other *controlled substance*.
- Leaving the scene of an accident that involves a CMV.
- Using a CMV to commit a *felony*.
- Using a CMV to commit *serious traffic violations*.
- Using a CMV to violate an *Out-of-Service Order*.
- Using a CMV to violate the *Railroad-Highway Grade Crossing rule*.

**Penalties**

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after ten years.

**Suspensions for traffic violations  
60-day suspension**

A 60-day suspension will be imposed following conviction for *two serious traffic violations* within three years while driving a CMV.

These violations include:

- Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)
- Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and
- Traffic offenses involving a fatal accident.

**120-day suspension**

A 120-day suspension will be imposed following three convictions of any serious violations within three years.

**Implied consent**

Any CDL holder is automatically considered to have consented to alcohol testing by any State or jurisdiction.

**Endorsements**

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDLs, as follows:

**T** — Double/triple trailers (knowledge test only)

**P** — Passenger (knowledge and skills tests)

**N** — *Tank vehicle* (knowledge test only)

**H** — Hazardous materials (knowledge test only)

**X** — Combination of tank vehicle and hazardous materials (knowledge tests)

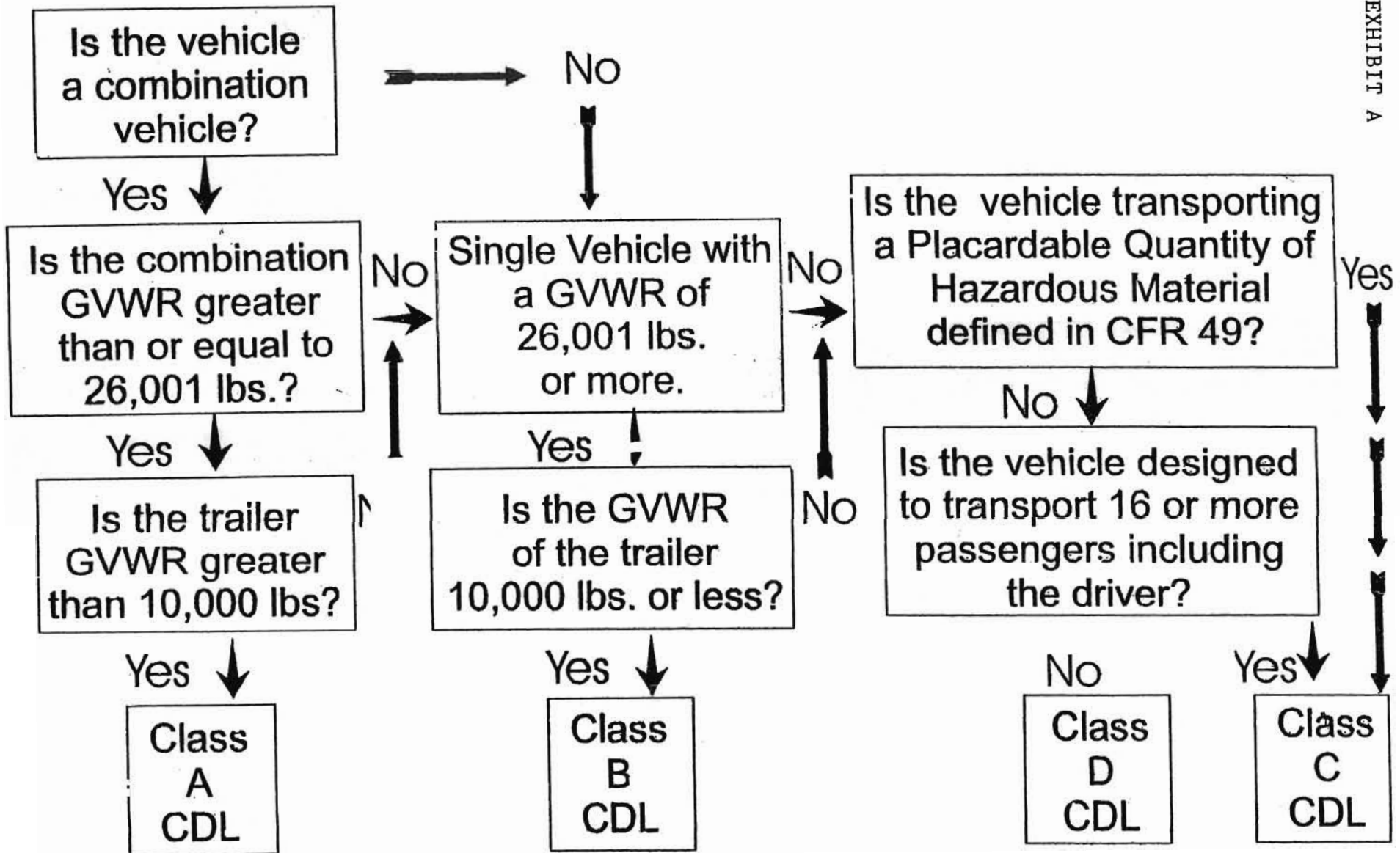
**Air brake restrictions**

If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes.


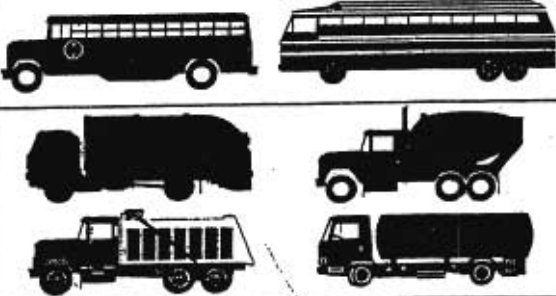
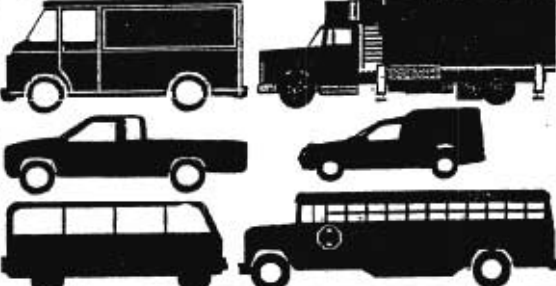



*Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.*

# C.D.L. Guide

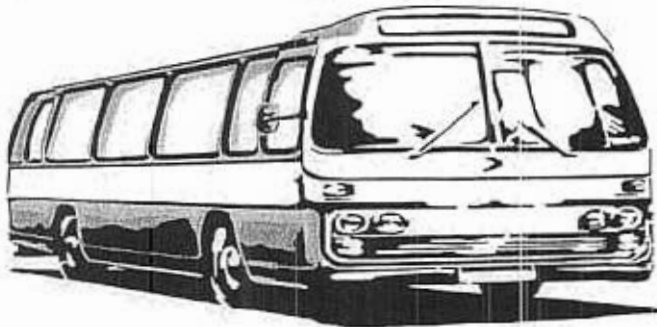
EXHIBIT A



**EXHIBIT B - DETERMINE WHICH CLASS OF LICENSE IS NEEDED**

CLASS OF LICENSE	If you want to get a license to drive this type of vehicle or a similar tank vehicle	Special endorsement may also be needed	
<p align="center"><b>A</b></p> <p>*Combination vehicle</p> <p>*GVWR over 26,000 lbs</p> <p>*Towed vehicle(s) over 10,000 lbs</p>		<p align="center"><b>ENDORSEMENTS</b></p> <p>N Tanks 1,000 gallons or Greater</p> <p>H Hazardous materials</p> <p>X Tanks and Haz Mat</p> <p>T Double/triple trailers</p>	
<p align="center"><b>B</b></p> <p>*Trucks or buses over 26,000 lbs GVWR</p> <p>*Any such vehicle towing a vehicle not in excess of 10,000 lbs GVWR</p>			<p>P Greater than 15 passengers including driver</p> <p>S School bus</p>
<p align="center"><b>C</b></p> <p>*Vehicles weighing 26,000 lbs GVWR or less:</p> <ul style="list-style-type: none"> <li>-placarded for hazardous materials</li> <li>-designed to seat more than 15 people including driver</li> </ul> <p align="center">OR</p> <ul style="list-style-type: none"> <li>-used as a school bus</li> </ul>			
<p align="center"><b>D</b></p> <p>*Generally, all passenger vehicles, except vehicle in Classes A, B, or M</p>		<p align="center"><b>F</b></p> <p>For-Hire, when a Class D vehicle is operated by a person employed for the principal purpose of driving, and used as a public or common carrier of persons or property</p>	
<p align="center"><b>H</b></p> <p>*Same as Class D between the ages of 14 &amp; 16 in special hardship cases</p>		<p align="center"><b>SPECIAL RESTRICTIONS FOR LICENSES INDIVIDUAL</b></p>	
<p align="center"><b>M</b></p> <p>*Motorcycles and motor driven cycles</p>		<p align="center"><b>SPECIAL RESTRICTIONS MAY APPLY TO PERSON AGE 15</b></p>	
<p align="center"><b>P</b></p> <p>*Issued as an instructional permit for a Class A, B, C, D, and M license</p>	<p align="center"><b>SPECIAL RESTRICTIONS APPLY DEPENDING UPON THE PARTICULAR CLASS</b></p>		

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## SPONSORED BY:

Federal Motor Carrier  
Safety Administration



**TENNESSEE HIGHWAY PATROL**

New Entrant  
Safety Audit Program



## Safety Fitness Procedures

A motor carrier receives a safety rating when the safety specialist conducts an on-site review of the carrier's compliance with the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. The specialist reviews records, evaluates roadside vehicle inspection data, and accidents to determine whether a motor carrier meets Section 385.5 Safety Fitness standard. Only qualified safety auditors, safety investigators, and safety inspectors may conduct compliance reviews, safety audits, and roadside inspections.

### Compliance review

A compliance review is an on-site examination of the motor carrier's records and operations to determine whether the carrier meets the safety fitness standard. The review may include an examination of the following aspects of the motor carrier's operations:

- Alcohol and controlled substance testing
- Driver's hours of service
- Driver qualification
- Vehicle inspection and maintenance
- Financial responsibility
- Accidents
- Hazardous materials
- Other safety and transportation records
- Roadside vehicle out-of-service rate.

A compliance review is conducted to investigate potential safety violations, to investigate complaints, or is in response to a carrier's request for a change in safety rating. The results of the compliance review may result in the initiation of an enforcement action.

### Safety ratings

The safety ratings are:

- **Satisfactory:** A motor carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in Section 385.5. Safety management controls are adequate if they are appropriate for the size and type of operation of the particular motor carrier.
- **Conditional:** A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in the occurrences listed in Section 385.5(a) through (h).
- **Unsatisfactory:** A motor carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standards which has resulted in occurrences listed in Section 385.5(a) through (h). Motor carriers receiving an "unsatisfactory safety rating" may be subject to the provisions of Section 385.13.

The motor carrier will receive written notice of the safety rating.

A motor carrier transporting placardable quantities of hazardous materials, or operating a vehicle designed to transport more than 15 passengers including the driver that has received an "unsatisfactory" safety rating from the Federal Motor Carrier Safety Administration (FMCSA) will have 45 calendar days from the effective date of that rating, or from the date of the notice, whichever is later, to improve the safety rating to "conditional" or "satisfactory." Other motor carriers that have received an "unsatisfactory"

safety rating will have 60 days to improve the safety rating to “conditional” or “satisfactory.” If this improvement does not occur, the carrier is prohibited from operating commercial motor vehicles. Also, a motor carrier with an “unsatisfactory” safety rating is ineligible to contract or subcontract transportation services with Federal agencies.

**Safety fitness standard  
(Section 385.5)**

The satisfactory safety rating is based on the degree of compliance with the safety fitness standard for motor carriers. To meet the safety fitness standard, the motor carrier shall demonstrate that it has adequate safety management controls in place that function effectively to ensure acceptable compliance with applicable safety requirements to reduce the risk associated with:

- Alcohol and controlled substance testing violations (**Part 382**)
- Commercial driver’s license standard violations (**Part 383**)
- Inadequate levels of financial responsibility (**Part 387**)
- The use of unqualified drivers (**Part 391**)
- Improper use and driving of motor vehicles (**Part 392**)
- Unsafe vehicles operating on the highways (**Part 393**)
- Failure to maintain accident registers and copies of accident reports (**Part 390**)
- The use of fatigued drivers (**Part 395**)
- Inadequate inspection, repair, and maintenance of vehicles (**Part 396**)
- Transportation of hazardous materials, driving and parking rule violations (**Part 397**)
- Violation of hazardous materials regulations (**Parts 170 through 177**)
- Motor vehicle accidents and hazardous materials incidents.

**Request for a change in a safety rating; facts and procedure  
(Section 385.15)**

A petition for review of a safety rating, where there are factual or procedural disputes, must list all issues in dispute and be accompanied by any information or documents the motor carrier is relying upon as the basis for its petition.

**Request for a change in a safety rating; corrective action taken  
(Section 385.17)**

A request for a change in a safety rating may be made when the basis for the change is evidence that corrective actions have been taken, and that operations currently meet the safety fitness standard specified in Part 385.5.

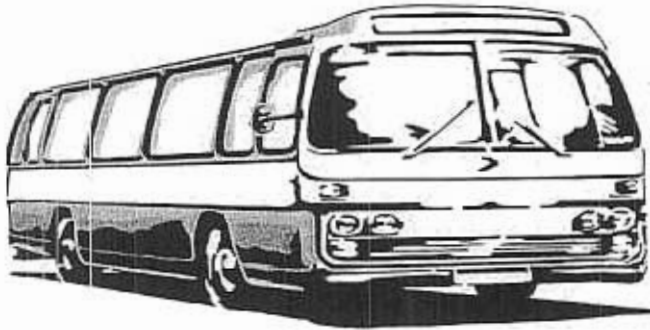
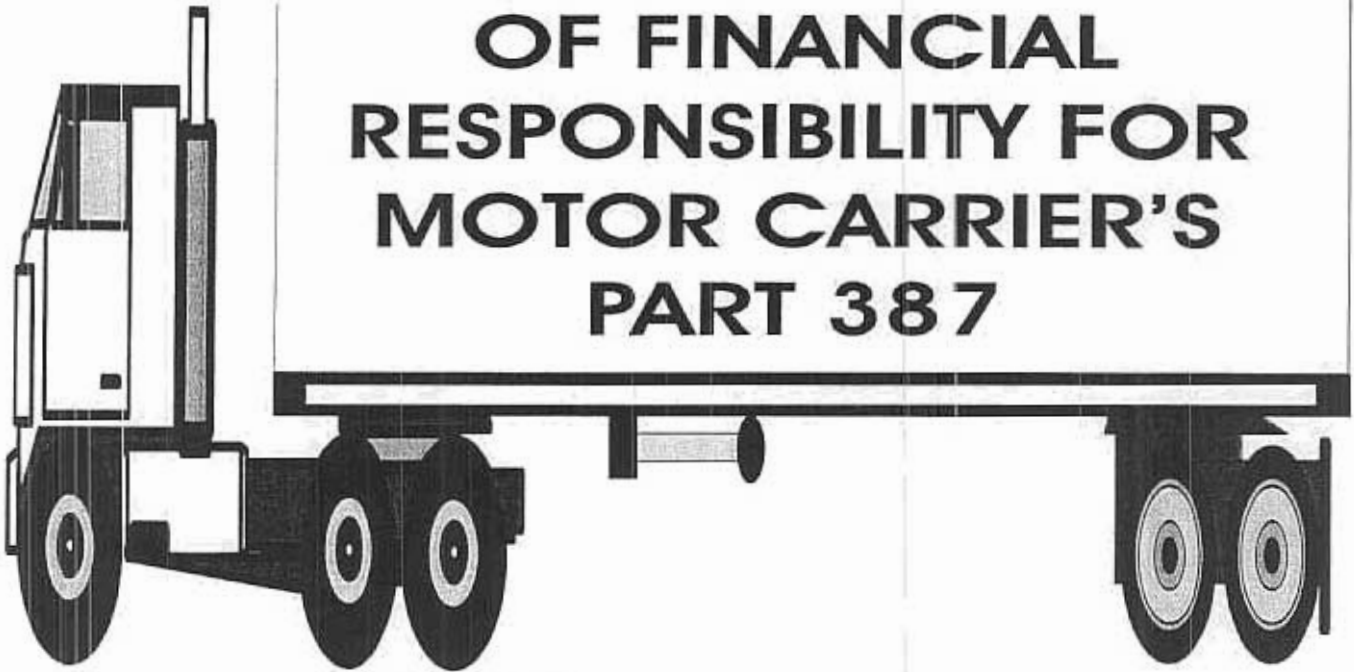
**Civil penalties**

A motor carrier who violates the FMCSRs may be subject to civil penalties. Motor carriers, brokers, and freight forwarders failing to pay civil penalties imposed by the FMCSA within 90 days may be prohibited from operating commercial motor vehicles in interstate commerce.



# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIER'S PART 387



## SPONSORED BY:

Federal Motor Carrier  
Safety Administration



TENNESSEE HIGHWAY PATROL

New Entrant  
Safety Audit Program



## Minimum Levels of Financial Responsibility for Motor Carriers

**Financial responsibility** means having insurance policies or surety bonds sufficient to satisfy the minimum public liability requirements. **Public liability** means liability for bodily injury, property damage, and environmental restoration. **Environmental restoration** means restitution for the loss, damage, or destruction of natural resources arising out of an accidental discharge of toxic or other environmentally harmful materials or liquids.

### Requirements for financial responsibility

Motor carriers of property operating commercial motor vehicles in interstate, foreign, or intrastate commerce, and for-hire carriers of passengers operating in interstate or foreign commerce must have at least the minimum amount of insurance required by law.

(See the Schedule of Limits on the form examples for minimum levels of financial responsibility.)

### Proof

The motor carrier must have proof of the minimum level of insurance at the company's principal place of business.

Proof may be shown by any of the following:

- Endorsements for Motor Carriers policies of insurance for public liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Form MCS-90) issued by an insurer.
- Endorsements for Motor Carriers of Passengers policies of insurance for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-90B\*) issued by an insurer.
- A Motor Carrier Surety Bond for public liability under Section 30 of the Motor Carrier Act of 1980 (Form MCS-82) issued by an insurer.
- A Motor Carrier of Passengers Surety Bond for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-82B\*) issued by an insurer.
- A written decision, order or authorization of the Federal Motor Carrier Safety Administration authorizing the motor carrier to self-insure under 49 CFR 387.309.

\* *Examples of Forms MCS-90, MCS-90B, MCS-82, and MCS-82B are shown on the following pages.*



U.S. Department  
of Transportation  
Federal Motor Carrier  
Safety Administration

**ENDORSEMENT FOR  
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY  
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Form Approved:  
OMB No.: 2126-0008

Issued to \_\_\_\_\_ of \_\_\_\_\_  
 Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
 Amending Policy No. \_\_\_\_\_ Effective Date \_\_\_\_\_  
 Name of Insurance Company \_\_\_\_\_  
 Countersigned by \_\_\_\_\_  
*Authorized Company Representative*

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "[X]," for the limits shown:

- This insurance is primary and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident.
- This insurance is excess and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident in excess of the underlying limit of \$ \_\_\_\_\_ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: \_\_\_\_\_.

Cancellation of this endorsement may be effected by the company of the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements under 49 U.S.C. 13901, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, D.C.).

**DEFINITIONS AS USED IN THIS ENDORSEMENT**

**Accident** includes continuous or repeated exposure to conditions or which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

**Motor Vehicle** means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

**Bodily Injury** means injury to the body, sickness, or disease to any person, including death resulting from any of these.

**Property Damage** means damage to or loss of use of tangible property.

**Environmental Restoration** means restitution for the loss, damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

**Public Liability** means liability for bodily injury, property damage, and environmental restoration

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the

limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE. The limits shown in the schedule are for information purposes only.

Form MCS-90 (4/2000)

**SCHEDULE OF LIMITS—PUBLIC LIABILITY**

Type of carriage	Commodity transported	Jan. 1, 1985
(1) For-hire (In interstate or foreign commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Property (nonhazardous).....	\$ 750,000
(2) For-hire and Private (In interstate, foreign, or intrastate commerce, with a gross vehicle weight rating of 10,000 or more pounds).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Division 1.1, 1.2, and 1.3 materials, Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material, as defined in 49 CFR 173.403	\$5,000,000
(3) For-hire and Private (In interstate or foreign commerce, in any quantity; or in intrastate commerce, in bulk only; with a gross vehicle weight rating of 10,000 or more pounds).	Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials, and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	\$1,000,000
(4) For-hire and Private (In interstate or foreign commerce, with a gross vehicle weight rating of less than 10,000 pounds).	Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group I, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.	\$5,000,000

**SCHEDULE OF LIMITS--PUBLIC LIABILITY**  
**For-hire motor carriers of passengers operating in interstate or foreign commerce**

Vehicle Seating Capacity	Effective Dates	
	Nov. 19, 1983	Nov. 19, 1985
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$2,500,000	\$5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less.	\$ 750,000	\$1,500,000



U.S. Department of Transportation

Federal Motor Carrier Safety Administration

ENDORSEMENT FOR MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982

Form Approved: OMB No.: 2126-0008

Issued to \_\_\_\_\_ of \_\_\_\_\_

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Amending Policy No. \_\_\_\_\_ Effective Date \_\_\_\_\_

Name of Insurance Company \_\_\_\_\_

Countersigned by \_\_\_\_\_

Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "[X]," for the limits shown:

[ ] This insurance is primary and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident.

[ ] This insurance is excess and the company shall not be liable for amounts in excess of \$ \_\_\_\_\_ for each accident in excess of the underlying limit of \$ \_\_\_\_\_ for each accident.

Whenever required by the Federal Motor Carrier Safety Administration (FMCSA), the company agrees to furnish the FMCSA a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the policy is in force as of a particular date. The telephone number to call is: \_\_\_\_\_

Cancellation of this endorsement may be effected by the company of the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the FMCSA's registration requirements, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date the notice is received by the FMCSA at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

Accident includes continuous or repeated exposure to conditions which result in Public Liability which the insured neither expected nor intended.

Bodily Injury means injury to the body, sickness, or disease to any person, including death resulting from any of these.

Motor Carrier means a for-hire carrier of passengers by motor vehicle.

Property Damage means damage to or loss of use of tangible property

Public Liability means liability for bodily injury or property damage.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a for-hire motor carrier of passengers with Section 18 of the Bus Regulatory Reform Act of 1982 and the rules and regulations of the Federal Motor Carrier Safety Administration.

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment received against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to financial responsibility requirements of Section 18 of the Bus Regulatory Reform Act of 1982 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured.

However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Bus Regulatory Reform Act of 1982 requires limits of financial responsibility according to vehicle seating capacity. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility. THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE. The limits shown in the schedule are for information purposes only.

Form MCS-90B (4/2000)



U.S. Department of Transportation

Federal Motor Carrier Safety Administration

Form Approved: OMB No.: 2126-0008

MOTOR CARRIER PUBLIC LIABILITY SURETY BOND UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980

PARTIES

Surety Company and Principal Place of Business Address

Motor Carrier Principal, FMCSA Docket No., And Principal Place of Business Address

Blank lines for entering party information.

PURPOSE

This is an agreement between the Surety and the Principal under which the Surety, its successors and assignees, agree to be responsible for the payment of any final judgment or judgments against the Principal for public liability, property damage, and environmental restoration liability claims in the sums prescribed herein; subject to the governing provisions and the following conditions.

GOVERNING PROVISIONS

- (1) Sections 29 and 30 of the Motor Carrier Act of 1980 (49 U.S.C. 31139).
(2) Rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA)

CONDITIONS

The Principal is or intends to become a motor carrier of property subject to the applicable governing provisions relating to financial responsibility for the protection of the public.

This bond assures compliance by the Principal with the applicable governing provisions, and shall insure to the benefit of any person or persons who shall recover a final judgment or judgments against the Principal for public liability, property damage, or environmental restoration liability claims (excluding injury to or death of the Principal's employees while engaged in the course of their employment, and loss of or damage to property of the principal, and the cargo transported by the Principal). If every final judgment shall be paid for such claims resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the applicable governing provisions, then this obligation shall be void, otherwise it will remain in full effect.

Within the limits described herein, the Surety extends to such losses regardless of whether such motor vehicles are specifically described herein and whether occurring on the route or in the territory authorized to be served by the Principal or elsewhere.

The liability of the Surety on each motor vehicle subject to the financial responsibility requirements of Section's 29 and 30 of the Motor Carrier Act of 1980 for each accident shall not exceed \$ \_\_\_\_\_, and shall be a continuing one notwithstanding any recovery hereunder.

The surety agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the surety bond is in force as of a particular date. The telephone number to call is: \_\_\_\_\_

This bond is effective from \_\_\_\_\_ (12:01 a.m., standard time, at the address of the Principal as stated herein) and shall continue in force until terminated as described herein. The principal or the Surety may at any time terminate this bond by giving (1) thirty -five (35) days notice in writing to the other party (said 35 day notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the Principal is subject to the FMCSA's registration requirements, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date notice is received by the FMCSA at its office in Washington, D.C.). The Surety shall not be liable for the payment of any judgment or judgments against the Principal for public liability, property damage, or environmental restoration claims resulting from accidents which occur after the termination of this bond as described herein, but such termination shall not affect the liability of the Surety for the payment of any such judgment or judgments resulting from accidents which occur during the time the bond is in effect

Date

(AFFIX CORPORATE SEAL)

Surety

City

State

By

ACKNOWLEDGMENT OF SURETY

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_, who, being by me duly sworn, did depose and say that he resides in \_\_\_\_\_; that he/she is the \_\_\_\_\_ of the \_\_\_\_\_, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; that he/she signed his/her name thereto by like order, and he/she duly acknowledged to me that he/she executed the same for and on behalf of said corporation.

Title of official administering oath

(OFFICIAL SEAL)

Surety Company File No. \_\_\_\_\_

Form MCS-82 (4/2000)



U.S. Department of Transportation

Federal Motor Carrier Safety Administration

Form Approved: OMB No.: 2126-0008

MOTOR CARRIER PUBLIC LIABILITY SURETY BOND UNDER SECTION 18 OF THE BUS REGULATORY REFORM ACT OF 1982

PARTIES Surety Company and Principal Place of Business Address Motor Carrier Principal, FMCSA Docket No., And Principal Place of Business Address

PURPOSE This is an agreement between the Surety and the Principal under which the Surety, its successors and assignees, agree to be responsible for the payment of any final judgment or judgments against the Principal for public liability and property damage claims in the sums prescribed herein, subject to the governing provisions and following conditions.

GOVERNING PROVISIONS (1) Section 18 of the Bus Regulatory Reform Act of 1982 (2) Rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA)

CONDITIONS The Principal is or intends to become a motor carrier of passengers subject to the applicable governing provisions relating to financial responsibility for the protection of the public.

This bond assures compliance by the Principal with the applicable governing provisions, and shall inure to the benefit of any person or persons who shall recover a final judgment or judgments against the Principal for public liability or property damage claims (excluding injury to or death of the Principal's employees while engaged in the course of their employment, and loss of or damage to property of the Principal, and the cargo transported by the Principal). If every final judgment shall be paid for such claims resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the applicable governing provisions, then this obligation shall be void, otherwise it will remain in full effect.

Within the limits described herein, the Surety extends to such losses regardless of whether such motor vehicles are specifically described herein and whether occurring on the route or in the territory authorized to be served by the Principal or elsewhere.

The liability of the Surety for each motor vehicle subject to the applicable governing provisions for each accident shall not exceed \$ and shall be a continuing one notwithstanding any recovery thereunder.

The surety agrees, upon telephone request by an authorized representative of the FMCSA, to verify that the surety bond is in force as of a particular date. The telephone number to call is

This bond is effective from (12:01 a.m., standard time, at the address of the Principal as stated herein) and shall continue in force until terminated as described herein. The Principal or the Surety may at any time terminate this bond by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the Principal is subject to the FMCSA's registration requirements, by providing thirty (30) days notice to the FMCSA (said 30 days notice to commence from the date notice is received by the FMCSA at its office in Washington, D.C.). The Surety shall not be liable for the payment of any judgment or judgments against the Principal for public liability or property damage claims resulting from accidents which occur after the termination of this bond as described herein, but such termination shall not affect the liability of the Surety from the payment of any such judgment or judgments resulting from accidents which occur during the time the bond is in effect.

(AFFIX CORPORATE SEAL)

Date Surety City State By

ACKNOWLEDGMENT OF SURETY

STATE OF COUNTY OF

On this day of 20, before me personally came who, being by me duly sworn, did depose and say that he resides in; that he/she is of the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; that he signed his name thereto by like order, and he duly acknowledged to me that he executed the same for and on behalf of said corporation.

Title of official administering oath

(OFFICIAL SEAL)

Surety Company File No.

Form MCS-82B (4/2000)



# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## SPONSORED BY:



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Safety Audit Program



## Federal Motor Carrier Safety Regulations: General

### General applicability

The Federal Motor Carrier Safety Regulations (FMCSRs) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce.

**Commercial Motor Vehicle:** Any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- Is used in transporting a quantity of hazardous material requiring placarding.

### Exceptions to general applicability

Transportation provided by Federal, State, and local governments are exempt from the FMCSRs. Occasional transportation of personal property by individuals for non-commercial purposes, school bus operations, and transportation of human corpses, or sick and injured people are also exempt.

Transportation provided by commercial motor vehicles transporting between 9 and 15 passengers for compensation is exempt from the FMCSRs except for the requirements to file the Motor Carrier Identification Report (MCS-150), maintain an accident register, and mark the vehicles with the motor carrier identification number.

### Accident register

**Accident:** An occurrence involving a commercial motor vehicle operating on a public road that results in at least one of the following:

- A fatality,
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident,
- Disabling damage to one or more motor vehicles, requiring the vehicle(s) to be towed or otherwise transported from the scene by a tow truck or other vehicle.

For a period of one year after an accident occurs, motor carriers *are required* to maintain an accident register containing the following information:

- Date and place of accident,
- Driver's name,
- Number of injuries and fatalities,
- Hazardous materials (other than fuel) released, if any.

Motor carriers are also required to maintain copies of all accident reports required by State or other governmental entities or insurers for a period of one year after an accident occurs.

**Vehicle  
identification**

Every commercial motor vehicle operated by a motor carrier in interstate commerce must be marked, on BOTH sides of vehicle, with the following:

- The motor carrier's name or trade name
- The city and State of its principal place of business
- The motor carrier's identification number, preceded by "US DOT."

**Relief from  
regulations during  
emergencies**

Relief from Parts 390-399 of the FMCSRs may be granted during declared emergencies to any motor carrier who provides emergency assistance.

**MOTOR CARRIER IDENTIFICATION REPORT**  
(Application for U.S. DOT Number)

U.S. Department of Transportation  
Federal Motor Carrier  
Safety Administration

IF THE SPACE ABOVE IS BLANK OR THE INFORMATION THEREIN IS INCORRECT, PLEASE IDENTIFY YOUR COMPANY'S PRINCIPAL OFFICE IN THE SPACES BELOW.

1. NAME OF MOTOR CARRIER/SHIPPER			2. TRADE OR D.B.A. (DOING BUSINESS AS) NAME		
3. PRINCIPAL STREET ADDRESS/ROUTE NUMBER			4. MAILING ADDRESS (P O BOX)		
5. CITY	6. STATE/PROVINCE	7. ZIP CODE+4	8. MAILING CITY	9. STATE/PROVINCE	10. ZIP CODE+4
11. COLONIA (MEXICO ONLY)		12. PRINCIPAL PHONE NUMBER		13. COLONIA (MEXICO ONLY)	
				14. PRINCIPAL FAX NUMBER	
15. USDOT NO.	16. MC OR MX NO.	17. DUN & BRADSTREET NO.	18. IRS/TAX ID NO. EIN #      SSN #		19. INTERNET E-MAIL ADDRESS

20. CARRIER OPERATION (Circle One)  
 A. Interstate     B. Intrastate Only (Hazardous Materials)     C. Intrastate Only (Non-Hazardous Materials)

21. SHIPPER OF HAZARDOUS MATERIALS OPERATION (Circle One)  
 A. Interstate     B. Intrastate

22. CARRIER MILEAGE (to nearest 10,000 miles for Last Calendar Year)      YEAR

23. OPERATION CLASSIFICATION (Circle All that Apply)

<input type="checkbox"/> A. Authorized For-Hire	<input type="checkbox"/> D. Private Passengers (Business)	<input type="checkbox"/> G. U.S. Mail	<input type="checkbox"/> J. Local Government
<input type="checkbox"/> B. Exempt For-Hire	<input type="checkbox"/> E. Private Passengers (Non-Business)	<input type="checkbox"/> H. Federal Government	<input type="checkbox"/> K. Indian Tribe
<input type="checkbox"/> C. Private (Property)	<input type="checkbox"/> F. Migrant	<input type="checkbox"/> I. State Government	<input type="checkbox"/> L. Other _____

24. CARGO CLASSIFICATIONS (Circle All that Apply)

<input type="checkbox"/> A. GENERAL FREIGHT	<input type="checkbox"/> F. LOGS, POLES	<input type="checkbox"/> J. FRESH PRODUCE	<input type="checkbox"/> P. GRAIN, FEED, HAY	<input type="checkbox"/> V. COMMODITIES DRY BULK
<input type="checkbox"/> B. HOUSEHOLD GOODS	BEAMS, LUMBER	<input type="checkbox"/> K. LIQUIDS/GASES	<input type="checkbox"/> Q. COAL/COKE	<input type="checkbox"/> W. REFRIGERATED FOOD
<input type="checkbox"/> C. METAL: SHEETS, COILS, ROLLS	<input type="checkbox"/> G. BUILDING MATERIALS	<input type="checkbox"/> L. INTERMODAL CONT.	<input type="checkbox"/> R. MEAT	<input type="checkbox"/> X. BEVERAGES
<input type="checkbox"/> D. MOTOR VEHICLES	<input type="checkbox"/> H. MOBILE HOMES	<input type="checkbox"/> M. PASSENGERS	<input type="checkbox"/> S. GARBAGE, REFUSE, TRASH	<input type="checkbox"/> Y. PAPER PRODUCTS
<input type="checkbox"/> E. DRIVE AWAY/TOWAWAY	<input type="checkbox"/> I. MACHINERY, LARGE OBJECTS	<input type="checkbox"/> N. OIL FIELD EQUIPMENT	<input type="checkbox"/> T. U.S. MAIL	<input type="checkbox"/> Z. UTILITY
		<input type="checkbox"/> O. LIVESTOCK	<input type="checkbox"/> U. CHEMICALS	<input type="checkbox"/> AA. FARM SUPPLIES
				<input type="checkbox"/> BB. CONSTRUCTION
				<input type="checkbox"/> CC. WATER WELL
				<input type="checkbox"/> DD. OTHER

25. HAZARDOUS MATERIALS CARRIED OR SHIPPED (Circle All that Apply) C - CARRIED    S - SHIPPED    B(BULK) - IN CARGO TANKS    NB(NON-BULK) - IN PACKAGES

<input type="checkbox"/> A. DIV 1.1	<input type="checkbox"/> B. DIV 1.2	<input type="checkbox"/> C. DIV 1.3	<input type="checkbox"/> D. DIV 1.4	<input type="checkbox"/> E. DIV 1.5	<input type="checkbox"/> F. DIV 1.6	<input type="checkbox"/> G. DIV 2.1	<input type="checkbox"/> H. DIV 2.1LPG	<input type="checkbox"/> I. DIV 2.1(METHANE)	<input type="checkbox"/> J. DIV 2.2	<input type="checkbox"/> K. DIV 2.2A (AMMONIA)	<input type="checkbox"/> L. DIV 2.3A	<input type="checkbox"/> M. DIV 2.3B	<input type="checkbox"/> N. DIV 2.3C	<input type="checkbox"/> O. DIV 2.3D	<input type="checkbox"/> P. CLASS 3	<input type="checkbox"/> Q. CLASS 3A	<input type="checkbox"/> R. CLASS 3B	<input type="checkbox"/> S. COMB LIO	<input type="checkbox"/> T. DIV 4.1	<input type="checkbox"/> U. DIV 4.2	<input type="checkbox"/> V. DIV 4.3	<input type="checkbox"/> W. DIV 5.1	<input type="checkbox"/> X. DIV 5.2	<input type="checkbox"/> Y. DIV 6.2	<input type="checkbox"/> Z. DIV 6.1A	<input type="checkbox"/> AA. DIV 6.1B	<input type="checkbox"/> BB. DIV 6.1POISON	<input type="checkbox"/> CC. DIV 6.1SOLID	<input type="checkbox"/> DD. CLASS 7	<input type="checkbox"/> EE. HRCQ	<input type="checkbox"/> FF. CLASS 8	<input type="checkbox"/> GG. CLASS 8A	<input type="checkbox"/> HH. CLASS 8B	<input type="checkbox"/> II. CLASS 9	<input type="checkbox"/> JJ. ELEVATED TEMP MAT	<input type="checkbox"/> KK.	<input type="checkbox"/> LL. MARINE POLLUTANTS	<input type="checkbox"/> MM. HAZARDOUS SUB(RQ)	<input type="checkbox"/> NN. HAZARDOUS WASTE	<input type="checkbox"/> OO. ORM
-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	--	--	-------------------------------------	--	--------------------------------------	--------------------------------------	--------------------------------------	--------------------------------------	-------------------------------------	--------------------------------------	--------------------------------------	--------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	-------------------------------------	--------------------------------------	---------------------------------------	--	---	--------------------------------------	-----------------------------------	--------------------------------------	---------------------------------------	---------------------------------------	--------------------------------------	--	------------------------------	--	--	--	----------------------------------

26. EQUIPMENT

	Straight Trucks	Truck Tractors	Trailers	HazMat Cargo Tank Trailers	HazMat Cargo Tank Trucks	Motor coach	PASSENGERS			
							School bus	Mini-bus/Van	Limousine	
OWNED										
TERM LEASED										
TRIP LEASED										

27. DRIVER INFORMATION

INTERSTATE		INTRASTATE		TOTAL DRIVERS
100-Mile Radius	_____	100-Mile Radius	_____	_____
Beyond 100-Mile Radius	_____	Beyond 100-Mile Radius	_____	TOTAL CDL DRIVERS
				_____

28. CERTIFICATION STATEMENT (to be completed by an authorized official)

I, \_\_\_\_\_, certify that I am familiar with the Federal Motor Carrier Safety Regulations and/or the Federal Hazardous Materials Regulations. Under penalties of perjury, I declare that the information entered on this report is, to the best of my knowledge and belief, true, correct, and complete.

(Please print Name)

Signature \_\_\_\_\_ Date \_\_\_\_\_ Title \_\_\_\_\_

## NOTICE

This collection of information is mandatory and is required by 49 CFR Part 385 and authorized by 49 U.S.C. 504 (1982 & Supp. III 1985). The Form MCS-150, Motor Carrier Identification Report, must be filed by all motor carriers operating in interstate or foreign commerce. A new motor carrier must file Form MCS-150 before beginning operations. Exception: A motor carrier that has received notification of a safety rating from the Federal Motor Carrier Safety Administration (FMCSA) need not file the report. If you are a Hazardous materials shipper, but not a motor carrier, you are not required to file this report. This information will be used to identify motor carriers subject to the Federal Motor Carrier Safety and Hazardous Materials Regulations. Carriers may voluntarily update information using this report.

The public reporting burden for this collection of information on the Form MCS-150 is estimated by the FMCSA to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please note that an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection is OMB No. 2126-0013. If you wish to comment on the accuracy of the estimate or make suggestions for reducing this burden, please direct your comments to the FMCSA at the following address: Federal Motor Carrier Safety Administration, Bus & Truck Standards & Operations, 400 7th Street SW, Washington, D.C. 20590.

To mail, fold the completed report so that the self-addressed postage paid panel is on the outside.

## INSTRUCTIONS FOR COMPLETING THE MOTOR CARRIER IDENTIFICATION REPORT (MCS-150)

(Please Print or Type All Information)

1. Enter the legal name of the business entity (i.e., corporation, partnership, or individual) that owns/controls the motor carrier/shipper operation.
2. If the business entity is operating under a name other than that in Block 1, (i.e., "trade name") enter that name. Otherwise, leave blank.
3. Enter the principal place of business street address where safety records are kept.
4. Enter mailing address if different from the physical address, otherwise leave blank. Also, applies to #8, #9, #10 & 13.
5. Enter the city where the principal place of business is located.
6. Enter the two-letter postal abbreviation for the State or the name of the Canadian Province/Territory or Mexican State corresponding with the physical address.
7. Enter the zip code + 4 number corresponding with the physical street address.
8. Enter the city corresponding with the mailing address.
9. Enter the two-letter postal abbreviation for the State or the name of the Canadian Province/Territory or Mexican State corresponding with the mailing address.
10. Enter the zip code + 4 number corresponding with the mailing address.
11. If a Mexican motor carrier or shipper, enter the Mexican "colonia" or "barrio" where the principal place of business is located.
12. Enter the telephone number, including area code, of the principal place of business.
13. If a Mexican motor carrier or shipper, enter the Mexican "colonia" or "barrio" corresponding with the mailing address.
14. Enter the Fax number, including area code, of the principal place of business.
15. Enter the identification number assigned to your motor carrier operation by the U.S. Department of Transportation, if known.
16. Enter the motor carrier "MC" or "MX" number under which the Federal Motor Carrier Safety Administration (FMCSA), or Interstate Commerce Commission (ICC) issued your operating authority, if appropriate.
17. Enter your Dun & Bradstreet business number (used as a secondary identifier; if you do not have one, leave blank).
18. Enter the employer identification number (EIN #) or social security number (SSN #) assigned to your motor carrier operation by the Internal Revenue Service.
19. Enter the e-mail address for the official point of contact, if you have one.
20. Circle the appropriate type of carrier operation.
  - A. Interstate
  - B. Intrastate, transporting hazardous materials (49 CFR 100-180).
  - C. Intrastate, **NOT** transporting hazardous materials.

*Interstate*—transportation of persons or property across State lines, including international boundaries, or wholly within one State as part of a through movement that originates or terminates in another State or country.

*Intrastate*—transportation of persons or property wholly within one State.
21. If you are both a motor carrier and hazardous materials shipper, circle the type of operation.

*Interstate & Intrastate*—See #20.

  - A. Interstate
  - B. Intrastate
22. Enter the carrier's total mileage to nearest 10,000 miles for the past calendar year, and the year of the mileage.
23. Circle appropriate classification. Circle all that apply. If "L. Other" is circled, enter the type of operation in the space provided.

*Authorized For Hire*—transportation for compensation as a common or contract carrier of property, owned by others, or passengers under the provisions of the FMCSA.

*Exempt For Hire*—transportation for compensation of property or passengers exempt from the economic regulation by the FMCSA.

*Private (Property)*—means a person who provides transportation of property by commercial motor vehicle and is not a for-hire motor carrier.

*Private Passengers (Business)*—a private motor carrier engaged in the interstate transportation of passengers which is provided in the furtherance of a commercial enterprise and is not available to the public at large (e.g., bands).

*Private Passengers (Non-Business)*—a private motor carrier involved in the interstate transportation of passengers that does not otherwise meet the definition of a private motor carrier of passengers (business) (e.g., church buses).

*Migrant*—interstate transportation, including a contract carrier, but not a common carrier of 3 or more migrant workers to or from their employment by any motor vehicle other than a passenger automobile or station wagon.

*U.S. Mail*—transportation of U.S. Mail under contract with the U.S. Postal Service.

*Federal Government*—transportation of property or passengers by a U.S. Federal Government agency.

*State Government*—transportation of property or passengers by a U.S. State Government agency.

*Local Government*—transportation of property or passengers by a local municipality.

*Indian Tribe*—transportation of property or passengers by an Indian tribal government.

*Other*—transportation of property or passengers by an operation classification not described above.

24. Circle all the letters of the types of cargo you usually transport. If "Other" is circled, enter the name of the commodity in the space provided.

25. Circle all types of hazardous materials (HM) you transport/ship. In the columns before the HM types, circle C for a carrier of HM and S for a shipper of HM. In the columns following the HM types, circle B if the HM is transported in bulk (over 119 gallons) and NB if the HM is transported in non-bulk (119 gallons or less). The HM types correspond to the classes and divisions listed in 49 CFR 173.2. Below are clarifications for the lettered codes:

A.	Div 1.1 Explosives (with mass explosion hazard)	AA.	Div 6.1 B (Poison Liquid which is a PIH Zone B)
B.	Div 1.2 Explosives (with projection hazard)	BB.	Div 6.1 Poison (Poisonous liquid with no inhalation hazard)
C.	Div 1.3 Explosives (with predominantly fire hazard)	CC.	Div 6.1 Solid (Meets the definition of a poisonous solid)
D.	Div 1.4 Explosives (with no significant blast hazard)	DD.	Class 7 Radioactive material
E.	Div 1.5 Very insensitive explosives; blasting agents	EE.	HRCQ (Highway Route Controlled Quantity of Radioactive Material)
F.	Div 1.6 Extremely insensitive detonating substances	FF.	Class 8 Corrosive material
G.	Div 2.1 Flammable gas	GG.	Class 8 A (Corrosive liquid which is a PIH Zone A)
H.	Div 2.1 LPG (Liquefied Petroleum Gas)	HH.	Class 8 B (Corrosive liquid which is a PIH Zone B)
I.	Div 2.1 Methane Gas	II.	Class 9 Miscellaneous hazardous material
J.	Div 2.2 Non-flammable compressed gas	JJ.	Elevated Temperature Material (Meets definition in 49 CFR 171.8 for an elevated temperature material.
K.	Div 2.2 A (Anhydrous Ammonia)	KK.	Infectious Waste (Meets definition in 49 CFR 171.8 for an infectious waste)
L.	Div 2.3 A (Poison Gas which is Poison Inhalation Hazard (PIH) Zone A)	LL.	Marine Pollutants (Meets definition in 49 CFR 171.8 for a marine pollutant)
M.	Div 2.3 B (Poison Gas which is PIH Zone B)	MM.	Hazardous Sub(RQ) (Meets definition in 49 CFR 171.8 of a reportable quantity of a hazardous substance)
N.	Div 2.3 C (Poison Gas which is PIH Zone C)	NN.	Hazardous Waste (Meets definition in 49 CFR 171.8 of a hazardous waste)
O.	Div 2.3 D (Poison Gas which is PIH Zone D)	OO.	ORM (Meets definition in 49 CFR 171.8 of Other Regulated Material)
P.	Class 3 Flammable and combustible liquid		
Q.	Class 3 A (Flammable liquid which is a PIH Zone A)		
R.	Class 3 B (Flammable liquid which is a PIH Zone B)		
S.	Combustible Liquid (Refer to 49 CFR 173.120(b))		
T.	Div 4.1 Flammable solid		
U.	Div 4.2 Spontaneously combustible material		
V.	Div 4.3 Dangerous when wet material		
W.	Div 5.1 Oxidizer		
X.	Div 5.2 Organic peroxide		
Y.	Div 6.2 Infectious substance (Etiologic agent)		
Z.	Div 6.1 A (Poison Liquid which is a PIH Zone A)		

Note: Information on Poison Inhalation Hazards is found in column 7 of the Hazardous Materials table, (49 CFR 172.101).

26. Enter the total number of vehicles owned, term leased and trip leased, that are, or can be, operational the day this form is completed.

Passenger vehicles are defined as:

*Motor coach*—a vehicle designed for long distance transportation of passengers, usually equipped with storage racks above the seats and a baggage hold beneath the passenger compartment.

*School Bus*—a vehicle designed and/or equipped mainly to carry primary and secondary students to and from school, usually built on a medium or large truck chassis.

*Mini-bus/Van*—a multi-purpose passenger vehicle with a capacity of 10-24 people, typically built on a small truck chassis.

*Limousine*—a passenger vehicle usually built on a lengthened automobile chassis.

27. Enter the number of interstate/intrastate drivers used on an average work day. Part-time, casual, term leased, trip leased and company drivers are to be included. Also, enter the total number of drivers (Interstate/Intrastate) and the total number of drivers who have a Commercial Drivers License (CDL).

*Interstate*—driver transports people or property across State lines, including international boundaries, or wholly within one State as part of a through movement that originates or terminates in another State or country.

*Intrastate*—driver transports people or property wholly within one State.

*100-mile radius driver*—driver operates only within a 100 air-mile radius of the normal work reporting location.

28. Print or type the name, in the space provided, of the individual authorized to sign documents on behalf of the entity listed in Block 1. That individual must sign, date, and show his or her title in the spaces provided (Certification Statement, see 49 CFR 390.19).

MCS-150

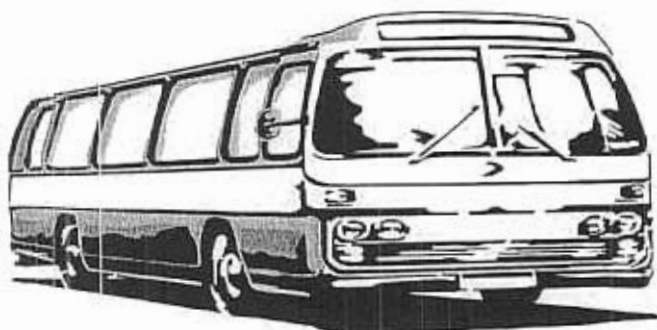
**ACCIDENT REGISTER**

FROM \_\_\_\_\_, 20\_\_ TO \_\_\_\_\_, 20\_\_

Date & Hour of Accident		Location of Accident			No. of Deaths	No. of Non-Fatal Injuries	H/M	Driver's Name	Copy of State or Insurance Report
Date	Hour	Street Address	City	State					

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## QUALIFICATIONS OF DRIVERS PART 391



### SPONSORED BY:

Federal Motor Carrier  
Safety Administration



TENNESSEE HIGHWAY PATROL

New Entrant  
Safety Audit Program





## Qualification of Drivers

Motor carriers must assure that all drivers of commercial motor vehicles meet the minimum qualifications specified in Part 391.

### Driver Requirements

A driver must meet the following requirements:

- Be in good health and physically able to perform all duties of a driver.
- Be at least 21 years of age.
- Speak and read English well enough to converse with the general public, understand highway traffic and signals, respond to official questions, and be able to make legible entries on reports and records.
- Be able to drive the vehicle safely.
- Know how to safely load and properly block, brace, and secure the cargo.
- Have only one valid commercial motor vehicle operator's license.
- Provide an employing motor carrier with a list of all motor vehicle violations or a signed statement that driver has not been convicted of any motor vehicle violations during the past 12 months. A disqualified driver must not be allowed to drive a commercial motor vehicle for any reason.
- Pass a driver's road test or equivalent.
- Complete an application for employment.
- Possess a valid medical certificate.

### Driver Qualification File - Check List

Every motor carrier must have a qualification file for each regularly employed driver.

The file must include:

<input type="checkbox"/>	<b>DRIVER'S APPLICATION FOR EMPLOYMENT</b> A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment.
<input type="checkbox"/>	<b>INQUIRY TO PREVIOUS EMPLOYERS — 3 YEARS</b> An investigation of the driver's employment record during the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.
<input type="checkbox"/>	<b>INQUIRY TO STATE AGENCIES — 3 YEARS</b> The driver's driving record for the preceding three years.
<input type="checkbox"/>	<b>INQUIRY TO STATE AGENCIES — ANNUAL</b> Request driving record annually for each driver.
<input type="checkbox"/>	<b>ANNUAL REVIEW OF DRIVING RECORD</b> At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the Driver's Qualification File.
<input type="checkbox"/>	<b>ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS</b> At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months. Note: Drivers who have provided information required by Section 383.31 need not repeat that information in this annual list of violations.

**DRIVER'S ROAD TEST CERTIFICATE OR EQUIVALENT**

A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to Section 391.33.

**MEDICAL EXAMINATIONS**

The driver must pass a medical examination conducted by a licensed health care professional. A driver must be issued a Medical Examiner's Certificate, which must be carried at all times and must be renewed every two years.

**Examples of physical requirements**  
(Section 391.41 provides the complete list of physical requirements)

- Has no loss of a foot, a leg, a hand, or an arm
- Has no established medical history or clinical diagnosis of diabetes requiring insulin for control
- Has no clinical diagnosis of any disqualifying heart disease
- Has no clinical diagnosis of high blood pressure
- Has no clinical diagnosis of epilepsy
- Has 20/40 vision or better with corrected lenses
- Has distant binocular acuity of at least 20/40 in both eyes
- Has the ability to recognize the colors (red, green and amber) of traffic signals
- Has hearing to perceive a forced whisper
- Has no history of drug (Schedule 1) use or any other substance identified in Appendix D
- Has no clinical diagnosis of alcoholism

**Exemptions**

There are provisions for an exemption to a disqualification for certain physical defects if the individual is otherwise qualified to drive.

**Additional instructions for medical examination**

Additional instructions for the examining doctor are available from:

**Director, Office of Bus and Truck Standards and Operations  
Federal Motor Carrier Safety Administration  
400 Seventh Street, S.W. (MC-PS)  
Washington, DC 20590**

**Limited exemptions**

The following specific conditions and types of drivers are exempt from specific record keeping requirements:

*Drivers regularly employed before January 1, 1971* — Drivers who have been regular employees of a motor carrier for a continuous period that began before January 1, 1971 are exempt from:

- Application for employment
- Road Test

**Multiple-employer drivers**

*Multiple-employer drivers* — If a motor carrier employs a person as a driver on any basis, the motor carrier must have on file the driver's name, social security number, identification number, type, issuing state of his/her motor vehicle operator's license, medical certificate, road test and certificate, and controlled substance test results, even if that driver's primary employment is with another carrier.

*Drivers furnished by other motor carriers* — A motor carrier using a driver regularly employed by another motor carrier must have on file a signed written certificate that includes the driver's name and signature, certification of the driver's full qualifications, and expiration date of the driver's medical examiner's certificate. Compliance with drug and alcohol program requirements is also required.

**Disqualifying offenses**

A driver is disqualified from operating a commercial motor vehicle on public highways, for the following offenses:

- Revocation, suspension, or withdrawal of an operator's license
- Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle:
  - Driving a CMV while under the influence of alcohol.
  - Driving a CMV while under the influence of a disqualifying drug or other controlled substance.
  - Transporting or possessing a disqualifying drug or controlled substance.
  - Leaving the scene of an accident that involves a CMV.
  - Using a CMV to commit a felony.
  - Using a CMV to violate an Out-of-Service Order.

**Penalties**

A first offender is disqualified for one year following conviction or forfeiture (6 months for possession of a controlled substance).  
For a second offense within three years, a driver is disqualified for three years.

## **DRIVER QUALIFICATION FILE CHECKLIST**

- DRIVER'S APPLICATION FOR EMPLOYMENT (49 CFR 391.21)**
- INQUIRY TO PREVIOUS EMPLOYERS — 3 YEARS (49 CFR 391.23(a) (2) & (c))**
- DRIVING RECORD FROM STATE AGENCIES — 3 YEARS (49 CFR 391.23(a) (1) & (b))**
- DRIVING RECORD FROM STATE AGENCIES — ANNUAL (49 CFR 391.25(a) & (c))**
- ANNUAL REVIEW OF DRIVING RECORD (49 CFR 391.25(b) & (c))**
- ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS (49 CFR 391.27)**
- DRIVER'S ROAD TEST CERTIFICATE OR EQUIVALENT (49 CFR 391.31)**
- MEDICAL EXAMINER'S CERTIFICATE (49 CFR 391.43)**

# APPLICATION FOR EMPLOYMENT

COMPANY \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_

CITY, STATE AND ZIP CODE \_\_\_\_\_

NAME \_\_\_\_\_  
(First) (Middle) (Maiden Name, if any) (Last)

ADDRESS \_\_\_\_\_ HOW LONG?  
(Street) (City) (State & Zip Code)

DATE OF BIRTH \_\_\_\_\_ SOCIAL SEC. NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_ HOW LONG?  
(Street) (City) (State & Zip Code)

FOR PAST  
THREE YEARS

ADDRESS \_\_\_\_\_ HOW LONG?  
(Street) (City) (State & Zip Code)

(ATTACH SHEET IF MORE SPACE IS NEEDED)

### EXPERIENCE AND QUALIFICATIONS—DRIVER

	STATE	LICENSE NO.	TYPE	EXPIRATION DATE
DRIVER				
LICENSES				

### DRIVING EXPERIENCE

CLASS OF EQUIPMENT	TYPE OF EQUIPMENT (VAN, TANK, FLAT, ETC.)	DATES		APPROX. NO. OF MILES (TOTAL)
		FROM	TO	
STRAIGHT TRUCK _____				
TRACTOR AND SEMI-TRAILER _____				
TRACTOR—TWO TRAILERS _____				
OTHER _____				

### ACCIDENT RECORD FOR PAST 3 YEARS OR MORE (ATTACH SHEET IF MORE SPACE IS NEEDED)

DATES	NATURE OF ACCIDENT (HEAD-ON, REAR-END, UPSET, ETC.)	FATALITIES	INJURIES
LAST ACCIDENT _____			
NEXT PREVIOUS _____			
NEXT PREVIOUS _____			

**TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS)**

LOCATION	DATE	CHARGE	PENALTY

(ATTACH SHEET IF MORE SPACE IS NEEDED)

A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES \_\_\_\_\_ NO \_\_\_\_\_

B. Has any license, permit or privilege ever been suspended or revoked? YES \_\_\_\_\_ NO \_\_\_\_\_

IF THE ANSWER TO EITHER A OR B IS YES, ATTACH STATEMENT GIVING DETAILS

**EMPLOYMENT RECORD (Attach Sheet If More Space is Needed)**

NOTE: DOT Requires That Employment for at Least 3 Years and/or Commercial Driving Experience for the Past 10 Years Be Shown

LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

SECOND LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

THIRD LAST EMPLOYER: NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

POSITION HELD \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ SALARY \_\_\_\_\_

REASONS FOR LEAVING \_\_\_\_\_

**TO BE READ AND SIGNED BY APPLICANT**

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

Note: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.

# REQUEST FOR INFORMATION FROM PREVIOUS EMPLOYER

From: \_\_\_\_\_

To: \_\_\_\_\_ Date: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

\_\_\_\_\_ has made application to this company for a position as \_\_\_\_\_

and states that he/she was employed by you as \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_. Will you please reply to the inquiry below respecting this applicant. Your reply will be held in strict confidence and will in no way involve you in any responsibility. For your convenience in replying by return mail, we have enclosed a stamped self-addressed envelope.

Very truly yours,

Safety Department

1. Is the employment record with your company correct as stated above? \_\_\_\_\_
2. What kind(s) of work did the applicant do? \_\_\_\_\_
3. Did the applicant drive motor vehicles for you? Passenger car \_\_\_\_\_ Straight truck \_\_\_\_\_ Bus \_\_\_\_\_  
Tractor-Semitrailer \_\_\_\_\_ Other (specify) \_\_\_\_\_
4. Was the applicant a safe and efficient driver? \_\_\_\_\_
5. Give the dates of vehicle accidents in which he/she was involved. \_\_\_\_\_
6. Reason for leaving your employ: Discharged \_\_\_\_\_ Laid off \_\_\_\_\_ Resigned \_\_\_\_\_
- Remarks: \_\_\_\_\_
7. Was the applicant's general conduct satisfactory? \_\_\_\_\_
8. Is the applicant competent for the position sought? \_\_\_\_\_
9. Did the applicant drink any alcoholic beverages while on duty? \_\_\_\_\_

	Excellent	Good	Fair	Poor	Very Poor
Quality of work	_____	_____	_____	_____	_____
Cooperation with others	_____	_____	_____	_____	_____
Safety habits	_____	_____	_____	_____	_____
Personal habits	_____	_____	_____	_____	_____
Driving skill	_____	_____	_____	_____	_____
Attitude	_____	_____	_____	_____	_____

Remarks: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name of Company: \_\_\_\_\_

(Detach here for your records)

\_\_\_\_\_  
(Name of Former Employer) Date: \_\_\_\_\_

You are hereby authorized to give to \_\_\_\_\_  
(Name of Prospective Employer)

all information regarding my services, character, and conduct while in your employ, and you are released from any and all liability which may result from furnishing such information to the above named company.

## MULTIPLE-EMPLOYER DRIVERS

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in 49 CFR 390.5), the motor carrier shall comply with all requirements of Part 391, except the carrier need not—

- (1) Require the person to furnish an application for employment (391.21);
- (2) Make an inquiry into the person's driving record during the preceding three years to the appropriate State agency(s) and an investigation of the person's employment record during the preceding three years (391.23);
- (3) Perform annual review of the person's driving record (391.25); or
- (4) Require the person to furnish a record of violations or a certificate (391.27).

The checklist below may be helpful to ensure that required documents are obtained.

<b>DRIVER QUALIFICATION FILE CHECKLIST</b>	
Name _____	
Social Security Number _____	
Driver's License Number _____	
Type of License _____	State _____
In addition to the above information, copies of the following must be obtained.	
<input type="checkbox"/> Medical Examiner's Certificate	
<input type="checkbox"/> Road Test (or equivalent)	
<input type="checkbox"/> Certificate of Road Test	
<input type="checkbox"/> Controlled Substances Test	



U.S. DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SAFETY PROGRAM  
INQUIRY TO STATE AGENCY FOR  
DRIVER'S RECORD

391.23

\_\_\_\_\_  
(Driver's Name)

\_\_\_\_\_  
(Driver's Operators Lic. No.)

\_\_\_\_\_  
(Driver's Social Sec. No.)

Dear

The above listed individual has made application with us for employment as a driver. Applicant has indicated that the above numbered operator's license or permit has been issued by your State to applicant and that it is in good standing.

In accordance with Section 391.23(a)(1) and (b) of the Federal Motor Carrier Safety Regulations, we are required to make inquiry into the driving record during the preceding 3 years of every State in which an applicant-driver has held a motor vehicle operator's license or permit during those 3 years.

Therefore, please certify to us what the individual's driving record is for the preceding 3 years, or certify that no record exists if that be the case.

In the event that this inquiry does not satisfy your requirements for making such inquiries, please send us such forms of yours as are necessary for us to complete our inquiry into the driving record of this individual.

Respectfully yours,

\_\_\_\_\_  
Signature of individual  
making inquiry

\_\_\_\_\_  
(printed) Name of person making inquiry

\_\_\_\_\_  
Title of person making inquiry

\_\_\_\_\_  
Motor Carrier Name

\_\_\_\_\_  
Street

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

**U.S. DEPARTMENT OF TRANSPORTATION  
MOTOR CARRIER SAFETY PROGRAM  
ANNUAL REVIEW OF DRIVING RECORD  
391.25**

\_\_\_\_\_  
Name (Last, First, M.I.) (Soc. Sec. No.)

This day I reviewed the driving record of the above named driver in accordance with 391.25 of the Federal Motor Carrier Safety Regulations. I considered any evidence that the driver has violated applicable provisions of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. I considered the driver's accident record and any evidence that he/she has violated laws governing the operation of motor vehicles, and gave great weight to violations, such as speeding, reckless driving and operation while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public. Having done the above, I find that

- ] the driver meets the minimum requirements for safe driving, or  
[ the driver is disqualified to drive a motor vehicle pursuant to 391.15

\_\_\_\_\_  
Date of review Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title

\_\_\_\_\_  
Date of review Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title

\_\_\_\_\_  
Date of review Motor Carrier's Name

\_\_\_\_\_  
Reviewed by: Signature and title

**MOTOR VEHICLE  
DRIVER'S CERTIFICATION  
OF VIOLATIONS**

I certify that the following is a true and complete list of traffic violations (other than parking violations) for which I have been convicted or forfeited bond or collateral during the past 12 months.

<b>Date</b>	<b>Offense</b>	<b>Location</b>	<b>Type of Vehicle Operated</b>
-------------	----------------	-----------------	---------------------------------

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If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation required to be listed during the past 12 months.

\_\_\_\_\_  
(Date of Certification)

\_\_\_\_\_  
(Driver's Signature)

\_\_\_\_\_  
(Motor Carrier's Name)

\_\_\_\_\_  
(Motor Carrier's Address)

\_\_\_\_\_  
(Reviewed by: Signature)

\_\_\_\_\_  
(Title)

**CERTIFICATE OF DRIVER'S ROAD TEST**

*Instructions:* If the road test is successfully completed, the person who gave it shall complete a certificate of the driver's road test. The original or copy of the certificate shall be retained in the employing motor carrier's driver qualification file of the person examined and a copy given to the person who was examined. (49 CFR 391.31(e)(f)(g))

**CERTIFICATION OF ROAD TEST**

Driver's Name \_\_\_\_\_

Social Security Number \_\_\_\_\_

Operator's or Chauffeur's License Number \_\_\_\_\_

State \_\_\_\_\_

Type of Power Unit \_\_\_\_\_

Type of Trailer(s) \_\_\_\_\_

If passenger carrier, type of bus \_\_\_\_\_

This is to certify that the above-named driver was given a road test under my supervision on \_\_\_\_\_, 20\_\_\_\_, consisting of approximately \_\_\_\_\_ miles of driving.

It is my considered opinion that this driver possesses sufficient driving skill to operate safely the type of commercial motor vehicle listed above.

\_\_\_\_\_  
(Signature of Examiner)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Organization and Address of Examiner)

**DRIVER'S ROAD TEST EXAMINATION**

Driver's Name \_\_\_\_\_ Phone \_\_\_\_\_

Driver's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

The road test shall be given by the motor carrier or a person designated by it. However, a driver who is a motor carrier must be given the test by another person. The test shall be given by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he or she is capable of operating the vehicle and associated equipment that the motor carrier intends to assign.

**Rating of Performance**

- The pretrip inspection. (As required by Sec. 392.7)
- Coupling and uncoupling of combination units, if the equipment he or she may drive includes combination units.
- Placing the equipment in operation.
- Use of vehicle's controls and emergency equipment.
- Operating the vehicle in traffic and while passing other vehicles.
- Turning the vehicle.
- Braking, and slowing the vehicle by means other than braking.
- Backing, and parking the vehicle.
- Other, Explain: \_\_\_\_\_
- \_\_\_\_\_

Type of equipment used in giving test: \_\_\_\_\_

Date \_\_\_\_\_ 20\_\_\_\_ Examiner's Signature \_\_\_\_\_

If the road test is successfully completed, the person who gave it shall complete a certificate of driver's road test.

Remarks \_\_\_\_\_  
\_\_\_\_\_

# Medical Examination Report FOR COMMERCIAL DRIVER FITNESS DETERMINATION

649-F (6045)

<b>1. DRIVER'S INFORMATION</b> <small>Driver completes this section</small>						
Driver's Name (Last, First, Middle)	Social Security No.	Birthdate M / D / Y	Age	Sex <input type="checkbox"/> M <input type="checkbox"/> F	New Certification <input type="checkbox"/> Recertification <input type="checkbox"/> Follow-up <input type="checkbox"/>	Date of Exam
Address	City, State, Zip Code	Work Tel: ( )	Driver License No.	License Class <input type="checkbox"/> A <input type="checkbox"/> C <input type="checkbox"/> B <input type="checkbox"/> D <input type="checkbox"/> Other	State of Issue	
		Home Tel: ( )				

<b>2. HEALTH HISTORY</b> <small>Driver completes this section, but medical examiner is encouraged to discuss with driver.</small>																																																																																																																										
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<p>For any YES answer, indicate onset date, diagnosis, treating physician's name and address, and any current limitation. List all medications (including over-the-counter medications) used regularly or recently.</p> <hr/> <hr/> <hr/>																																																																																																																										

I certify that the above information is complete and true. I understand that inaccurate, false or missing information may invalidate the examination and my Medical Examiner's Certificate.

Driver's Signature \_\_\_\_\_ Date \_\_\_\_\_

**Medical Examiner's Comments on Health History** (The medical examiner must review and discuss with the driver any "yes" answers and potential hazards of medications, including over-the-counter medications, while driving. This discussion must be documented below. )

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**3. VISION**

**Standard: At least 20/40 acuity (Snellen) in each eye with or without correction. At least 70 degrees peripheral in horizontal meridian measured in each eye. The use of corrective lenses should be noted on the Medical Examiner's Certificate.**

**INSTRUCTIONS:** When other than the Snellen chart is used, give test results in Snellen-comparable values. In recording distance vision, use 20 feet as normal. Report visual acuity as a ratio with 20 as numerator and the smallest type read at 20 feet as denominator. If the applicant wears corrective lenses, these should be worn while visual acuity is being tested. If the driver habitually wears contact lenses, or intends to do so while driving, sufficient evidence of good tolerance and adaptation to their use must be obvious. **Monocular drivers are not qualified.**

**Numerical readings must be provided.**

ACUITY	UNCORRECTED	CORRECTED	HORIZONTAL FIELD OF VISION
Right Eye	20/	20/	Right Eye <input type="checkbox"/>
Left Eye	20/	20/	Left Eye <input type="checkbox"/>
Both Eyes	20/	20/	

Applicant can recognize and distinguish among traffic control signals and devices showing standard red, green, and amber colors?  Yes  No

Applicant meets visual acuity requirement only when wearing:  Corrective Lenses

Monocular Vision:  Yes  No

Complete next line only if vision testing is done by an ophthalmologist or optometrist

Date of Examination \_\_\_\_\_ Name of Ophthalmologist or Optometrist (print) \_\_\_\_\_ Tel. No. \_\_\_\_\_ License No./ State of Issue \_\_\_\_\_ Signature \_\_\_\_\_

**4. HEARING**

**Standard: a) Must first perceive forced whispered voice  $\geq$  5 ft., with or without hearing aid, or b) average hearing loss in better ear  $\leq$  40 dB**  
 Check if hearing aid used for tests.  Check if hearing aid required to meet standard.

**INSTRUCTIONS:** To convert audiometric test results from ISO to ANSI, -14 dB from ISO for 500Hz, -10dB for 1,000 Hz, -8.5 dB for 2000 Hz. To average, add the readings for 3 frequencies tested and divide by 3.

**Numerical readings must be recorded.**

a) Record distance from individual at which forced whispered voice can first be heard.	Right ear \ Feet	Left Ear \ Feet
--	---------------------	--------------------

b) If audiometer is used, record hearing loss in decibels. (acc. to ANSI Z24.5-1951)

Right Ear			Left Ear		
500 Hz	1000 Hz	2000 Hz	500 Hz	1000 Hz	2000 Hz
Average:			Average:		

**5. BLOOD PRESSURE/ PULSE RATE**

**Numerical readings must be recorded. Medical Examiner should take at least two readings to confirm BP.**

Blood Pressure	Systolic	Diastolic
----------------	----------	-----------

Driver qualified if  $\leq$ 140/90.

Pulse Rate:  Regular  Irregular

Record Pulse Rate: \_\_\_\_\_

Reading	Category	Expiration Date	Recertification
140-159/90-99	Stage 1	1 year	1 year if $\leq$ 140/90. One-time certificate for 3 months if 141-159/91-99.
160-179/100-109	Stage 2	One-time certificate for 3 months.	1 year from date of exam if $\leq$ 140/90
$\geq$ 180/110	Stage 3	6 months from date of exam if $\leq$ 140/90	6 months if $\leq$ 140/90

**6. LABORATORY AND OTHER TEST FINDINGS**

**Numerical readings must be recorded.**

URINE SPECIMEN	SP. GR.	PROTEIN	BLOOD	SUGAR
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Urinalysis is required. Protein, blood or sugar in the urine may be an indication for further testing to rule out any underlying medical problem.

Other Testing (Describe and record) \_\_\_\_\_



**7. PHYSICAL EXAMINATION**

Height: \_\_\_\_\_ (in.) Weight: \_\_\_\_\_ (lbs.)

Name: Last, \_\_\_\_\_ First, \_\_\_\_\_ Middle, \_\_\_\_\_

The presence of a certain condition may not necessarily disqualify a driver, particularly if the condition is controlled adequately, is not likely to worsen or is readily amenable to treatment. Even if a condition does not disqualify a driver, the medical examiner may consider deferring the driver temporarily. Also, the driver should be advised to take the necessary steps to correct the condition as soon as possible particularly if the condition, if neglected, could result in more serious illness that might affect driving.

Check YES if there are any abnormalities. Check NO if the body system is normal. Discuss any YES answers in detail in the space below, and indicate whether it would affect the driver's ability to operate a commercial motor vehicle safely. Enter applicable item number before each comment. If organic disease is present, note that it has been compensated for. See Instructions to the Medical Examiner for guidance.

BODY SYSTEM	CHECK FOR:	YES*	NO	BODY SYSTEM	CHECK FOR:		NO
1. General Appearance	Marked overweight, tremor, signs of alcoholism, problem drinking, or drug abuse.			7. Abdomen and Viscera	Enlarged liver, enlarged spleen, masses, bruits, hernia, significant abdominal wall muscle weakness.		
2. Eyes	Pupillary equality, reaction to light, accommodation, ocular motility, ocular muscle imbalance, extraocular movement, nystagmus, exophthalmos. Ask about retinopathy, cataracts, aphakia, glaucoma, macular degeneration and refer to a specialist if appropriate.			8. Vascular System	Abnormal pulse and amplitude, carotid or arterial bruits, varicose veins.		
3. Ears	Scarring of tympanic membrane, occlusion of external canal, perforated eardrums.			9. Genito-urinary System	Hernias.		
4. Mouth and Throat	Irremediable deformities likely to interfere with breathing or swallowing.			10. Extremities- Limb impaired. Driver may be subject to SPE certificate if otherwise qualified.	Loss or impairment of leg, foot, toe, arm, hand, finger, Perceptible limp, deformities, atrophy, weakness, paralysis, clubbing, edema, hypotonia. Insufficient grasp and prehension in upper limb to maintain steering wheel grip. Insufficient mobility and strength in lower limb to operate pedals properly.		
5. Heart	Murmurs, extra sounds, enlarged heart, pacemaker, implantable defibrillator.			11. Spine, other musculoskeletal	Previous surgery, deformities, limitation of motion, tenderness.		
6. Lungs and chest, not including breast examination	Abnormal chest wall expansion, abnormal respiratory rate, abnormal breath sounds including wheezes or alveolar rales, impaired respiratory function, cyanosis. Abnormal findings on physical exam may require further testing such as pulmonary tests and/ or xray of chest.			12. Neurological	Impaired equilibrium, coordination or speech pattern; asymmetric deep tendon reflexes, sensory or positional abnormalities, abnormal patellar and Babinski's reflexes, ataxia.		

\*COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Note certification status here. See Instructions to the Medical Examiner for guidance.

- Meets standards in 49 CFR 391.41; qualifies for 2 year certificate
- Does not meet standards
- Meets standards, but periodic monitoring required due to \_\_\_\_\_  
 Driver qualified only for:  3 months  6 months  1 year  Other

Temporarily disqualified due to (condition or medication): \_\_\_\_\_

Return to medical examiner's office for follow up on \_\_\_\_\_

- Wearing corrective lense
- Wearing hearing aid
- Accompanied by a \_\_\_\_\_ waiver/ exemption. Driver must present exemption at time of certification.
- Skill Performance Evaluation (SPE) Certificate
- Driving within an exempt intracity zone (See 49 CFR 391.62)
- Qualified by operation of 49 CFR 391.64

Medical Examiner's signature \_\_\_\_\_

Medical Examiner's name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

**If meets standards, complete a Medical Examiner's Certificate as stated in 49 CFR 391.43(h). (Driver must carry certificate when operating a commercial vehicle.)**

## 49 CFR 391.41 Physical Qualifications for Drivers

### THE DRIVER'S ROLE

Responsibilities, work schedules, physical and emotional demands, and lifestyles among commercial drivers vary by the type of driving that they do. Some of the main types of drivers include the following: turn around or short relay (drivers return to their home base each evening); long relay (drivers drive 9-11 hours and then have at least a 10-hour off-duty period), straight through haul (cross country drivers); and team drivers (drivers share the driving by alternating their 5-hour driving periods and 5-hour rest periods.)

The following factors may be involved in a driver's performance of duties: abrupt schedule changes and rotating work schedules, which may result in irregular sleep patterns and a driver beginning a trip in a fatigued condition; long hours; extended time away from family and friends, which may result in lack of social support; tight pickup and delivery schedules, with irregularity in work, rest, and eating patterns, adverse road, weather and traffic conditions, which may cause delays and lead to hurriedly loading or unloading cargo in order to compensate for the lost time; and environmental conditions such as excessive vibration, noise, and extremes in temperature. Transporting passengers or hazardous materials may add to the demands on the commercial driver.

There may be duties in addition to the driving task for which a driver is responsible and needs to be fit. Some of these responsibilities are: coupling and uncoupling trailer(s) from the tractor, loading and unloading trailer(s) (sometimes a driver may lift a heavy load or unload as much as 50,000 lbs. of freight after sitting for a long period of time without any stretching period); inspecting the operating condition of tractor and/or trailer(s) before, during and after delivery of cargo; lifting, installing, and removing heavy tire chains; and, lifting heavy tarpaulins to cover open top trailers. The above tasks demand agility, the ability to bend and stoop, the ability to maintain a crouching position to inspect the underside of the vehicle, frequent entering and exiting of the cab, and the ability to climb ladders on the tractor and/or trailer(s).

In addition, a driver must have the perceptual skills to monitor a sometimes complex driving situation, the judgment skills to make quick decisions, when necessary, and the manipulative skills to control an oversize steering wheel, shift gears using a manual transmission, and maneuver a vehicle in crowded areas.

### §391.45 PHYSICAL QUALIFICATIONS FOR DRIVERS

(a) A person shall not drive a commercial motor vehicle unless he is physically qualified to do so and, except as provided in §391.67, has on his person the original, or a photographic copy, of a medical examiner's certificate that he is physically qualified to drive a commercial motor vehicle.

(b) A person is physically qualified to drive a motor vehicle if that person:

(1) Has no loss of a foot, a leg, a hand, or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate (formerly Limb Waiver Program) pursuant to §391.49.

(2) Has no impairment of: (i) A hand or finger which interferes with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or has been granted a SPE Certificate pursuant to §391.49.

(3) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control;

(4) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.

(5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a commercial motor vehicle safely.

(6) Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a commercial motor vehicle safely.

(7) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a commercial motor vehicle safely.

(8) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a commercial motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a commercial motor vehicle safely;

(10) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green and amber;

(11) First perceives a forced whispered voice in the better ear not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without a hearing device when the audiometric device is calibrated to the American National Standard (formerly ASA Standard) Z24.5-1951;

(12) (i) Does not use a controlled substance identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or any other habit-forming drug. (ii) Exception: A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who: (A) Is familiar with the driver's medical history and assigned duties; and (B) Has advised the driver that the prescribed substance or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle; and

(13) Has no current clinical diagnosis of alcoholism.

# INSTRUCTIONS TO THE MEDICAL EXAMINER

## General Information

The purpose of this examination is to determine a driver's physical qualification to operate a commercial motor vehicle (CMV) in interstate commerce according to the requirements in 49 CFR 391.41-49. Therefore, the medical examiner must be knowledgeable of these requirements and guidelines developed by the FMCSA to assist the medical examiner in making the qualification determination. The medical examiner should be familiar with the driver's responsibilities and work environment and is referred to the section on the form, **The Driver's Role**.

In addition to reviewing the **Health History** section with the driver and conducting the physical examination, the medical examiner should discuss common prescriptions and over-the-counter medications relative to the side effects and hazards of these medications while driving. Educate the driver to read warning labels on all medications. History of certain conditions may be cause for rejection, particularly if required by regulation, or may indicate the need for additional laboratory tests or more stringent examination perhaps by a medical specialist. These decisions are usually made by the medical examiner in light of the driver's job responsibilities, work schedule and potential for the conditions to render the driver unsafe.

Medical conditions should be recorded even if they are not cause for denial, and they should be discussed with the driver to encourage appropriate remedial care. This advice is especially needed when a condition, if neglected, could develop into a serious illness that could affect driving.

If the medical examiner determines that the driver is fit to drive and is also able to perform non-driving responsibilities as may be required, the medical examiner signs the medical certificate which the driver must carry with his/her license. The certificate must be dated. **Under current regulations, the certificate is valid for two years, unless the driver has a medical condition that does not prohibit driving but does require more frequent monitoring.** In such situations, the medical certificate should be issued for a shorter length of time. The physical examination should be done carefully and at least as complete as is indicated by the attached form. Contact the FMCSA at (202) 366-1790 for further information (a vision exemption, qualifying drivers under 49 CFR 391.64, etc.).

## Interpretation of Medical Standards

Since the issuance of the regulations for physical qualifications of commercial drivers, the Federal Motor Carrier Safety Administration (FMCSA) has published recommendations called Advisory Criteria to help medical examiners in determining whether a driver meets the physical qualifications for commercial driving. These recommendations have been condensed to provide information to medical examiners that (1) is directly relevant to the physical examination and (2) is not already included in the medical examination form. The specific regulation is printed in italics and its reference by section is highlighted.

## Federal Motor Carrier Safety Regulations -Advisory Criteria-

### Loss of Limb: §391.41(b)(1)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no loss of a foot, leg, hand or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate pursuant to Section 391.49.*

### Limb Impairment: §391.41(b)(2)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no impairment of: (i) A hand or finger which interferes with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or (iii) Any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or (iv) Has been granted a Skill Performance Evaluation (SPE) Certificate pursuant to Section 391.49.*

A person who suffers loss of a foot, leg, hand or arm or whose limb impairment in any way interferes with the safe performance of normal tasks associated with operating a commercial motor vehicle is subject to the Skill Performance Evaluation Certification Program pursuant to section 391.49, assuming the person is otherwise qualified.

With the advancement of technology, medical aids and equipment modifications have been developed to compensate for certain disabilities. The SPE Certification Program (formerly the Limb Waiver Program) was designed to allow persons with the loss of a foot or limb or with functional impairment to qualify under the Federal Motor Carrier Safety Regulations (FMCSRs) by use of prosthetic devices or equipment modifications which enable them to safely operate a commercial motor vehicle. Since there are no medical aids equivalent to the original body or limb, certain risks are still present, and thus restrictions may be included on individual SPE certificates when a State Director for the FMCSA determines they are necessary to be consistent with safety and public interest.

If the driver is found otherwise medically qualified (391.41(b)(3) through (13)), the medical examiner must check on the medical certificate that the driver is qualified only if accompanied by a SPE certificate. The driver and the employing motor carrier are subject to appropriate penalty if the driver operates a motor vehicle in interstate or foreign commerce without a current SPE certificate for his/her physical disability.

### Diabetes §391.41(b)(3)

A person is physically qualified to drive a commercial motor vehicle if that person:  
*Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.*

Diabetes mellitus is a disease which, on occasion, can result in a loss of consciousness or disorientation in time and space. Individuals who require insulin for control have conditions which can get out of control by the use of too much or too little insulin, or food intake not consistent with the insulin dosage. Incapacitation may occur from symptoms of hyperglycemic or hypoglycemic reactions (drowsiness, semiconsciousness, diabetic coma or insulin shock).

The administration of insulin is, within itself, a complicated process requiring insulin, syringe, needle, alcohol sponge and a sterile technique. Factors related to long-haul commercial motor vehicle operations, such as fatigue, lack of sleep, poor diet, emotional conditions, stress, and concomitant illness, compound the dangers, the FMCSA has consistently held that a diabetic who uses insulin for control does not meet the minimum physical requirements of the FMCSRs.

Hypoglycemic drugs, taken orally, are sometimes prescribed for diabetic individuals to help stimulate natural body production of insulin. If the condition can be controlled by the use of oral medication and diet, then an individual may be qualified under the present rule. CMV drivers who do not meet the Federal diabetes standard may call (202) 366-1790 for an application for a diabetes exemption.

(See Conference Report on Diabetic Disorders and Commercial Drivers and Insulin-Using Commercial Motor Vehicle Drivers at:  
<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

### Cardiovascular Condition §391.41(b)(4)

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse or congestive cardiac failure.*

The term "has no current clinical diagnosis of" is specifically designed to encompass: "a clinical diagnosis of" (1) a current cardiovascular condition, or (2) a cardiovascular condition which has not fully stabilized regardless of the time limit. The term "known to be

accompanied by" is designed to include a clinical diagnosis of a cardiovascular disease (1) which is accompanied by symptoms of syncope, dyspnea, collapse or congestive cardiac failure; and/or (2) which is likely to cause syncope, dyspnea, collapse or congestive cardiac failure.

It is the intent of the FMCSRs to render unqualified, a driver who has a current cardiovascular disease which is accompanied by and/or likely to cause symptoms of syncope, dyspnea, collapse, or congestive cardiac failure. However, the subjective decision of whether the nature and severity of an individual's condition will likely cause symptoms of cardiovascular insufficiency is on an individual basis and qualification rests with the medical examiner and the motor carrier. In those cases where there is an occurrence of cardiovascular insufficiency (myocardial infarction, thrombosis, etc.), it is suggested before a driver is certified that he or she have a normal resting and stress electrocardiogram (ECG), no residual complications and no physical limitations, and is taking no medication likely to interfere with safe driving.

Coronary artery bypass surgery and pacemaker implantation are remedial procedures and thus, not unqualifying. Implantable cardioverter defibrillators are disqualifying due to risk of syncope. Coumadin is a medical treatment which can improve the health and safety of the driver and should not, by its use, medically disqualify the commercial driver. The emphasis should be on the underlying medical condition(s) which require treatment and the general health of the driver. The FMCSA should be contacted at (202) 366-1790 for additional recommendations regarding the physical qualification of drivers on coumadin.

(See Cardiovascular Advisory Panel Guidelines for the Medical examination of Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

#### **Respiratory Dysfunction §391.41(b)(5)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with ability to control and drive a commercial motor vehicle safely.*

Since a driver must be alert at all times, any change in his or her mental state is in direct conflict with highway safety. Even the slightest impairment in respiratory function under emergency conditions (when greater oxygen supply is necessary for performance) may be detrimental to safe driving.

There are many conditions that interfere with oxygen exchange and may result in incapacitation, including emphysema, chronic asthma, carcinoma, tuberculosis, chronic bronchitis and sleep apnea. If the medical examiner detects a respiratory dysfunction, that in any way is likely to interfere with the driver's ability to safely control and drive a commercial motor vehicle, the driver must be referred to a specialist for further evaluation and therapy. Anticoagulation therapy for deep vein thrombosis and/or pulmonary thromboembolism is not unqualifying once optimum dose is achieved, provided lower extremity venous examinations remain normal and the treating physician gives a favorable recommendation.

(See Conference on Pulmonary/Respiratory Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

#### **Hypertension §391.41(b)(6)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no current clinical diagnosis of high blood pressure likely to interfere with ability to operate a commercial motor vehicle safely.*

Hypertension alone is unlikely to cause sudden collapse; however, the likelihood increases when target organ damage, particularly cerebral vascular disease, is present. This regulatory criteria is based on FMCSA's Cardiovascular Advisory Guidelines for the Examination of CMV Drivers, which used the Sixth Report of the Joint National Committee on Detection, Evaluation, and Treatment of High Blood Pressure (1997).

Stage 1 hypertension corresponds to a systolic BP of 140-159 mmHg and/or a diastolic BP of 90-99 mmHg. The driver with a BP in this range is at low risk for hypertension-related acute incapacitation and may be medically certified to drive for a one-year period. Certification examinations should be done annually thereafter and should be at or less than 140/90. If less than 160/100, certification may be extended one time for 3 months.

A blood pressure of 160-179 systolic and/or 100-109 diastolic is considered Stage 2 hypertension, and the driver is not necessarily unqualified during evaluation and institution of treatment. The driver is given a one time certification of three months to reduce his or her blood pressure to less than or equal to 140/90. A blood pressure in this range is an absolute indication for anti-hypertensive drug therapy. Provided treatment is well tolerated and the driver demonstrates a BP value of 140/90 or less, he or she may be certified for one year from date of the initial exam. The driver is certified annually thereafter.

A blood pressure at or greater than 180 (systolic) and 110 (diastolic) is considered Stage 3, high risk for an acute BP-related event. The driver may **not** be qualified, even temporarily, until reduced to 140/90 or less and treatment is well tolerated. The driver may be certified for 6 months and biannually (every 6 months) thereafter if at recheck BP is 140/90 or less.

Annual recertification is recommended if the medical examiner does not know the severity of hypertension prior to treatment.

An elevated blood pressure finding should be confirmed by at least two subsequent measurements on different days.

Treatment includes nonpharmacologic and pharmacologic modalities as well as counseling to reduce other risk factors. Most antihypertensive medications also have side effects, the importance of which must be judged on an individual basis. Individuals must be alerted to the hazards of these medications while driving. Side effects of somnolence or syncope are particularly undesirable in commercial drivers.

Secondary hypertension is based on the above stages. Evaluation is warranted if patient is persistently hypertensive

on maximal or near-maximal doses of 2-3 pharmacologic agents. Some causes of secondary hypertension may be amenable to surgical intervention or specific pharmacologic disease.

(See Cardiovascular Advisory Panel Guidelines for the Medical Examination of Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

#### **Rheumatic, Arthritic, Orthopedic, Muscular, Neuromuscular or Vascular Disease §391.41(b)(7)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease which interferes with the ability to control and operate a commercial motor vehicle safely.*

Certain diseases are known to have acute episodes of transient muscle weakness, poor muscular coordination (ataxia), abnormal sensations (paresthesia), decreased muscular tone (hypotonia), visual disturbances and pain which may be suddenly incapacitating. With each recurring episode, these symptoms may become more pronounced and remain for longer periods of time. Other diseases have more insidious onsets and display symptoms of muscle wasting (atrophy), swelling and paresthesia which may not suddenly incapacitate a person but may restrict his/her movements and eventually interfere with the ability to safely operate a motor vehicle. In many instances these diseases are degenerative in nature or may result in deterioration of the involved area.

Once the individual has been diagnosed as having a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease, then he/she has an established history of that disease. The physician, when examining an individual, should consider the following: (1) the nature and severity of the individual's condition (such as sensory loss or loss of strength); (2) the degree of limitation present (such as range of motion); (3) the likelihood of progressive limitation (not always present initially but may manifest itself over time); and (4) the likelihood of sudden incapacitation. If severe functional impairment exists, the driver does not qualify. In cases where more frequent monitoring is required, a certificate for a shorter period of time may be issued. (See Conference on Neurological Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

## **Epilepsy**

### **§391.41(b)(8)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle.*

Epilepsy is a chronic functional disease characterized by seizures or episodes that occur without warning, resulting in loss of voluntary control which may lead to loss of consciousness and/or seizures. Therefore, the following drivers cannot be qualified: (1) a driver who has a medical history of epilepsy; (2) a driver who has a current clinical diagnosis of epilepsy; or (3) a driver who is taking antiseizure medication.

If an individual has had a sudden episode of a nonepileptic seizure or loss of consciousness of unknown cause which did not require antiseizure medication, the decision as to whether that person's condition will likely cause loss of consciousness or loss of ability to control a motor vehicle is made on an individual basis by the medical examiner in consultation with the treating physician. Before certification is considered, it is suggested that a 6 month waiting period elapse from the time of the episode. Following the waiting period, it is suggested that the individual have a complete neurological examination. If the results of the examination are negative and antiseizure medication is not required, then the driver may be qualified.

In those individual cases where a driver has a seizure or an episode of loss of consciousness that resulted from a known medical condition (e.g., drug reaction, high temperature, acute infectious disease, dehydration or acute metabolic disturbance), certification should be deferred until the driver has fully recovered from that condition and has no existing residual complications, and not taking antiseizure medication.

Drivers with a history of epilepsy/seizures off antiseizure medication and seizure-free for 10 years may be qualified to drive a CMV in interstate commerce. Interstate drivers with a history of a single unprovoked seizure may be qualified to drive a CMV in interstate commerce if seizure-free and off antiseizure medication for a 5-year period or more.

(See Conference on Neurological Disorders and Commercial Drivers at:

<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

## **Mental Disorders**

### **§391.41(b)(9)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no mental, nervous, organic or functional disease or psychiatric disorder likely to interfere with ability to drive a motor vehicle safely.*

Emotional or adjustment problems contribute directly to an individual's level of memory, reasoning, attention, and judgment. These problems often underlie physical disorders. A variety of functional disorders can cause drowsiness, dizziness, confusion, weakness or paralysis that may lead to incoordination, inattention, loss of functional control and susceptibility to accidents while driving. Physical fatigue, headache, impaired coordination, recurring physical ailments and chronic "nagging" pain may be present to such a degree that certification for commercial driving is inadvisable. Somatic and psychosomatic complaints should be thoroughly examined when determining an individual's overall fitness to drive. Disorders of a periodically incapacitating nature, even in the early stages of development, may warrant disqualification.

Many bus and truck drivers have documented that "nervous trouble" related to neurotic, personality, or emotional or adjustment problems is responsible for a significant fraction of their preventable accidents. The degree to which an individual is able to appreciate, evaluate and adequately respond to environmental strain and emotional stress is critical when assessing an individual's mental alertness and flexibility to cope with the stresses of commercial motor vehicle driving.

When examining the driver, it should be kept in mind that individuals who live under chronic emotional upsets may have deeply ingrained maladaptive or erratic behavior patterns. Excessively antagonistic, instinctive, impulsive, openly aggressive, paranoid or severely depressed behavior greatly interfere with the driver's ability to drive safely. Those individuals who are highly susceptible to frequent states of emotional instability (schizophrenia, affective psychoses, paranoia, anxiety or depressive neuroses) may warrant disqualification. Careful consideration should be given to the side effects and interactions of medications in the overall qualification determination. See Psychiatric Conference Report for specific recommendations on the use of medications and potential hazards for driving.

(See Conference on Psychiatric Disorders and Commercial Drivers at:

<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

## **Vision**

### **§391.41(b)(10)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has distant visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber.*

The term "ability to recognize the colors of" is interpreted to mean if a person can recognize and distinguish among traffic control signals and devices showing standard red, green and amber, he or she meets the minimum standard, even though he or she may have some type of color perception deficiency. If certain color perception tests are administered, (such as Ishihara, Pseudoisochromatic, Yam) and doubtful findings are discovered, a controlled test using signal red, green and amber may be employed to determine the driver's ability to recognize these colors.

Contact lenses are permissible if there is sufficient evidence to indicate that the driver has good tolerance and is well adapted to their use. Use of a contact lens in one eye for distance visual acuity and another lens in the other eye for near vision is not acceptable, nor telescopic lenses acceptable for the driving of commercial motor vehicles.

If an individual meets the criteria by the use of glasses or contact lenses, the following statement shall appear on the Medical Examiner's Certificate: "Qualified only if wearing corrective lenses."

CMV drivers who do not meet the Federal vision standard may call (202) 366-1790 for an application for a vision exemption.

(See Visual Disorders and Commercial Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

## **Hearing**

### **§391.41(b)(11)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ADA Standard) Z24.5-1951.*

Since the prescribed standard under the FMCSRs is the American Standards Association (ANSI), it may be necessary to convert the audiometric results from the ISO standard to the ANSI standard. Instructions are included on the Medical Examination report form.

If an individual meets the criteria by using a hearing aid, the driver must wear that hearing aid and have it in operation at all times while driving. Also, the driver must be in possession of a spare power source for the hearing aid.

For the whispered voice test, the individual should be stationed at least 5 feet from the examiner with the ear being tested turned toward the examiner. The other ear is covered. Using the breath which remains after a normal expiration, the examiner whispers words or random numbers such as 66, 18,

23, etc. The examiner should not use only sibilants (s sounding materials). The opposite ear should be tested in the same manner. If the individual fails the whispered voice test, the audiometric test should be administered.

If an individual meets the criteria by the use of a hearing aid, the following statement must appear on the Medical Examiner's Certificate "Qualified only when wearing a hearing aid."

(See Hearing Disorders and Commercial Motor Vehicle Drivers at: <http://www.fmcsa.dot.gov/rulesregs/medrports.htm>)

#### **Drug Use**

##### **§391.41(b)(12)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Does not use a controlled substance identified in 21 CFR 1308.11.*

*Schedule I, an amphetamine, a narcotic, or any other habit-forming drug.*

*Exception: A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who is familiar with the driver's medical history and assigned duties; and has advised the driver that the prescribed substance or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle.*

This exception does not apply to methadone. The intent of the medical certification process is to medically evaluate a driver to ensure that the driver has no medical condition which interferes with the safe performance of driving tasks on a public road. If a driver uses a Schedule I drug or other substance, an amphetamine, a narcotic, or any other habit-forming drug, it may be cause for the driver to be found medically unqualified. Motor carriers are encouraged to obtain a practitioner's written statement about the effects on transportation safety of the use of a particular drug.

A test for controlled substances is not required as part of this biennial certification process. The FMCSA or the driver's employer should be contacted directly for information on controlled substances and alcohol testing under Part 382 of the FMCSRs.

The term "uses" is designed to encompass instances of prohibited drug use determined by a physician through established medical means. This may or may not involve body fluid testing. If body fluid testing takes place, positive test results should be confirmed by a second test of greater specificity. The term "habit-forming" is intended to include any drug or medication generally recognized as capable of becoming habitual, and which may impair the user's ability to operate a commercial motor vehicle safely.

The driver is medically unqualified for the duration of the prohibited drug(s) use and until a second examination shows the driver is free from the prohibited drug(s) use. Recertification may involve a substance abuse evaluation, the successful completion of a drug rehabilitation program, and a negative drug test result. Additionally, given that the certification period is normally two years, the examiner has the option to certify for a period of less than 2 years if this examiner determines more frequent monitoring is required.

(See Conference on Neurological Disorders and Commercial Drivers and Conference on Psychiatric Disorders and Commercial Drivers at:

<http://www.fmcsa.dot.gov/rulesregs/medreports.htm>)

#### **Alcoholism**

##### **§391.41(b)(13)**

A person is physically qualified to drive a commercial motor vehicle if that person:

*Has no current clinical diagnosis of alcoholism.*

The term "current clinical diagnosis of" is specifically designed to encompass a current alcoholic illness or those instances where the individual's physical condition has not fully stabilized, regardless of the time element. If an individual shows signs of having an alcohol-use problem, he or she should be referred to a specialist. After counseling and/or treatment, he or she may be considered for certification.

**MEDICAL EXAMINER'S CERTIFICATE**

I certify that I have examined \_\_\_\_\_ in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties, I find this person is qualified; and, if applicable, only when:

- |  |  |
|--|--|
| <input type="checkbox"/> wearing corrective lenses               | <input type="checkbox"/> driving within an exempt intracity zone (49 CFR 391.62)         |
| <input type="checkbox"/> wearing hearing aid                     | <input type="checkbox"/> accompanied by a Skill Performance Evaluation Certificate (SPE) |
| <input type="checkbox"/> accompanied by a _____ active/exemption | <input type="checkbox"/> Qualified by operation of 49 CFR 391.64                         |

The information I have provided regarding this physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.

SIGNATURE OF MEDICAL EXAMINER		TELEPHONE	DATE
MEDICAL EXAMINER'S NAME (PRINT)		<input type="checkbox"/> MD <input type="checkbox"/> DO <input type="checkbox"/> Chiropractor	<input type="checkbox"/> Advanced Practice Nurse
		<input type="checkbox"/> Physician Assistant	
MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO. / ISSUING STATE			
SIGNATURE OF DRIVER		DRIVER'S LICENSE NO.	STATE
ADDRESS OF DRIVER			
MEDICAL CERTIFICATE EXPIRATION DATE			

**MEDICAL EXAMINER'S CERTIFICATE**

I certify that I have examined \_\_\_\_\_ in accordance with the Federal Motor Carrier Safety Regulations (49 CFR 391.41-391.49) and with knowledge of the driving duties, I find this person is qualified; and, if applicable, only when:

- wearing corrective lenses
- wearing hearing aid
- accompanied by a \_\_\_\_\_ waiver/exemption
- driving within an exempt; intracity zone (49 CFR 391.62)
- accompanied by a Skill Performance Evaluation Certificate (SPE)
- qualified by operation of 49 CFR 391.64

The information I have provided regarding this physical examination is true and complete. A complete examination form with any attachment embodies my findings completely and correctly, and is on file in my office.

SIGNATURE OF MEDICAL EXAMINER	TELEPHONE	DATE
MEDICAL EXAMINER'S NAME (PRINT)	<input type="checkbox"/> MD <input type="checkbox"/> DO <input type="checkbox"/> Chiropractor <input type="checkbox"/> Physician Assistant <input type="checkbox"/> Advanced Practice Nurse	
MEDICAL EXAMINER'S LICENSE OR CERTIFICATE NO. / ISSUING STATE		
SIGNATURE OF DRIVER	DRIVER'S LICENSE NO.	STATE
ADDRESS OF DRIVER		
MEDICAL CERTIFICATE EXPIRATION DATE		



# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



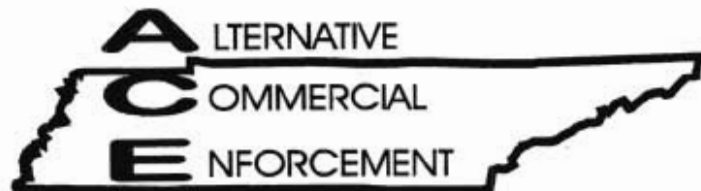
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**TENNESSEE HIGHWAY PATROL**

New Entrant  
Safety Audit Program



## Driving of Motor Vehicles

<b>Illness or fatigue</b>	No driver is permitted to operate a motor vehicle when his/her ability and/or alertness is impaired by fatigue, illness, or any other cause that makes it unsafe to begin (or continue) to drive the vehicle.
<b>Drugs</b>	No driver may be on duty and possess, be under the influence of, or use: <ul style="list-style-type: none"> <li>• Any Schedule I drug or other substance listed in Appendix D</li> <li>• Any amphetamine or formulation of an amphetamine (including pep pills and bennies)</li> <li>• Narcotics or derivatives</li> <li>• Any other substance that makes driving unsafe.</li> </ul>
<b>Alcohol</b>	A driver is forbidden to consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving. A driver is forbidden to possess an alcoholic beverage while on duty, unless it is a manifested part of the shipment.
<b>Safe loading</b>	No one may drive or require anyone to drive a commercial motor vehicle unless the cargo is properly loaded and secured.
<b>Railroad crossing/ stopping</b>	Motor vehicles transporting hazardous materials, and most buses transporting passengers, are forbidden to cross railroad tracks without first stopping and looking both ways. Additionally, the driver must not shift gears while crossing the track.
<b>Seat belts</b>	A driver must not drive before correctly restraining him/herself, if the vehicle is equipped with seat belt assemblies.
<b>Emergency signals for stopped vehicles</b>	A vehicle stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers at once. The driver must leave the flashers on until warning devices are activated. The flashers must again be used while the warning devices are being picked up before the vehicle moves on.
<b>Placement of warning devices</b>	The warning devices must be placed as follows (except where special rules apply): <ol style="list-style-type: none"> <li>1. One warning device must be placed on the traffic side of the vehicle, within ten feet, in the direction of approaching traffic.</li> <li>2. A second device must be placed facing approaching traffic approximately 100 feet away in the center of the lane or shoulder where the vehicle is stopped.</li> <li>3. The third device must be placed about 100 feet away from the stopped vehicle, in the direction away from approaching traffic.</li> </ol>
<b>Radar detectors</b>	Use of radar detectors is prohibited, including the following: <ul style="list-style-type: none"> <li>• Radar detectors shall not be used by a driver in a commercial vehicle.</li> <li>• A driver shall not operate any commercial motor vehicle that is equipped with a radar detector.</li> <li>• Motor carriers shall not require or permit a driver to violate the radar detector provisions.</li> </ul>

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## PART & ACCESSORIES NECESSARY FOR SAFE OPERATIONS PART 393



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## Parts and Accessories Necessary for Safe Operation

Every commercial motor vehicle must be equipped with certain standard equipment. Other (optional) equipment or accessories are permitted only if these items do not decrease the operational safety of the vehicle.

### Lights

#### What lighting is covered?

Part 393 specifies the required color, position, and types of lamps and reflectors for commercial motor vehicles. All lamps and reflectors for commercial motor vehicles manufactured after March 7, 1989 must meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 (49 CFR 571.108) in effect on the date of manufacture. Certain trailers manufactured on or after December 1, 1993, must have retroreflective sheeting or additional reflex reflectors to make them more visible to other motorists at nighttime and under other conditions of reduced visibility. Trailers manufactured before December 1, 1993 must be retrofitted with retroreflective sheeting or additional reflectors by June 1, 2001.

Lamps and reflectors on commercial motor vehicles manufactured on or prior to March 7, 1989 must meet either the requirements of Part 393 or of FMVSS No. 108 that were in effect on the date of manufacture.

#### Must be operable

All required lamps must light on request at an inspection and must light when required during regular operation of the vehicle.

#### Lamp mounting

All lamps must be permanently and securely mounted on a permanent part of the vehicle. The exceptions are temporary lamps, such as those used in a driveaway-towaway operation or mounted on projecting loads. Temporary lamps must be securely attached.

#### Stop lamps

All stop lamps on a commercial motor vehicle must activate when the service brakes are applied.

### Brakes

Commercial motor vehicles must be equipped with the following brake systems:

- A *service brake system* that meets the requirements of 49 CFR 393.52, which specifies braking and holding performance.
- A *parking brake system* that meets the requirements of 49 CFR 393.41, which specifies parking brake activation and the method for holding the brakes in the applied position.

#### Brakes on all wheels

Every commercial motor vehicle must be equipped with brakes acting on all wheels, with the following exceptions:

- Trucks and truck tractors with three or more axles, manufactured before July 25, 1980, are not required to have steering axle brakes.
- Vehicles being towed in a driveaway-towaway operation. (However, the towed vehicle must have brakes in operation if the brakes on the towing vehicle are not capable of stopping the combination vehicle under the conditions covered by Section 393.52.)

**Breakaway and emergency braking**

Any full trailer, semitrailer, or pole trailer having a gross weight of 3,000 pounds or less, provided the trailer weight does not exceed 40 percent of weight of the towing vehicle.

Every vehicle used to tow a trailer equipped with brakes must have a means of maintaining the operation of the brakes on the towing vehicle in the event that the trailer breaks away from the towing vehicle. Among the other requirements:

- Every truck or truck tractor equipped with air brakes, when used to tow other vehicles equipped with air brakes, must be capable of activating (manually and automatically) the emergency features of the trailer brakes. The brakes must apply automatically when the towing vehicle air supply pressure is between 20 and 45 psi. The manual control must be operable by the driver from the driver's seat, with seat belt in use.
- Every trailer is required to be equipped with brakes that apply automatically if the trailer breaks away from the towing vehicle\*. The brakes must remain in the applied position for at least 15 minutes.

\* These requirements do not apply to vehicles in driveaway-towaway operations.

**Brake tubing and hose**

Safe and reliable operation of a vehicle's brakes depends upon adequate protection of the tubing and hoses from mechanical and other damage.

- *Design and construction* of brake tubing and hose must ensure proper, adequate, and continued functioning.
- *Installation* must ensure proper functioning of the hose.
- *Length and flexibility* must accommodate all normal motions of the parts to which the hose is attached.
- *Protection against mechanical damage* must include protection against chafing, kinking, and mechanical damage.
- *Protection from high temperature* must include protection from or location away from exhaust pipes and other sources of high temperatures.

**Brake warning devices**

Buses, trucks, and truck tractors must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. This signal requirement covers hydraulic brake systems, air brake systems, vacuum brake systems, and hydraulic brakes applied or assisted by air or vacuum.

**Antilock Braking Systems (ABS)**

Certain commercial motor vehicles are required to be equipped with antilock braking systems that meet the requirements of FMVSS No. 105 (49 CFR 571.105) concerning hydraulic brake systems, and FMVSS No. 121 (49 CFR 571.121) concerning air brake systems. The rules apply to:

- Truck-tractors manufactured on or after March 1, 1997;
- Air-braked single-unit trucks, buses, and trailers (including converter dollies) manufactured on or after March 1, 1998; and
- Hydraulic-braked trucks and buses manufactured on or after March 1999.

**Automatic brake adjusters and brake adjustment indicators**

Each commercial motor vehicle manufactured on or after October 20, 1993, and equipped with a hydraulic brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 105.

Each commercial motor vehicle manufactured on or after October 20, 1994, and equipped with an air brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 121.

Air-braked vehicles manufactured on or after October 20, 1994, and equipped with an external automatic adjustment mechanism, must be equipped with an automatic brake adjustment indicator that meets the requirements of FMVSS No. 121.

**Windshield Condition**

A vehicle's windshield must be free of discoloration and cracks in the area extending from the top of the steering wheel to within two inches of the top of the windshield.

**Fuel Systems**

Fuel systems used for the operation of commercial motor vehicles and of auxiliary equipment installed on or used in connection with commercial motor vehicles must meet the following requirements.

Each fuel system must be located so that:

- No part of the system extends beyond the widest part of the vehicle.
- No part of a fuel tank is forward of the front axle or a power unit.
- Fuel lines do not extend between a towed vehicle and the towing unit while the combination is in motion.
- No part of the fuel system of a bus manufactured on or after January 1, 1973, is located within or above the passenger compartment.

**Coupling Devices**

Sections 393.70 and 393.71 provide requirements for the attachment and location of the fifth wheel and requirements for the towing of full trailers. In addition, requirements for saddle mount operations are provided.

**Cargo Securement**

Sections 393.100-393.106 provide the standards covering cargo securement. Cargo is required to be loaded and secured so that it will not shift or fall off the vehicle. The cargo securement regulations include minimum strength requirements for securement devices and requirements for protection against longitudinal and lateral movement of the cargo. In addition, Section 393.106 covers headerboards.

**Miscellaneous Parts and Accessories**

**Tires**

Tires used on commercial motor vehicles must meet specific safety rules. No tire that is in use on a commercial motor vehicle may have any of the following defects:

- Body ply or belt material exposed through the tread or sidewall
- Tread or sidewall separation
- Audible leak (or flat)
- A cut exposing the ply or belt material
- A tread groove pattern depth of less than 4/32 of an inch (front tires) or 2/32 of an inch (other tires)
- regrooved tires on front wheels of trucks or truck tractors which have a load carrying capacity equal to or greater than 8.25-20 8-ply rating tires
- Regrooved, recapped, or retreaded tires on the front wheels of buses are prohibited.

**Sleeper berths**

Sleeper berths must meet minimum dimensions. A sleeper berth must not be installed on a trailer and must be located in or adjacent to the cab. An exit door at least 18" high by 36" wide must lead directly into the cab. Section 393.76 contains special provisions for sleeper berths installed before 1975.

Sleeper berths must be equipped with adequate sheets and blankets, and a mattress and springs or innerspring mattress. They must be adequately ventilated, and located so as to protect occupants against exhaust heat and fumes and fuel leaks. A mandatory restraint system must withstand at least 6,000 lbs. of force applied toward the front of the vehicle.

**Exhaust systems**

Exhaust systems must meet the following requirements:

- The exhaust system and discharge must be located where it is not likely to burn or damage the electrical wiring, the fuel supply, nor any combustible part of the vehicle.
- The discharge from the exhaust system must not be located immediately below the fuel tank or the fuel tank filler pipe.
- The exhaust system may not be temporarily repaired with patch or wrap material.
- The exhaust pipe and mufflers must be securely fastened to the vehicle.
- The exhaust system may not leak or discharge at any point forward of or directly below the driver or sleeper compartment.

For trucks and truck tractors, the exhaust system must discharge at a location to the rear of the cab, or above and near the rear of the cab.

For a bus powered by a *gasoline* engine, the exhaust pipe must discharge at a point no farther forward than six inches forward of the rearmost part of the bus.

For a bus powered by *diesel or other fuel* (not gasoline), the exhaust pipe must discharge either:

- At a point no farther forward than 15 inches forward of the rearmost part of the bus, or
- To the rear of all doors or windows designed to be open (not including emergency exits).

**Rear end protection**

Every commercial motor vehicle must be equipped with either bumpers or other devices that prevent the under ride of another vehicle. Tractors, pole trailers, and driveaway-towaway vehicles are exempt. Certain trailers manufactured on or after January 26, 1998 must have rear impact guards that meet FMVSS Nos. 223 & 224.

**Seat belts**

Commercial motor vehicle must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in the Federal Motor Vehicle Safety Standards (FMVSS).

**Emergency Equipment**

Commercial motor vehicles must carry the following emergency equipment:

- Fire extinguisher (not required for driveaway-towaway operations)
- Spare fuses
- Warning devices for stopped vehicles.

**Fire extinguisher**

Fire extinguishers must be securely mounted and readily accessible for use. Each extinguisher must have a gauge or other indicator that shows whether the extinguisher is fully charged, and a label showing its Underwriters' Laboratories (UL) rating.

The fire extinguisher(s) must meet one of the following standards:

- One extinguisher with a UL rating of 5 B:C or more, or
- Two extinguishers each with a UL rating of 4 B:C or more.
- One extinguisher with a UL rating of 10 B:C, if the vehicle is transporting placardable quantities of hazardous material.

## Frames, Cab and Body Components, Wheels, Steering, and Suspension Systems

### Suspension systems

Suspension systems are required to be structurally sound and in safe working order, including the following:

- *Axles* must be in proper alignment, and no positioning part can be cracked, broken, loose, or missing.
- *Adjustable axles* must have locking pins in place.
- *Leaf springs* must not be cracked, broken, missing, or shifted out of position.
- *Coil springs* must not be cracked or broken.
- *Torsion bars* must not be cracked or broken.
- *Air suspensions* must support the vehicle in a level position, and must not leak.

### Steering system

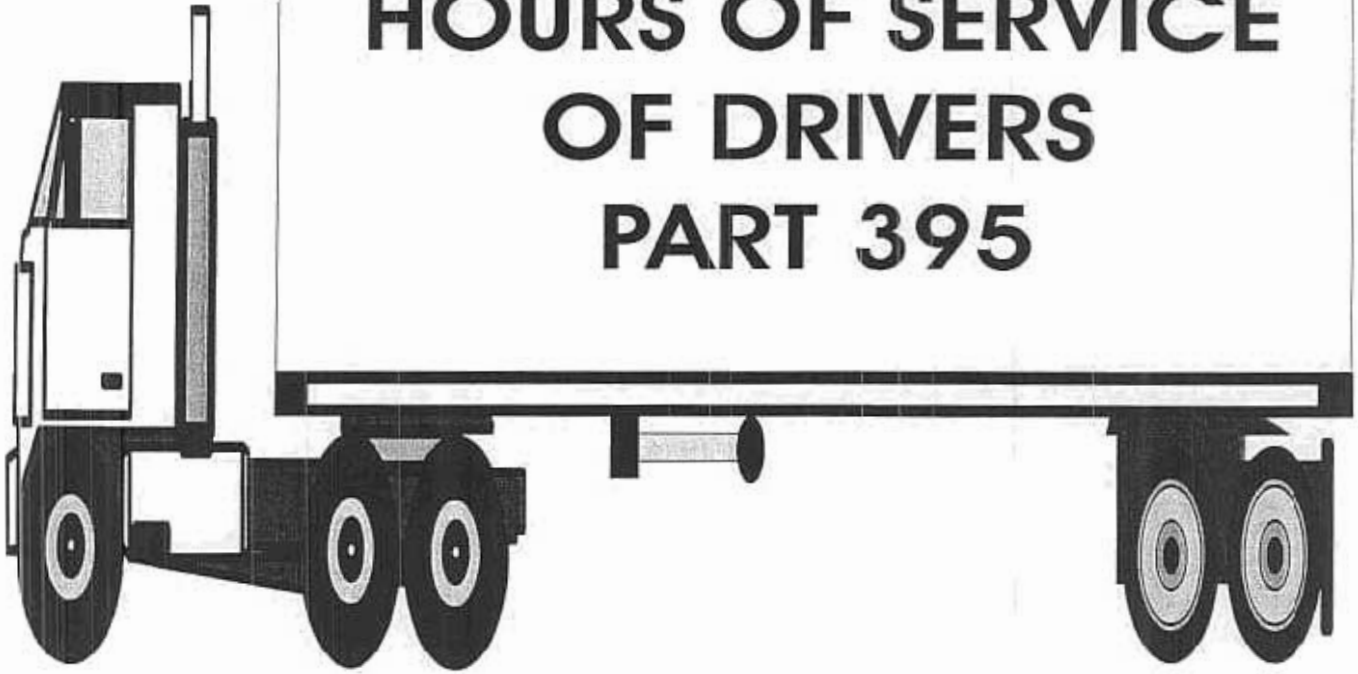
Steering system must be in proper working order, which includes the following:

- *Steering wheel* must be properly secured and no cracked or missing spokes.
- *Steering wheel lash* must meet the requirements of Section 393.209.
- *Steering column* must be securely fastened.
- *Steering system* must not have worn or welded universal joints, loose steering gear box, missing bolts, or a loose pitman arm on the steering gear output shaft.
- *Power steering unit* must not have loose or broken parts, frayed, cracked, or slipping belts; leaks; or insufficient fluid in reservoir.



# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY

## HOURS OF SERVICE OF DRIVERS PART 395



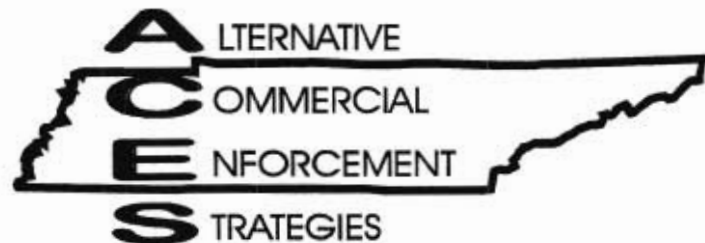
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## HOURS OF SERVICE OF DRIVERS – PART 395

### General rule:

The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (o) of Section 395.1.

### Property-Carrying Operations:

**11-hour rule** - Drivers are allowed to drive for eleven hours following 10 consecutive hours off duty.

**14-hour rule** - A motor carrier cannot permit or require a driver to drive after the 14th hour after coming on duty following 10 consecutive hours off duty, except when complying with section 395.1(o).

**16-hour Exception** - A property-carrying CMV driver may extend the 14-hour on-duty period by 2 additional hours once every 7 days if they:

- Have been released from duty at their normal work reporting location for the previous 5 duty tours;
- Are released from duty at their normal work reporting location within 16 hours after coming on duty following 10 consecutive hours off duty; and
- Have not taken this exemption within the previous 6 consecutive days, except following a 34-hour restart of a 7/8-day period.

**60 and 70-hour rules** - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week),
- OR
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week), AND
- An off duty period of 34 or more consecutive hours may restart a driver's 7 or 8 consecutive day period as long as the driver has not exceeded 60 or 70-hours on duty.

### Passenger-Carrying Operations:

**10-hour rule** - Drivers are allowed to drive for 10 hours following 8 consecutive hours off duty.

**15-hour rule** - A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off duty.

**60 and 70-hour rules** - A motor carrier must not permit or require a driver to drive after a total of:

- 60 hours on duty in 7 consecutive days (carrier does not operate CMVs every day of the week),
- or
- 70 hours on duty in 8 consecutive days (carrier operates CMVs every day of the week).

Note: If a property or passenger-carrying driver works more than one job of any kind, that time must also be included as On Duty Time.

### **Driver's record of duty status:**

Every driver shall prepare a record of duty status (Driver's daily log) in his/her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption. Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.

### **100 air-mile radius exemption:**

A driver is exempt from maintaining the driver's daily log requirements of Section 395.8 if all of the following are true:

The driver operates within a 100 air-mile radius of the normal work reporting location.

The driver returns to the work reporting location and is released from work within 12 consecutive hours.

Each 12 hours on duty are separated by at least:

- o 10 consecutive hours off duty for property-carrying drivers, or
- o 8 consecutive hours off duty for passenger-carrying drivers.

The driver does not exceed a maximum of:

- o 11 hours driving time following 10 consecutive hours off duty for property-carrying drivers, or
- o 10 hours driving time following 8 consecutive hours off duty for passenger-carrying drivers.

The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show:

- o The time the driver reports for duty each day;
- o The total number of hours the driver is on duty each day;
- o The time the driver is released from duty each day; and
- o The total time for the preceding 7 days for first-time or intermittent drivers.

### **Submitting/retaining duty status log:**

The driver must submit the original log sheet to the employing carrier within 13 days after completion. When a motor carrier uses a driver initially or intermittently, that carrier must obtain from him/her a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he/she was last relieved of duty. Records of duty status must be maintained, with all supporting documents, for a minimum of six months.

### **Automatic on-board recording devices:**

Alternatively, motor carriers may require a driver to use an automatic on-board recording device to record duty status. The driver must still have in his/her possession records of duty status in automated or written form, for the previous seven consecutive days. All hard copies of the driver's records of duty status must be signed by the driver.

### **Forms**

Hours-of-Service Record for First Time or Intermittent Drivers

Driver's Daily Log

Summary of Hours Worked and Hours Available

Letter

**HOURS-OF-SERVICE RECORD FOR FIRST TIME OR INTERMITTENT DRIVERS**

*Instructions:* When using a driver for the first time or intermittently, a signed statement must be obtained, giving the total time on duty (driving and on duty) during the immediate preceding seven days and the time at which the driver was last relieved from duty prior to beginning work.

Name (Print) \_\_\_\_\_  
First
Middle
Last

DAY	TOTAL TIME ON DUTY
1	_____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____

TOTAL \_\_\_\_\_

I hereby certify that the information contained herein is true to the best of my knowledge and belief, and that my last period of release from duty was from

\_\_\_\_\_ to \_\_\_\_\_  
(Hour/Date)
(Hour/Date)

Signature \_\_\_\_\_ Date \_\_\_\_\_

U.S. DEPARTMENT OF TRANSPORTATION

DRIVER'S DAILY LOG  
(ONE CALENDAR DAY - 24 HOURS)

ORIGINAL - Submit to carrier within 13 days  
DUPLICATE - Driver retains possession for eight days

(MONTH) (DAY) (YEAR)

(TOTAL MILES DRIVING TODAY)

VEHICLE NUMBERS - (SHOW EACH UNIT)

I certify these entries are true and correct.

(NAME OF CARRIER OR CARRIERS)

(DRIVER'S SIGNATURE) IN FULL

(MAIN OFFICE ADDRESS)

(NAME OF CO-DRIVER)

	MID-NIGHT	1	2	3	4	5	6	7	8	9	10	11	NOON	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS
1: OFF DUTY																									
2: SLEEPER BERTH																									
3: DRIVING																									
4: ON DUTY (NOT DRIVING)																									
REMARKS																									

Pro or Shipping No. \_\_\_\_\_

### SUMMARY OF HOURS WORKED AND HOURS AVAILABLE

This summary page may be used either separately or in conjunction with the Redi Recap section on the face of each record of duty status to assist the driver in computing his or her time. Entries should be made each day even though driver may not work on a particular day or days. The record of "Total On Duty Hours, under heading PREVIOUS MONTH'S REFERENCE representing the last 7 days previous month" right side of this page may be used to assist in computing the hours at the beginning of each month. These figures are necessary when using this page only or when recording hours of service on each record of duty status.

DATE	Hours Worked Today	Total Hours Last 6 Days	Total Hours Last 7 Days	Eligible Hours Tomorrow	PREVIOUS MONTH'S REFERENCE		
					Date	Record of Duty Status No.	Total On Duty Hours
1							
2							
3							
19							
						TOTAL	

This letter authorizes our driver \_\_\_\_\_ to be Off-Duty during meal and other routine stops.

The purpose of the Federal Department of Transportation Hours of Service Regulations (Part 395) is to keep tired drivers from operating vehicles. Under certain circumstances, however, it appears that enroute stops for meals or other routine purposes may serve to lessen a driver's fatigue.

Therefore, this letter is authorization for you to record your meal or other routine stops on your logs as Off-Duty, rather than On-Duty Not Driving as would normally be the case. However, this may be done only under all of the following circumstances.

- . Your vehicle must be parked in a safe and secure manner so as to prevent obstruction of traffic and theft or damage to the vehicle and cargo.
2. The off-duty period must be no less than 30 minutes and no longer than 60 minutes.
3. During the off-duty period, you are relieved from responsibility from your vehicle and cargo.
4. During the off-duty period, you are free to leave the premises on which your vehicle is parked and to pursue activities of your choosing, as long as your ability to safely operate your vehicle is not impaired as required by Part 392, "Driving of Vehicles", of the Federal Motor Carrier Safety Regulations.

\_\_\_\_\_  
Driver Supervisor

\_\_\_\_\_  
Date

# DRIVER'S TIME RECORD

Driver's Name (print) \_\_\_\_\_ Employee No. \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

<p style="text-align: center;"><b>DRIVERS MAY PREPARE THIS REPORT INSTEAD OF "DRIVERS DAILY LOG" IF THE FOLLOWING APPLIES:</b></p> <ul style="list-style-type: none"> <li>* Operates within 100 air-mile radius of headquarters.</li> <li>* Returns to headquarters and is released from work within 12 consecutive hours.</li> <li>* At least 8 consecutive hours off duty separate each 12 hours of duty.</li> </ul>	<p style="text-align: center;"><b>INTERMITTENT DRIVERS</b></p> <p>Shall complete this form for 7 days preceding any day driving is performed. This includes the preceding month.</p>
--	--

Date	Start Time "All Duty"	End Time "All Duty"	Total Hours	Driving Hours	Truck Number	Headquarters
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
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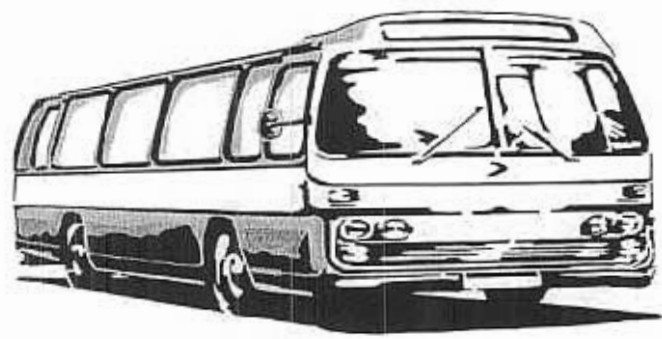
To be prepared monthly by each DOT certified driver unless time record is exclusively kept on Driver's Daily Log. Indicate "days off". Check box if no driving is performed during this month and the first 7 days of the following month. Mail this report to your Division Manager of Administration.



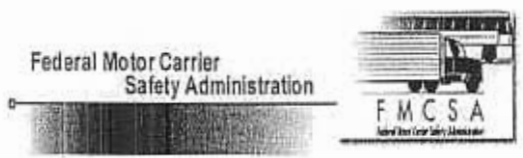
# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



**INSPECTION, REPAIR,  
AND MAINTENANCE  
PART 396**



**SPONSORED BY:**



**New Entrant  
Safety Audit Program**



## Inspection, Repair, and Maintenance

Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with inspection or maintenance of commercial motor vehicles must comply and be conversant with these rules.

### General requirements

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control.

### Recordkeeping requirements

Motor carriers must maintain the following information for every vehicle they have controlled for 30 days or more:

- Identifying information, including company number, make, serial number, year, and tire size
- A schedule of inspections to be performed, including type and due date
- Inspection, repair, and maintenance records
- Records of tests conducted on buses with pushout windows, emergency doors, and marking lights.

These records must be retained for one year at the location where the vehicle is garaged, and maintained for six months after the vehicle leaves the carrier's control (via sale, trade-in, or scrap).

### Roadside inspection reports

Any driver who receives a roadside inspection report must deliver it to the motor carrier.

### Certification of roadside inspection reports

An official of the motor carrier is to examine the roadside inspection report and ensure that any violations or defects noted on the report are corrected. Within 15 days after the inspection, the carrier must sign the completed roadside inspection report to certify that all violations have been corrected, and then return it to the indicated address. A copy must be retained for 12 months from the date of inspection.

### Post-trip inspection report

Every carrier must require its drivers to prepare a daily written post-trip inspection report at the end of each driving day. Every driver is responsible for preparing such a report for each vehicle driven. This report must cover *at least* the following parts and accessories:

- Service brakes (including trailer brake connections)
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rearview mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment.

The report must list any condition that the driver either found or had reported to him/her that would affect safety of operation or cause a breakdown. If no defect or deficiency is reported or found, the report should state this. The driver must sign the report in all cases. Before dispatching the vehicle again, a carrier shall ensure that a certification has been made as to any defect or deficiency, that they have been corrected, or state those deficiencies that do not require immediate correction. Carriers must keep the original post-trip inspection report and the certification of repairs for at least three months from the date of preparation.

Before starting out, the driver must be satisfied that the motor vehicle is in safe operating condition. If the last vehicle inspection report notes any deficiencies, the driver must review and sign to acknowledge that necessary repairs have been completed.

**Periodic inspection**

Every commercial vehicle, including each segment of a combination vehicle requires periodic inspection that must be performed at least once every 12 months. At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix G to Subchapter B. Carriers may perform required annual inspections themselves. The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.

**Documentation of inspection**

Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on the vehicle.

**Inspector qualification**

Motor carriers must ensure that persons performing annual inspections are qualified. Inspectors must:

- understand the inspection standards of Part 393 and Appendix G
- be able to identify defective components
- have knowledge and proficiency in methods, procedures, and tools.

**Inspector training or experience**

Inspectors may have gained experience or training by:

- completing a State or Federal training program, or earning a State or Canadian Province qualifying certificate in commercial motor vehicle safety inspections
- a combination of other training or experience totaling at least a year.

**Evidence of qualifications**

Motor carriers must retain evidence of an inspector's qualifications until one year after the inspector ceases to perform inspections for the carrier.

**Equivalent to periodic inspection**

The motor carrier may meet periodic inspection requirements through:

- State or other jurisdiction's roadside inspection program;
- Self-inspection by qualified employee; or
- Third party inspection by qualified individual.

**Brake inspector qualification**

The motor carrier is responsible for ensuring that all inspections, maintenance, repairs, and service to brakes of commercial motor vehicles comply with these regulations. The carrier must ensure that the employees responsible for brake inspection, maintenance, service, or repairs meet minimum brake inspector qualifications.

**Qualifications for brake inspectors**

The brake inspector must:

- understand and be able to perform the brake service and inspection;
- know the methods, procedures, tools and equipment needed; and
- be qualified to perform brake service or inspection by training and/or experience.

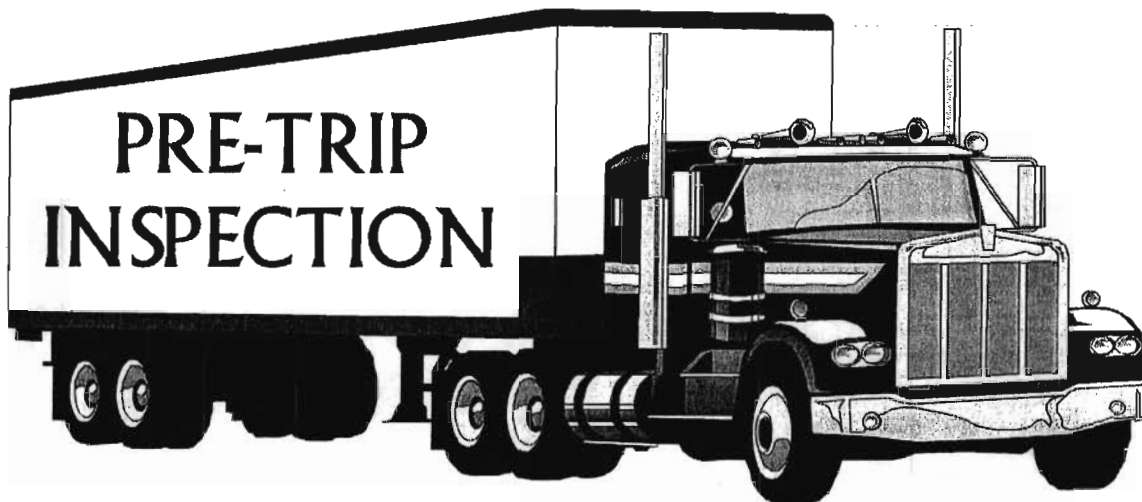
**Qualifying brake training or experience**

Qualifying brake training or experience includes successful completion of:

- a State, Canadian Province, Federal agency, or union training program,
- a State-approved training program,
- training that led to attainment of a State or Canadian Province qualifying certificate to perform assigned brake service or inspection tasks, including passage of CDL air brake test in the case of a brake inspection, or
- one year of brake-related training, experience, or combination of both.

**Maintaining evidence of brake inspector qualifications**

Motor carriers must maintain evidence of brake inspector qualification at the principal place of business or the location where the inspector works. Evidence must be retained for the period during which the brake inspector is employed in that capacity, and for one year thereafter.



392.7 Equipment, inspection and use. No commercial motor vehicle shall be driven unless the driver thereof shall have satisfied himself/herself that the following parts and accessories are in good working order, nor shall any driver fail to use OT make use of such parts and accessories when and as needed:

- Service brakes, including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- 
- 
- Windshield wiper or wipers
- Rear-vision mirror or mirrors
- Coupling devices
- Emergency equipment. (392.8)- (Equipment required by 393.95.)

**A SAFETY MESSAGE FROM  
TENNESSEE HIGHWAY PATROL  
1150 FOSTER AVENUE  
NASHVILLE, TN 37243  
615-251-5139**

# POST TRIP INSPECTION

396.11 Driver vehicle inspection report(s).

(a) Report Required. Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated and the report shall cover at least the following parts and accessories:

- Service brakes, (including trailer brake connections)
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- 
- 
- Windshield wiper or wipers
- Rear-vision mirror or mirrors
- Coupling devices
- Emergency equipment.

(c) (3) A legible copy of the last vehicle inspection report certified is required [see 396.11 (c) (1)], shall be carried on the power unit.



# ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD	
REPORT NUMBER	FLEET UNIT NUMBER
DATE	

MOTOR CARRIER OPERATOR	INSPECTOR'S NAME (PRINT OR TYPE)
ADDRESS	THIS INSPECTOR MEETS THE QUALIFICATION REQUIREMENTS IN SECTION 396.19. <input type="checkbox"/> YES
VEHICLE TYPE <input type="checkbox"/> TRACTOR <input type="checkbox"/> TRAILER <input type="checkbox"/> TRUCK <input type="checkbox"/> (OTHER)	VEHICLE IDENTIFICATION (✓) AND COMPLETE <input type="checkbox"/> LIC. PLATE NO. <input type="checkbox"/> VIN <input type="checkbox"/> OTHER
INSPECTION AGENCY/LOCATION (OPTIONAL)	

VEHICLE COMPONENTS INSPECTED											
OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM	OK	NEEDS REPAIR	REPAIRED DATE	ITEM
			1. BRAKE SYSTEM				4. FUEL SYSTEM				9. FRAME
			a. Service Brakes				a. Visible leak				a. Frame Members
			b. Parking Brake System				b. Fuel tank filler cap missing				b. Tire and Wheel Clearance
			c. Brake Drums or Rotors				c. Fuel tank securely attached				c. Adjustable Axle Assemblies (Sliding Subframes)
			d. Brake Hose								
			e. Brake Tubing				5. LIGHTING DEVICES				10. TIRES
			f. Low Pressure Warning Device				All lighting devices and reflectors required by Section 393 shall be operable.				a. Tires on any steering axle of a power unit.
			g. Tractor Protection Valve								b. All other tires.
			h. Air Compressor				6. SAFE LOADING				11. WHEELS AND RIMS
			i. Electric Brakes				a. Part(s) of vehicle or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway.				a. Lock or Side Ring
			j. Hydraulic Brakes				b. Protection against shifting cargo				b. Wheels and Rims
			k. Vacuum Systems								c. Fasteners
											d. Welds
			2. COUPLING DEVICES				7. STEERING MECHANISM				12. WINDSHIELD GLAZING
			a. Fifth Wheels				a. Steering Wheel Free Play				Requirements and exceptions as stated pertaining to any crack, discoloration or vision reducing matter (reference 393.60 for exceptions)
			b. Pintle Hooks				b. Steering Column				
			c. Drawbar/Towbar Eye				c. Front Axle Beam and All Steering Components Other Than Steering Column				13. WINDSHIELD WIPERS
			d. Drawbar/Towbar Tongue				d. Steering Gear Box				Any power unit that has an inoperative wiper, or missing or damaged parts that render it ineffective.
			e. Safety Devices				e. Pitman Arm				
			f. Saddle-Mounts				f. Power Steering				List any other condition which may prevent safe operation of this vehicle.
							g. Ball and Socket Joints				
			3. EXHAUST SYSTEM				h. Tie Rods and Drag Links				
			a. Any exhaust system determined to be leaking at a point forward of or directly below the driver/sleeper compartment.				i. Nuts				
			b. A bus exhaust system leaking or discharging to the atmosphere in violation of standards (1), (2) or (3).				j. Steering System				
			c. No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charring, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.								
							8. SUSPENSION				
							a. Any U-bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position.				
							b. Spring Assembly				
							c. Torque, Radius or Tracking Components.				

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION:  X  OK,  X  NEEDS REPAIR,  NA  IF ITEMS DO NOT APPLY, \_\_\_\_\_ REPAIRED DATE

CERTIFICATION: THIS VEHICLE HAS PASSED ALL THE INSPECTION ITEMS FOR THE ANNUAL VEHICLE INSPECTION REPORT IN ACCORDANCE WITH 49 CFR 396.

# Driver's Vehicle Inspection Report

Check Any Defective Item and Give Details Under "Remarks."

DATE: \_\_\_\_\_

TRUCK/TRACTOR NO. \_\_\_\_\_

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Air Compressor    | <input type="checkbox"/> Horn              | <input type="checkbox"/> Springs           |
| <input type="checkbox"/> Air Lines         | <input type="checkbox"/> Lights            | <input type="checkbox"/> Starter           |
| <input type="checkbox"/> Battery           | Head - Stop                                | <input type="checkbox"/> Steering          |
| <input type="checkbox"/> Brake Accessories | Tail - Dash                                | <input type="checkbox"/> Tachograph        |
| <input type="checkbox"/> Brakes            | Turn Indicators                            | <input type="checkbox"/> Tires             |
| <input type="checkbox"/> Carburetor        | <input type="checkbox"/> Mirrors           | <input type="checkbox"/> Transmission      |
| <input type="checkbox"/> Clutch            | <input type="checkbox"/> Muffler           | <input type="checkbox"/> Wheels            |
| <input type="checkbox"/> Defroster         | <input type="checkbox"/> Oil Pressure      | <input type="checkbox"/> Windows           |
| <input type="checkbox"/> Drive Line        | <input type="checkbox"/> On-Board Recorder | <input type="checkbox"/> Windshield Wipers |
| <input type="checkbox"/> Engine            | <input type="checkbox"/> Radiator          | <input type="checkbox"/> Other             |
| <input type="checkbox"/> Fifth Wheel       | <input type="checkbox"/> Rear End          |  |
| <input type="checkbox"/> Front Axle        | <input type="checkbox"/> Reflectors        |  |
| <input type="checkbox"/> Fuel Tanks        | <input type="checkbox"/> Safety Equipment  |  |
| <input type="checkbox"/> Heater            | Fire Extinguisher                          |  |
|  | Flags-Flares-Fusees                        |  |
|  | Spare Bulbs & Fuses                        |  |
|  | Spare Seal Beam                            |  |

TRAILER(S) NO.(S) \_\_\_\_\_

- |  |                                       |                                    |
|--|---------------------------------------|------------------------------------|
| <input type="checkbox"/> Brake Connections   | <input type="checkbox"/> Hitch        | <input type="checkbox"/> Tarpaulin |
| <input type="checkbox"/> Brakes              | <input type="checkbox"/> Landing Gear | <input type="checkbox"/> Tires     |
| <input type="checkbox"/> Coupling Chains     | <input type="checkbox"/> Lights - All | <input type="checkbox"/> Wheels    |
| <input type="checkbox"/> Coupling (King) Pin | <input type="checkbox"/> Roof         | <input type="checkbox"/> Other     |
| <input type="checkbox"/> Doors               | <input type="checkbox"/> Springs      |                                    |

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONDITION OF THE ABOVE VEHICLE IS SATISFACTORY

DRIVER'S SIGNATURE \_\_\_\_\_

ABOVE DEFECTS CORRECTED

ABOVE DEFECTS NEED NOT BE CORRECTED FOR SAFE OPERATION OF VEHICLE

MECHANIC'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

DRIVER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



# NORTH AMERICAN STANDARD INSPECTION PROCEDURE

## 1. PREPARE THE VEHICLE AND DRIVER

Instruct the driver to remain at the controls, and turn the engine off. (Allow cool down time for turbo-charged engines.)

Place check blocks in position beginning on the driver's side, one in front and one behind the drive axle trees or between the axles, and advise the driver that the wheels have been checked.

Have the driver place the transmission in neutral and release all brakes.

Advise the driver in the use of hand signals. (Lamps and brakes)

## 2. CHECK DRIVER'S REQUIREMENTS

- **DRIVER LICENSE (391.11)**  
Check for expiration date, birth date, status check.
- **MEDICAL CERTIFICATE (391.41)**  
Check for expiration date, corrective lenses, hearing aid, signatures.
- **MEDICAL WAIVER (if applicable) (391.49)**  
Check for expiration date, and make sure form is completed. Note the stated physical limitations.
- **RECORD OF DUTY STATUS (395.8) (395.3)**  
Updated to last change of duty status, today's date, legible handwriting, past 7 days recorded, mileage, driving time, on duty time, vehicle numbers, carrier name, signature.  
"Remarks" section may include locations of duty status change, unusual circumstances that delay the trip, and shipping document numbers or the name of the shipper. Check for written authorization for interactive electronic recording devices, if applicable.
- **DRIVER VEHICLE INSPECTION REPORT (396.11)**  
Check for I.D. number of vehicle(s) inspected, record of defects found (if any), and signatures.
- **SHIPPING PAPERS/BILL OF LADING**  
Check for listings of hazardous materials indicated by the first entry, an "X" in the H.M. column, or a contrasting color. Papers must be within arm's reach and visible.
- **SEAT BELT (392.16)**  
Check for condition and usage.
- **ALCOHOL AND DRUGS (392.4) (392.5)**  
Check for violations.

## 3. CHECK FOR PRESENCE OF HAZARDOUS MATERIALS

- **PLACARDS**  
Check for the presence of placards, but use caution even if none are posted.
- **LEAKS, SPILLS, UNSECURE CARGO**  
When hazardous materials are present, be ESPECIALLY careful with leaks, spills, or unsecure cargo.
- **MARKINGS**  
Cargo tanks and portable tanks will display markings on an orange panel or placard. They indicate the I.D. number the hazardous material. There are exceptions to this rule.
- **LABELS**  
When containers are visible, labels will identify the hazardous materials. There are exceptions to this rule.

## 4. INSIDE CAB

- **STEERING LASH**  
Measure amount of steering lash and compare with Out-of-Service Criteria.
- **STEERING COLUMN**  
Check for unsecure attachment.

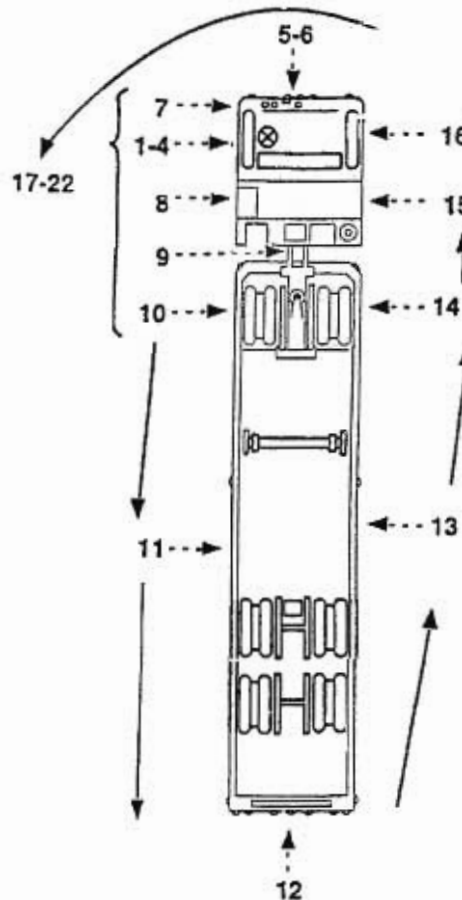
## 5. FRONT OF TRACTOR

- **HEAD LAMPS, TURN SIGNALS, EMERGENCY FLASHERS (393.25)**  
Check for improper color and operation.
- **WINDSHIELD WIPERS (393.78)**  
Check for improper operation. Two wipers are required unless one can clean the driver's field of vision.
- **WINDSHIELD (393.60)**  
Check for cracks or other damage. Check for decals or stickers in field of vision.

## 6. STEERING AXLE

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE, AND TO LISTEN FOR YOUR INSTRUCTIONS.

- **STEERING SYSTEM (BOTH SIDES)**  
Check for loose, worn, bent, damaged or missing parts. Instruct the driver to rock the steering wheel, and check key components: front axle beam, gear box, pinion arm, drag link, tie rod, tie rod ends.
- **FRONT SUSPENSION (BOTH SIDES)**  
Check for indications of misaligned, shifted, or cracked springs; loosened shackles; missing bolts; spring hangers unsecure at frame, and cracked or loose U-bolts. Also, check for unsecure axle positioning parts and signs of axle misalignment.



- **FRONT BRAKES (BOTH SIDES) (393.46)**  
Check for missing, nonfunctioning, loose, contaminated, or cracked parts on the brake system, such as brake drum, shoes, rotors, pads, linings, brake chamber, chamber mounting, push rods, slack adjusters. Check for "S" cam flip over. Be alert for audible air leaks around brake components and lines. With the brakes released, mark the brake chamber push rod at a point where the push rod exits the brake chamber. Mark the push rods on both sides at this time; all push rods will be measured in ITEM 18.
  - **FRONT AXLE**  
Check for cracks, welds, and obvious misalignment.
  - **FRAME AND FRAME ASSEMBLY**  
Check for cracks, or any defect that may lead to the collapse of the frame.
- ## 7. LEFT FRONT SIDE OF TRACTOR
- **LEFT FRONT WHEEL & RIM**  
Check for cracks, unseated locking rings, broken or missing lugs, studs or clamps. Bent or cracked rims, "bleeding" rust stains, loose or damaged lug nuts and elongated stud holes.
  - **LEFT FRONT TIRE (393.75)**  
Check for improper inflation, serious cuts, bulges. Check tread wear and measure major tread groove depth. Inspect sidewall for defects. Check for exposed fabric or cord. Radial and bias tires should not be mixed on the steering axle.
- ## 8. LEFT SADDLE TANK AREA
- **LEFT FUEL TANK(S) (393.65)**  
Check for unsecure mounting, leaks or other damage. Verify that the fuel crossover line is secure. Check for unsecure caps.
  - **TRACTOR FRAME (393.201)**  
Check frame rails and cross members on the tractor just behind the cab, looking for cracks, bends, or excessive corrosion.

## • EXHAUST SYSTEM (393.83)

Check for unsecure mounting, leaks (under the cab), exhaust contacted by fuel or air lines or electrical wires. Check for carbon deposits around seams and clamps.

## 9. TRAILER FRONT

- **AIR & ELECTRICAL LINES (393.26)**  
Lines between tractor and trailer should be suspended and free of tangles and clamps. They should have sufficient slack to allow the vehicle to turn. Inspect line connections for proper seating. Listen for audible air leaks.
- **FRONT END PROTECTION (393.106)**  
Check for height requirements. (Note exceptions.)

## 10. LEFT REAR TRACTOR AREA

- **WHEELS, RIMS & TIRES**  
Inspect as described in ITEM 7. Check inside tire of dual for inflation and general condition. Tires should be evenly matched (same circumference) on dual wheels. Without placing yourself between the tires on tandem axles, check for debris between the tires.
- **LOWER FIFTH WHEEL (393.70)**  
Check for unsecure mounting to the frame or any missing or damaged parts. Check for any visible space between the upper and lower fifth wheel plates. Verify that the locking jaws are around the shank and not the head of the kingpin. Verify that the release lever is seated properly, and that the safety latch is engaged.
- **UPPER FIFTH WHEEL**  
Check for any damage to the weight bearing plate and its supports on the trailer. Check kingpin condition.
- **SLIDING FIFTH WHEEL**  
Check for proper engagement of locking mechanism (teeth fully engaged on rail). Check for worn or missing parts, making sure that the position does not allow the tractor frame rails to contact the landing gear during turns.

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.

- **SUSPENSION (BOTH SIDES)**  
Inspect as described in ITEM 6. Check for deflated or leaking air suspension systems.
- **BRAKES (BOTH SIDES)**  
Inspect brakes as described in ITEM 6. With brakes released, mark the push rods.

## 11. LEFT SIDE OF TRAILER

- **FRAME AND BODY**  
Check for cracks and any indication leading to collapse of the frame.
- **CARGO SECUREMENT (393.100)**  
Check for improper blocking or bracing, and unsecure chains or straps. Verify end gates are secured in stake pockets. Check tarp or canvas.
- **WHEELS, RIMS, & TIRES**  
Inspect as described in ITEM 7.
- **SLIDING TANDEM**  
Check for misalignment and position. Look for damaged, worn, or missing parts. Check locking mechanism; teeth of locking mechanism must fully mesh with those of the rail secured to the frame.

INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.

- **SUSPENSION (BOTH SIDES)**  
Inspect as described in ITEM 6.
- **BRAKES (BOTH SIDES)**  
Inspect as described in ITEM 6. With brakes released, mark push rods.

## 12. REAR OF TRAILER

- **TAIL, STOP & TURN LAMPS & EMERGENCY FLASHERS**  
Check for improper color and operation.
- **CARGO SECUREMENT**  
Inspect as described in ITEM 11. Also check loadboard security. Verify end gates are secured in stake pockets and rear doors are closed. Check both sides of trailer to insure protection of cargo from shifting or falling.

## 13. RIGHT SIDE OF TRAILER

- CHECK ALL ITEMS AS ON LEFT SIDE

## 14. RIGHT REAR TRACTOR AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

## 15. RIGHT SADDLE TANK AREA

- CHECK ALL ITEMS AS ON LEFT SIDE.

## 16. RIGHT FRONT SIDE OF TRACTOR

- CHECK ALL ITEMS AS ON LEFT SIDE

### 17. BRAKE ADJUSTMENT CHECK

**INFORM THE DRIVER THAT YOU ARE GOING UNDER THE VEHICLE. ENTER THE UNDERCARRIAGE IN VIEW OF THE DRIVER.**

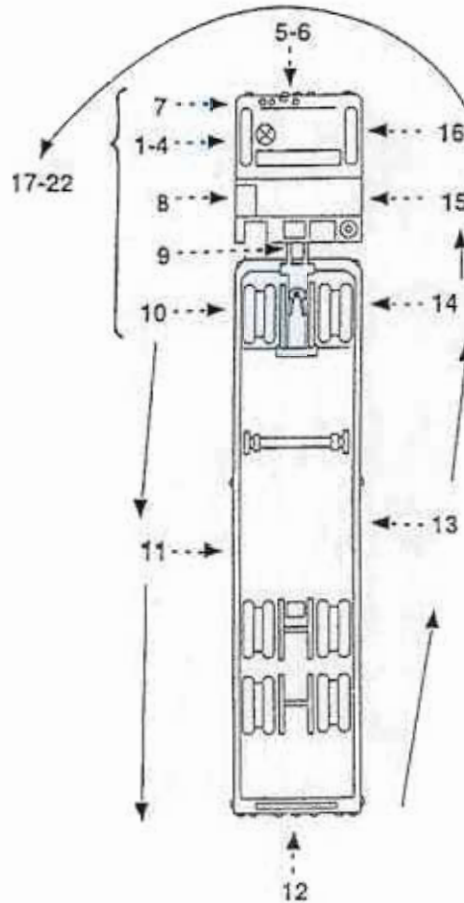
- **MEASURE PUSH ROD TRAVEL (ALL BRAKES)**  
While the brakes are applied, move around the vehicle and measure the distance of push rod travel at each chamber.  
Write down each push rod measurement, and compare them to the Out-of-Service Criteria for the appropriate size and type of brake chamber.  
Again, listen for leaks as you move around the vehicle.

### 18. FIFTH WHEEL MOVEMENT CHECK

- **USE CAUTION**  
If conducted improperly, this method of checking for fifth wheel movement can result in serious damage to the vehicle. Use caution and instruct the driver carefully.
- **PREPARE THE VEHICLE AND DRIVER**  
Have the driver put the vehicle in gear, release the service brakes, and apply the trailer brakes.  
Remove the wheel chocks and have the driver start the vehicle. Carefully explain the procedure to the driver. Tell the driver to GENTLY rock the tractor as you watch the fifth wheel.
- **CONDUCT THE PROCEDURE**  
As the tractor rocks, watch for movement between the mounting components and frame, pivot pin, and bracket, and the upper and lower fifth wheel halves.

### 19. AIR LOSS RATE

- **WHEN TO CONDUCT THE TEST**  
If you heard an air leak at any point in the inspection, you should now check the vehicle's air loss rate.
- **CONDUCT THE PROCEDURE**  
Have the driver run the engine at idle, then apply and hold the service brake.  
Observe the air reservoir pressure gauge on the dash. Have driver pump the pressure down to 80 psi. Compressors do not activate until system pressure drops below a certain level. At about 80 lbs. most compressors should be operating.



Air pressure should be maintained or increase. A drop in pressure indicates a serious air leak in the brake system, and the vehicle should be placed out of service.

### 20. LOW AIR PRESSURE WARNING DEVICE

- **TEST THE WARNING DEVICE**  
Instruct the driver to pump the air down until the low air pressure warning device activates.  
Observe the gauges on the dash. The low air pressure warning must activate at a minimum of 1/2 the compressor governor cut out pressure, approximately 55 psi.

### 21. TRACTOR PROTECTION VALVE

- **CONDUCT THE TEST**  
This procedure will test both the tractor protection valve and the trailer emergency brakes.  
Instruct the driver to release the emergency brakes by pushing in the dash valves.  
Break the supply emergency line at the hose couplers between the tractor and the trailer. When the line is disconnected, a blast of air will be noticed. At this point, the emergency brakes on the trailer should set up.
- **OBSERVE THE DASH GAUGE**  
Air will leak from the tractor side of the line until the pressure in the tractor's system drops to the 20-45 psi range. At that point, the air loss should stop, isolating the tractor air system.  
A loss of air in the tractor system below the 20-45 psi range indicates a malfunctioning tractor protection valve. If the trailer brakes do not set up when the line is disconnected, there is a problem with the trailer emergency brakes.

### 22. COMPLETE THE INSPECTION

- **COMPLETE PAPER WORK**  
Complete inspection forms and other paperwork, as required.
- **CONCLUDE WITH THE DRIVER**  
Explain any violations or warnings to the driver. Take appropriate enforcement action, if necessary.
- **APPLY C.V.S.A. DECAL**  
Apply a C.V.S.A. decal on all vehicles that qualify.

# Inspection, Repair & Maintenance Record

## VEHICLE IDENTIFICATION

MAKE

SERIAL NUMBER

YEAR

TIRE SIZE

COMPANY NUMBER/OTHER I.D.

OWNER, IF LEASED

DATE

OPERATION PERFORMED, INSPECTION AND/OR REPAIR

# INSPECTOR QUALIFICATIONS

Certification — 49 CFR — Part 396.19

Motor carriers are responsible for ensuring that individual(s) performing an annual inspection under 396.19 are qualified as follows:

- Understands the inspection criteria set forth in Part 393 and Appendix G and can identify defective components
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment used when performing an inspection
- Is capable of performing an inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):
  - I.  Successfully completed a State or Federal training program or has certificate from a State or Canadian Province which qualifies the person to perform commercial vehicle safety inspections. Specify:  
  
\_\_\_\_\_

or

- II.  Have a combination of training or experience totaling at least one year as follows (check all that apply):
  - A.  Participation in a truck manufacturer-sponsored training program or similar commercial training program designed to train students in truck operation and maintenance. Where and Date:  
  
\_\_\_\_\_
  - B.  \_\_\_\_ (years) experience as a mechanic or inspector in a motor carrier maintenance program. Name and Date:  
  
\_\_\_\_\_
  - C.  \_\_\_\_ (years) experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:  
  
\_\_\_\_\_
  - D.  \_\_\_\_ (years) experience as a commercial vehicle inspector for a State, Provincial, or Federal Government. Where and Dates:  
  
\_\_\_\_\_

I certify the above information is true and accurate to the best of my knowledge.

Employee \_\_\_\_\_  
Signature of Mechanic/Inspector Date

Motor Carrier/Company \_\_\_\_\_  
Signature of Employer/Supervisor Date

Evidence of Inspector Qualifications are on file at:  
  
\_\_\_\_\_

# BRAKE INSPECTOR QUALIFICATIONS

Certification — 49 CFR — Part 396.25

“Brake Inspector” means any employee of a motor carrier who is responsible for ensuring all brake inspections, maintenance, service, or repairs to any commercial motor vehicle, subject to the motor carrier’s control, meet the applicable Federal standards.

No motor carrier shall require or permit any employee who does not meet minimum brake inspector qualifications to be responsible for the inspection, maintenance, service or repairs of any brakes on its commercial motor vehicles.

## Minimum Qualifications

- Understands and can perform brake service and inspection
- Is knowledgeable of and has mastered the methods, procedures, tools and equipment necessary to perform brake service and inspection
- Is capable of performing brake service or inspection by reason of experience, training, or both, and qualifies in one of the following categories (check all that apply):

- I.  Has successfully completed an apprenticeship program sponsored or approved by a State, Canadian Province, a Federal agency or labor union, or has a certificate from a State or Canadian Province which qualifies the person to perform brake service or inspections.  
Specify:

\_\_\_\_\_

or

- II.  Has brake-related training or experience or a combination thereof totaling at least one year as follows (check all that apply):

- A.  Participation in a brake maintenance or inspection training program sponsored by a brake or vehicle manufacturer or similar commercial training program. Where and Date:

\_\_\_\_\_

- B.  \_\_\_\_ (years) experience performing brake maintenance or inspection in a motor carrier maintenance program. Name and Date:

\_\_\_\_\_

- C.  \_\_\_\_ (years) experience performing brake maintenance or inspection at a commercial garage, fleet leasing company, or similar facility. Name of Facility and Dates:

\_\_\_\_\_

I certify the above information is true and accurate to the best of my knowledge.

Employee \_\_\_\_\_

Signature of Mechanic/Inspector

Date

Motor Carrier/Company \_\_\_\_\_

Signature of Employer/Supervisor

Date

Evidence of Inspector Qualifications are on file at:

\_\_\_\_\_

# Bus Emergency Exits Inspection

## VEHICLE IDENTIFICATION

MAKE	SERIAL NUMBER
YEAR	TIRE SIZE
COMPANY NUMBER/OTHER I.D.	OWNER, IF LEASED

OPERATION	Dates — Inspection Due Every 90 Days							
CHECK PUSHOUT WINDOWS								
EMERGENCY DOORS								
EMERGENCY DOOR LIGHTS								

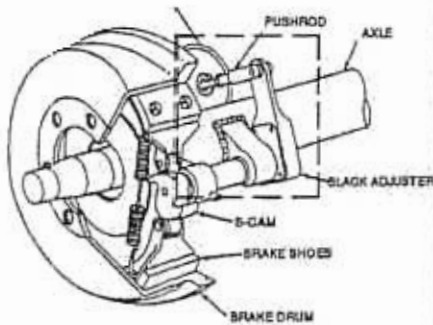
# On Guard



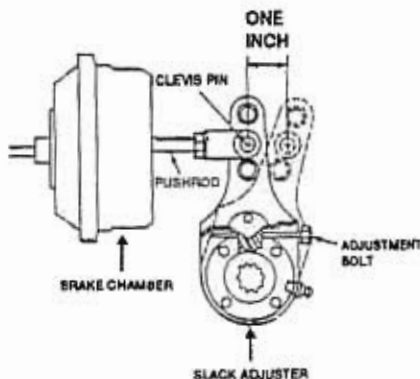
U.S. Department of Transportation

## WITHIN AN INCH OF YOUR LIFE

IF BRAKE SLACK EXCEEDS ONE INCH, YOU COULD BE DRIVING A "KILLER TRUCK".



THIS IS THE MOST IMPORTANT INCH OF YOUR LIFE.



BRAKES SHOULD BE CHECKED BEFORE EACH TRIP AND MORE FREQUENTLY IN HILLY AREAS.

**TRUCKERS!** Poorly adjusted brakes could cost you time and money with out-of-service violations, jeopardize your safety and that of others due to impaired stopping ability, and even cost you your life. The only way to be sure that your vehicle's brakes are properly adjusted is to physically check each wheel on a regular schedule. It is difficult for you to sense, simply from pedal feel, that your brakes are out of adjustment. Under normal braking conditions, your brakes may respond satisfactorily, but under a *hard* or *panic* stop you may find that you are unable to stop in time.

### HOW TO CHECK

Before checking or making adjustments, be sure that your vehicle is parked on a level surface with the wheels blocked, spring brakes released, and the engine shut off. The following measurements are for *Type 30 air chamber brakes only*. For other types, check with your mechanic, supervisor, or manufacturer.

**One person method:** (1) Pull the chamber pushrod to its limit by hand or by prying with a short pry bar. (2) Measure from the clevis pin to the chamber face at both full retraction and at full extension. The difference between these measurements is the pushrod travel or slack. One-half inch is correct, and the **MAXIMUM ALLOWABLE TRAVEL IS ONE INCH** (one-person method).

**Two-person method:** Make the same measurements described in the one-person method, but with brakes fully applied and with brakes released. Because of the considerable stretching and bending of various parts when using the two-person method, the **MAXIMUM ALLOWABLE TRAVEL IS TWO INCHES** for Type 30 air chamber brakes.

### HOW TO ADJUST

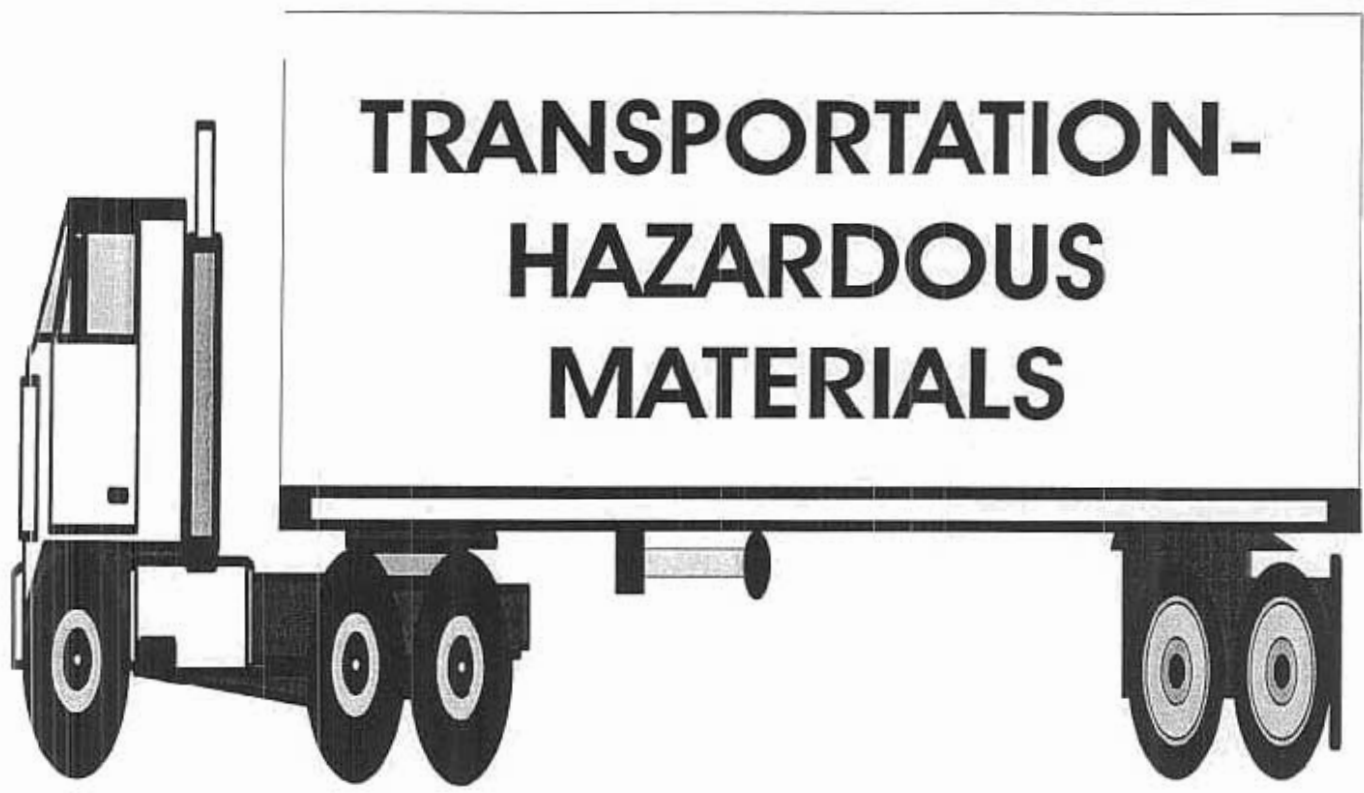
Brake adjustment, or "taking up the slack," is done by first making sure the brakes are released, then turning the adjusting bolt on the slack adjuster arm: (1) Depress the spring locking sleeve with a wrench. (2) Tighten the bolt until solid resistance is met. This indicates that the brake linings are touching the drum.

**NOTE:** Most adjusting bolts require a normal clockwise turn to "set up" the brakes, but some require a counter-clockwise turn. Be alert for any outward movement of the chamber pushrod and slack adjuster arm while the adjustment bolt is being turned. This movement means you are turning in the wrong direction.

(3) Restore running clearance by backing off the adjustment between one-quarter and one-half a turn. Re-check the pushrod travel. Proper adjustment leaves one-half an inch. (4) Check each brake drum or rotor for excessive heat soon after the brakes have been adjusted. An extra-hot brake drum means that you have adjusted the brakes too tightly.

For both this type and other types of brake systems, always check with the manufacturer for proper maintenance and adjustment procedures. If you are not comfortable with these procedures, ask your mechanic or supervisor.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## SPONSORED BY:



New Entrant  
Safety Audit Program





# Transportation of Hazardous Materials

**Do you transport hazardous materials?**

Hazardous materials are any substance defined by the Secretary of Transportation as posing an unreasonable risk to health and safety or property. Most people recognize gasoline, propane, or dynamite as being hazardous materials, but did you know that common materials such as paint, nail polish remover, adhesives, cleaning compounds, hair spray, matches, and others may be classified as hazardous materials? It is important to know if you are transporting hazardous materials because violations of the Hazardous Materials Regulations (HMR) carry civil fines of up to \$27,500 and possible criminal penalties including up to five years in jail. Hazardous materials fall into one of the following basic classes and divisions:

Explosives 1.1	Non-Flammable Gas, 2.2	Organic Peroxide, 5.2
Explosives 1.2	Poison Gas, 2.3	Poison Liquid or Solid, 6.1
Explosives 1.3	Flammable & Combustible Liquids, 3	Infectious Substance, 6.2
Explosives 1.4	Flammable Solids, 4.1	Radioactive, 7
Explosives 1.5	Spontaneously Combustible, 4.2	Corrosive, 8
Explosives 1.6	Dangerous When Wet, 4.3	Miscellaneous, 9
Flammable Gas, 2.1	Oxidizer, 5.1	Consumer Commodities, ORM-D

To determine if a material you are transporting is hazardous, contact the shipper who provided the material or see the definitions of these materials in the hazardous materials regulations.

**What do I need to do if I transport hazardous materials?**

A motor carrier that transports a hazardous material, whether interstate or intrastate, must comply with the Federal Hazardous Materials Regulations, 49 CFR 100-185. These regulations include requirements such as registration, training, shipping papers, labels, placards, and packages. In addition, there are additional requirements in the Federal Motor Carrier Safety Regulations which include insurance requirements, operational restrictions, Commercial Drivers License endorsements, routing, parking, and attendance requirements for hazardous materials.

**Where can I get more information?**

There are many ways to get additional information about safe transportation of hazardous materials. The regulations and interpretations can be found on the Internet at <http://hazmat.dot.gov>. In addition, the Federal Motor Carrier Safety Administration has developed an informational booklet titled "How to Comply with the Federal Hazardous Materials Regulations" as well as a Spanish/English bi-lingual package which contains general awareness training for hazardous materials. These documents and more information, can be found on the FMCSA website at <http://www.fmcsa.dot.gov/safetyprogs/hm.htm>. The Department also offers a hazardous materials information hotline at 1-800-HMR-4922.

**DEPARTMENT OF TRANSPORTATION  
HAZARDOUS MATERIALS INCIDENT REPORT**

Form Approved OMB No 2137-0039

INSTRUCTIONS: Submit this report in duplicate to the Information Systems Manager, Office of Hazardous Materials Transportation, DHM-GJ, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590. If space provided for any item is inadequate, complete that item under Section IX, keying to the entry number being completed. Copies of this form, in limited quantities, may be obtained from the Information Systems Manager, Office of Hazardous Materials Transportation. Additional copies in this prescribed format may be reproduced and used, if on the same size and kind of paper.

<b>I. MODE, DATE, AND LOCATION OF INCIDENT</b>				
1 MODE OF TRANSPORTATION <input type="checkbox"/> AIR <input type="checkbox"/> HIGHWAY <input type="checkbox"/> RAIL <input type="checkbox"/> WATER <input type="checkbox"/> OTHER				
2 DATE AND TIME OF INCIDENT Date TIME (Use Military Time e.g. 8:30am = 0830 noon = 1200 6pm = 1800 midnight = 2400)				
3 LOCATION OF INCIDENT (Include airport name in ROUTE/STREET if incident occurs at an airport) CITY STATE COUNTY ROUTE/STREET				
<b>II. DESCRIPTION OF CARRIER, COMPANY, OR INDIVIDUAL REPORTING</b>				
4 FULL NAME				5 ADDRESS (Principal place of business)
6 LIST YOUR OMC MOTOR CARRIER CENSUS NUMBER, REPORTING RAILROAD ALPHABETIC CODE, MERCHANT VESSEL NAME AND ID NUMBER OR OTHER REPORTING CODE OR NUMBER				
<b>III. SHIPMENT INFORMATION (From Shipping Paper or Packaging)</b>				
7 SHIPPER NAME AND ADDRESS (Principal place of business)			8 CONSIGNEE NAME AND ADDRESS (Principal place of business)	
9 ORIGIN ADDRESS (If different from Shipper address)				
11 SHIPPING PAPER/WAYBILL IDENTIFICATION NO				
<b>IV. HAZARDOUS MATERIAL(S) SPILLED (NOTE: REFERENCE 49 CFR SECTION 172.101.)</b>				
12 PROPER SHIPPING NAME		13 CHEMICAL/TRADE NAME	14 HAZARD CLASS	15 IDENTIFICATION NUMBER (e.g. UN 2764, NA 2020)
16 IS MATERIAL A HAZARDOUS SUBSTANCE? <input type="checkbox"/> YES <input type="checkbox"/> NO			17 WAS THE RM MET? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>V. CONSEQUENCES OF INCIDENT, DUE TO THE HAZARDOUS MATERIAL.</b>				
18 ESTIMATED QUANTITY HAZARDOUS MATERIAL RELEASED (Include units of measurement)		19 FATALITIES	20 HOSPITALIZED INJURIES	21 NON HOSPITALIZED INJURIES
22 NUMBER OF PEOPLE EVACUATED				
23 ESTIMATED DOLLAR AMOUNT OF LOSS AND/OR PROPERTY DAMAGE, INCLUDING COST OF DECONTAMINATION OR CLEANUP (Round off in dollars)				
A PRODUCT LOSS	B CARRIER DAMAGE	C PUBLIC/PRIVATE PROPERTY DAMAGE	D DECONTAMINATION/ CLEANUP	E OTHER
24 CONSEQUENCES ASSOCIATED WITH THE INCIDENT <input type="checkbox"/> SPILLAGE <input type="checkbox"/> FIRE <input type="checkbox"/> EXPLOSION		<input type="checkbox"/> VAPOR (GAS) DISPERSION <input type="checkbox"/> ENVIRONMENTAL DAMAGE	<input type="checkbox"/> MATERIAL ENTERED WATERWAY/SEWER <input type="checkbox"/> NONE	<input type="checkbox"/> OTHER
<b>VI. TRANSPORT ENVIRONMENT</b>				
25 INDICATE TYPE(S) OF VEHICLE(S) INVOLVED <input type="checkbox"/> TANK CAR <input type="checkbox"/> RAIL CAR <input type="checkbox"/> TOFC/COFC		<input type="checkbox"/> CARGO TANK <input type="checkbox"/> AIRCRAFT	<input type="checkbox"/> VAN TRUCK/TRAILER <input type="checkbox"/> BARGE	<input type="checkbox"/> FLAT BED TRUCK TRAILER <input type="checkbox"/> SHIP <input type="checkbox"/> OTHER
26 TRANSPORTATION PHASE DURING WHICH INCIDENT OCCURRED OR WAS DISCOVERED <input type="checkbox"/> EN ROUTE BETWEEN ORIGIN/DESTINATION <input type="checkbox"/> LOADING <input type="checkbox"/> UNLOADING <input type="checkbox"/> TEMPORARY STORAGE TERMINAL				
27 LAND USE AT INCIDENT SITE <input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> AGRICULTURAL <input type="checkbox"/> UNDEVELOPED				
28 COMMUNITY TYPE AT SITE <input type="checkbox"/> URBAN <input type="checkbox"/> SUBURBAN <input type="checkbox"/> RURAL				
29 WAS THE SPILL THE RESULT OF A VEHICLE ACCIDENT/DERAILMENT? IF YES AND APPLICABLE, ANSWER PARTS A THRU C				
A ESTIMATED SPEED	B HIGHWAY TYPE <input type="checkbox"/> DIVIDED/LIMITED ACCESS <input type="checkbox"/> UNDIVIDED		C TOTAL NUMBER OF LANES <input type="checkbox"/> ONE <input type="checkbox"/> THREE <input type="checkbox"/> TWO <input type="checkbox"/> FOUR OR MORE	SPACE FOR DOT USE ONLY

VII. PACKAGING INFORMATION: If the package is overpacked (consists of several packages, e.g. glass jars within a fiberboard box), begin with Column A for information on the innermost package.																																																																																																														
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30 TYPE OF PACKAGING INCLUDING INNER RECEPTACLES (e.g. Steel drum, tank car)																																																																																																														
31 CAPACITY OR WEIGHT PER UNIT PACKAGE (e.g. 55 gallons, 65 lbs.)																																																																																																														
32 NUMBER OF PACKAGES OF SAME TYPE WHICH FAILED IN IDENTICAL MANNER																																																																																																														
33 NUMBER OF PACKAGES OF SAME TYPE IN SHIPMENT																																																																																																														
34 PACKAGE SPECIFICATION IDENTIFICATION (e.g. DOT 17E, DOT 105A100, UN 1A1 or none)																																																																																																														
35 ANY OTHER PACKAGING MARKINGS (e.g. STC, 1B/16-55-88, Y1.4/150/87)																																																																																																														
36 NAME AND ADDRESS, SYMBOL OR REGISTRATION NUMBER OF PACKAGING MANUFACTURER																																																																																																														
37 SERIAL NUMBER OF CYLINDERS, PORTABLE TANKS, CARGO TANKS, TANK CARS																																																																																																														
38 TYPE OF LABELING OR PLACARDING APPLIED																																																																																																														
39 IF RECONDITIONED OR REQUALIFIED	A REGISTRATION NUMBER OR SYMBOL																																																																																																													
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40 EXEMPTION/APPROVAL/COMPETENT AUTHORITY NUMBER, IF APPLICABLE (e.g. DOT E1012)																																																																																																														
<b>VIII. DESCRIPTION OF PACKAGING FAILURE: Check all applicable boxes for the package(s) identified above.</b>																																																																																																														
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IX. DESCRIPTION OF EVENTS: Describe the sequence of events that led to incident, action taken at time discovered, and action taken to prevent future incidents. Include any recommendations to improve packaging, handling, or transportation of hazardous materials. Photographs and diagrams should be submitted when necessary for clarification. ATTACH A COPY OF THE HAZARDOUS WASTE MANIFEST FOR INCIDENTS INVOLVING HAZARDOUS WASTE. Continue on additional sheets if necessary.																																																																																																														
46 NAME OF PERSON RESPONSIBLE FOR PREPARING REPORT		47 SIGNATURE																																																																																																												
48 TITLE OF PERSON RESPONSIBLE FOR PREPARING REPORT	49 TELEPHONE NUMBER (Area Code)	50 DATE REPORT SIGNED																																																																																																												

**U. S. DEPARTMENT OF TRANSPORTATION  
HAZARDOUS MATERIALS REGISTRATION STATEMENT  
REGISTRATION YEAR 20\_\_\_\_ - 20\_\_\_\_**

(Please Type or Print all Responses)

Initial Registration \_\_\_\_ Renewal of Registration \_\_\_\_ Amendment to Registration \_\_\_\_ Expedited Follow-up \_\_\_\_  
Current Registration # \_\_\_\_\_

**1. Registrant** \_\_\_\_\_  
(Company Name)

(Place pre-printed label here if provided and if name and address are correct. Otherwise, provide correct information.)

**2. Mailing Address of Principal Place of Business**

Street or P.O. Box \_\_\_\_\_ City \_\_\_\_\_

County \_\_\_\_\_ State \_\_\_\_ Zip Code \_\_\_\_\_ Country \_\_\_\_\_

**3. Carrier's US DOT ID Number, ICC Number, or Reporting Railroad Alphabetic Code (if applicable)**

US DOT ID # \_\_\_\_\_ ICC # \_\_\_\_\_ Railroad Alphabetic Code \_\_\_\_\_

**4. Mode(s) Used to Transport Hazardous Materials:** Highway \_\_\_\_ Rail \_\_\_\_ Water \_\_\_\_ Air \_\_\_\_

**5. Business Size**

Standard Industrial Classification (SIC) Code for Primary Commercial Activity (enter one four-digit code): \_\_\_\_\_

Using the SBA size standard for the SIC code entered above, mark one:

\_\_\_\_\_ Small Business as defined by SBA

\_\_\_\_\_ Not an SBA Small Business

**6. Registration Fees**

	<b>1 Year 2002-2003</b>	<b>2 Years 2002-2004</b>	<b>3 Years 2002-2005</b>
If registrant is a <b>Small Business</b> , the fee is:	\$300	\$575	\$850
If a follow-up to an expedited registration, no amount is due.	0	NA	NA
If registrant is <b>Not a Small Business</b> , the fee is:	\$2,000	\$3,975	\$5,950
If a follow-up to an expedited registration, the amount due is:	\$1,700	NA	NA
If registration is for 2000-2001 or 2001-2002, the fee for each year is \$300 for a Small Business, and \$2000 for a Not Small Business.			
If registration is for a year prior to 2000-2001, the fee for each year is \$300.			

Total Amount Enclosed: \_\_\_\_\_

Make check or money order in U.S. funds, drawn on a U.S. bank, and payable to "U.S. Department of Transportation," and identified as payment for the "Hazmat Registration Fee."

**Method of Payment (check one)**

Check \_\_\_\_ Money Order \_\_\_\_ Credit Card: VISA \_\_\_\_ MasterCard \_\_\_\_ American Express \_\_\_\_ Discover \_\_\_\_

**Credit Card Users Please Provide the Following Information:**

Card Number: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
MO YR

Name as it appears on the card \_\_\_\_\_

Authorized Signature \_\_\_\_\_

Cardholder acknowledges ordering goods or services in the amount of the total shown hereon and agrees to perform the obligations set forth in the Cardholder's agreement with the issuer. Credit card statement will list this payment as "US DOT Hazmat Regis."

NOTE: If a Small Business completing an expedited registration, do not resubmit credit card information here.

**7. Prior-Year Survey Information.** Mark all categories and activities engaged in during the previous calendar year (e.g., 2001 for the 2002-2003 Registration Year) and the state(s) in which you operated (see instructions).

- A.  Offered or transported in commerce a highway route controlled quantity of a Class 7 (radioactive) material.
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- B.  Offered or transported in commerce more than 25 kilograms (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car, or freight container.
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- C.  Offered or transported in commerce more than 1 liter (1.06 quarts) per package of a material extremely toxic by inhalation (materials poisonous by inhalation that meet one of the defining criteria for Hazard Zone A).
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- D.  Offered or transported in commerce a hazardous material (including a hazardous waste) in a bulk packaging (see 49 CFR 171.8) having a capacity equal to or greater than 13,248 liters (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids.
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- E.  Offered or transported in commerce a shipment, in other than a bulk packaging, of 2,268 kilograms (5,000 pounds) gross weight or more of one class of hazardous material (including a hazardous waste) for which placarding of a vehicle, rail car, or freight container is required.
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- F.  Offered or transported in commerce a shipment of a quantity of hazardous material (including a hazardous waste) that requires placarding of the bulk packaging, freight container, unit load device, transport vehicle, or rail car, other than those included in A through E above. Activities performed by farmers are generally excepted. See 49 CFR 107.601(b).
1. Shipper \_\_\_\_\_ 2. Carrier \_\_\_\_\_ 3. Other (Freight Forwarder, Agent, etc.) \_\_\_\_\_
- AL AR AZ CA CO CT DE FL GA ID IL IN IA KS KY LA MA MD ME MI MN  
 MO MS MT NC ND NE NH NJ NM NV NY OH OK OR PA RI SC SD TN TX UT  
 VT VA WA WV WI WY 48 Contiguous States AK AS DC GU HI MP PR VI
- G.  Did not engage in any of the activities listed in A through F during the previous calendar year.

**8. Certification of information.** I certify that, to the best of my knowledge, the above information is true, accurate, and complete.

Certifier's Name \_\_\_\_\_ Date \_\_\_\_\_  
(Print the signer's name)

Title \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Certifier's Signature \_\_\_\_\_

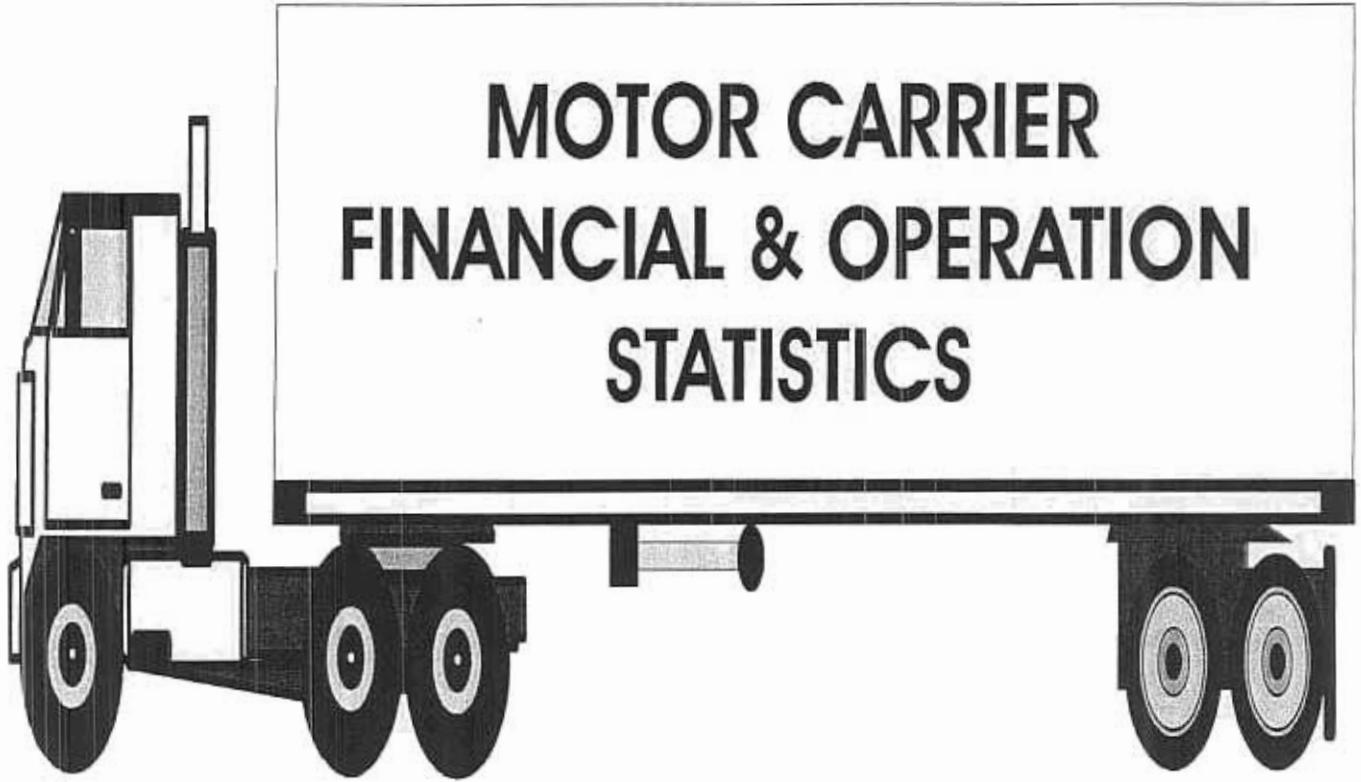
FALSE STATEMENTS MAY VIOLATE 18 U.S.C. 1001.

MAIL COMPLETED FORM  
 WITH PAYMENT TO:

U.S. Department of Transportation  
 Hazardous Materials Registration  
 P.O. Box 740188  
 Atlanta, GA 30374-0188

Please retain a copy of this form for your records.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## SPONSORED BY:

Federal Motor Carrier  
Safety Administration



**TENNESSEE HIGHWAY PATROL**

New Entrant  
Safety Audit Program



# Motor Carrier Financial and Operation Statistics

The Bureau of Transportation Statistics' Motor Carrier Financial and Operating Statistics (F&OS) Program collects annual and quarterly data from motor carriers of property and passengers that meet the applicability requirements listed in the table below. The program collects balance sheet and income statement data along with information on tonnage, mileage, employees, transportation equipment, and other related items, but there are no explicit safety data items. The Motor Carrier F&OS forms are not currently a part of the FMCSA compliance review process. The F&OS data are used by the U.S. Department of Transportation, other government agencies, trucking associations, insurance companies, consultants, law firms, academia, trade publications, and others. Under 49 CFR 1420.10, unless otherwise provided by law, "the data contained in the report[s]...shall be made publicly available."

**Applicability**

Any motor carrier of property, household goods, or passengers engaged in interstate, intrastate, and/or foreign operations and with annual revenues of \$3 million dollars or more must file annual and/or quarterly reports with the *Bureau of Transportation Statistics*, as required by 49 CFR 1420.

**Requirements**

As listed under 49 CFR 1420.

Type of Motor Carrier	Adjusted Annual Operating Revenue	Report(s)	Due Date
Class I, Property	\$10 million or greater	Form M, annual	March 31
		Form QFR, quarterly	30 days after the end of each quarter
Class II, Property	\$3 - \$10 million	Form M, annual	March 31
Class I, Passenger	\$5 million or greater	Form MP-1, annual and quarterly	March 31st and 30 days after the end of each quarter

**Exceptions**

Motor Carriers that:

- are below the Class I or Class II revenue thresholds (see the worksheet for calculating carrier classification),
- are a private motor carrier,
- are outside DOT jurisdiction,
- do not hold DOT or ICC operating authority or have leased their operating authority to another carrier,
- are in bankruptcy, or
- have received an exemption from filing (see 49 CFR 1420.8 and 1420.9)

Please contact the Office of Motor Carrier Information, Bureau of Transportation Statistics at 202-366-2984 or 202-366-4383 for additional information about the Motor Carrier Financial and Operating Statistics Program or visit our website at [www.bts.gov/mcs](http://www.bts.gov/mcs) or e-mail us at [mcs@bts.gov](mailto:mcs@bts.gov).



U.S. Department  
of Transportation

400 Seventh St., S.W.  
Washington, DC. 20590

Bureau of Transportation Statistics

Office of Motor Carrier Information

## MOTOR CARRIERS OF PROPERTY AND HOUSEHOLD GOODS GENERAL INFORMATION ON FILING

### What forms do I have to file?

Your company is currently classified as either a Class I or Class II motor carrier of property and household goods. As such, you are required by law to file reports Form M (Classes I & II) and Form QFR (Class I only). The governing legislation is **49 U.S.C. 14123** and the governing regulations are in **49 CFR 1420**.

The information collected on these forms provides the U.S. Department of Transportation, other Federal agencies, and the public with statistical data about the motor carrier industry. It also helps to foster motor carrier safety. Unless otherwise provided by law, the information you provide is made generally available to the public.

Motor carriers are classified on the basis of annual gross operating revenues and reports vary by carrier classification. If you believe your classification has changed or is incorrect, please complete the enclosed worksheet that will assist you in calculating your proper classification. If reclassification is needed, contact BTS. We will make any necessary adjustments and give you further instructions on your filing requirements. Please return a copy of the completed worksheet with your report.

### What are the due dates for these forms?

The Form M (Annual Report) is due on **March 31, 2001**. Quarterly Reports (Form QFR) are due on **April 30, 2001, July 31, 2001, October 31, 2001 and January 31, 2002**.

### Where do I send the forms?

The completed forms should be returned to the following address:

Bureau of Transportation Statistics  
Office of Motor Carrier Information  
U.S. Department of Transportation  
c/o Vistrionix, Inc.  
1970 Chain Bridge Road, Suite 1200  
McLean, VA 22102  
Phone: (202) 366-4383  
Fax: (703) 749-8480  
Email: [mcs@bts.gov](mailto:mcs@bts.gov)



## GENERAL INSTRUCTIONS

Page 2

### Can I File The Annual And Quarterly Reports Electronically?

Yes, we have computerized versions of the annual (Form M) and quarterly (Form QFR) reports on two diskettes. These programs allow you to enter the data on your personal computer, verify the information, and then print a hardcopy of the report with a format that will be accepted by the BTS database. Access 2000 must be installed on your computer, along with operating system Windows 98 or NT, in order to use the diskettes.

Use of the electronic software is not required to complete the 2000 annual or 2001 quarterly reports. ***If you decide to use the diskette version, please send one copy of the printed report AND the diskettes back to BTS.*** Please make sure that you check the report for accuracy and remember to make a copy for your own files. For questions regarding the use of Form M/Form QFR software, please call (202) 366-4383.

### Where Can I Get Help In Filling Out The Form?

If you have any questions while completing Form M/Form QFR, call 202-366-4383 for assistance. Filing information is also available electronically. If you have a fax machine, information can be faxed to you or available on our web site ([www.bts.gov/mcs](http://www.bts.gov/mcs)) if you have access to the Internet.

### Where Do I Get Information About Filing Date Extensions, Exemptions, And Requests For Confidentiality?

Questions regarding procedures for obtaining an extension of the filing date, exemption from filing reports, or confidentiality of data can be answered by calling 202-366-4383.

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Under the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number assigned to this collection of information is displayed at the top of the collection form.

It is estimated that an average of 10 burden hours per response are required to complete this collection of information. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Comments concerning accuracy of this burden estimate or suggestions for reducing this burden should be directed to the Bureau of Transportation Statistics at the address above.



U.S. Department  
of Transportation

400 Seventh St., S.W.  
Washington, DC. 20590

Bureau of  
Transportation Statistics

## MOTOR CARRIERS OF PASSENGERS GENERAL INFORMATION

### What forms do I have to file?

Your company is currently classified as a Class I motor carrier of passengers and is required by law to file Form MP-1. The governing legislation is **49 U.S.C. 14123** and the governing regulations are in **49 CFR 1420**. The information collected on these forms provides the U.S. Department of Transportation, other Federal agencies, and the public with statistical data about the motor carrier industry and information to foster motor carrier safety. Unless otherwise provided by law, the information you provide is made generally available to the public.

### What are the due dates for these forms?

For each quarter and the annual report, BTS will send you a blank Form MP-1. Each report, annual and quarterly, is due 30 days after receipt. The **Form MP-1 (Annual Report)** is due on **March 31, 2001**. Submissions of Form MP-1 for quarterly reporting are due on **April 30, 2001, July 31, 2001, October 31, 2001 and January 31, 2002**.

### Some Further Instructions for the Form

Please enter figures for the entire.

Negative numbers should be entered in parentheses. For example, if line 8 is negative 360,483, it should be written as (360,483),

Line 8 should equal Line 6(e) minus Line 7.

Line 12 should equal the sum of Lines 8 thru 11

Line 16 should equal Line 7 divided by Line 6(e).

### Where do I send the forms?

The completed forms should be returned to the following mailing address:

Bureau of Transportation Statistics  
U.S. Department of Transportation  
c/o Vistrionix, Inc.  
1970 Chain Bridge Road Suite 1200  
McLean, VA 22102

Phone: (202) 366-4383  
Fax: (703) 749-8480  
Email: mcs@bts.gov

**Where can I get help on filling out the form?**

If you have any questions while completing Form M, please call 202-366-4383. Filing information is also available electronically. If you have a fax machine, information can be faxed to you. If you have access to the Internet, our web site address is [www.bts.gov/mcs](http://www.bts.gov/mcs).

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It is estimated that an average of 1.5 burden hours per response are required to complete this collection of information. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and reviewing the collection of information. Comments concerning the accuracy of this burden estimate or suggestions for reducing this burden should be directed to the Bureau of Transportation Statistics as the above address.



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**Bureau of  
Transportation Statistics**

## **Worksheet for Calculating Carrier Classification (Motor Carriers of Property)**

### What Is This About?

This is to help you determine your carrier classification, which affects the reporting requirements of Form M and Form QFR.

### Carrier Classification and Reporting Requirements

Motor carriers of property are classified based on their adjusted annual operating revenue. Carrier classification, in turn, determines what reports are required by BTS. We are providing the worksheet below for your convenience to help you calculate your carrier classification. If your classification has changed or is incorrect, please contact us. We will make any necessary adjustments and give you further instructions on any filing requirements.

<u>Classification</u>	<u>Adjusted Annual Operating Revenue</u>	<u>Reports Required By Law</u>
Class I	\$10 million or greater	Form M (Annual) Form QFR (Quarterly)
Class II	\$3 - 10 million	Form M (Annual)
Class III	Less than \$3 million	None

### How to Calculate Your Carrier Classification

Upward and downward classification will be effective as of January 1 of the year immediately following the **third consecutive year** that your revenue qualifies. The steps in calculating your carrier classification are as follows:

Calculate your annual operating revenues. This is revenue from the transportation of property in interstate, and intrastate service while operating as a common and/or contract carrier. This includes:

- Line haul and pickup & delivery services
- revenues received under all operating authorities (regulated and unregulated)
- revenues from your portion of interline shipments
- revenues from local cartage service

Company Name: \_\_\_\_\_ MC #: \_\_\_\_\_

**Worksheet for Calculating Carrier Classification**

**Page 2**

revenues received from any other motor carriers for lease of your operating rights and operating equipment

commissions received for performing brokerage services: **This excludes:**

- revenues from private carriage, compensated inter-corporate hauling, and leasing vehicles with drivers to private carriers
- revenues from non-trucking activities

2. Multiply this figure by the revenue deflator. In Table 1, we have calculated the revenue deflator for you. The revenue deflator is the 1994 average producers price index of finished goods (PPI) divided by the revenue year's average PPI, as shown in Table 2. Table 3 is an example calculation. This carrier would be a Class III because of its 1998 revenue. If 2001 revenue surpasses \$3 million, it will be reclassified as Class II in 2002.

**Table 1** (After completion, fax to Russ Capelle at 202-366-3640.)

<i>Year</i>	<i>Annual Operating Revenue</i>	<i>x Revenue Deflator</i>	<i>= Adjusted Annual Operating Revenue</i>
1998	\$ _____	.96	\$ _____
1999	\$ _____	.94	\$ _____
2000	\$ _____	.91	\$ _____

**Table 2**

<i>Year</i>	<i>Producers Price Index (PPI)</i>	<i>Revenue Deflator</i>
1994	125.0	1.00
1995	127.0	.98
1996	131.3	.95
1997	131.8	.95
1998	130.6	.96
1999	133.1	.94
2000	138.0	.91

**Table 3**

<i>Year</i>	<i>Annual Operating Revenue</i>	<i>x Revenue Deflator</i>	<i>= Adjusted Annual Operating Revenue</i>
1998	\$2,695,000	.96	\$2,587,200
1999	\$3,345,000	.94	\$3,144,300
2000	\$3,543,000	.91	\$3,224,130

Note: Yearly PPIs reflect non-seasonally adjusted data released in January of subsequent year.



U.S. Department  
of Transportation

400 Seventh St., S.W.  
Washington, DC. 20590

**Bureau of  
Transportation Statistics**

**Office of Motor Carrier Information**

## **Worksheet for Calculating Carrier Classification (Motor Carriers of Passengers)**

### What Is This About?

This is to help you determine your carrier classification, which affects the reporting requirements of Form MP-1.

### Carrier Classification and Reporting Requirements

Motor carriers of passengers are classified based on their adjusted annual operating revenue. Carrier classification, in turn, determines what reports are required by BTS. We are providing the worksheet below for your convenience to help you calculate your carrier classification. If your classification has changed or is incorrect, please contact us. We will make any necessary adjustments and give you further instructions on any filing requirements. You are not required to return the completed form.

<u>Classification</u>	<u>Adjusted Annual Operating Revenue</u>	<u>Reports Required By Law</u>
Class I	\$5 million or greater	Form MP-1 Annual and Quarterly
Class II	Less than \$5 million	None

### How to Calculate Your Carrier Classification

Upward and downward classification will be effective as of January 1 of the year immediately following the **third consecutive year** that your revenue qualifies. The steps in calculating your carrier classification are as follows:

1. Calculate your annual operating revenues. This is revenue from passenger motor carrier operations, including interstate, intrastate, and local service.
2. Multiply this figure by the revenue deflator. In Table 1, we have calculated the revenue deflator for you. The revenue deflator is the 1994 average producers price index of finished goods (PPI) divided by the revenue year's average PPI, as shown in Table 2. Table 3 is an example calculation. This carrier would be a Class II because of its 1998 revenue. If 2001 revenue surpasses \$5 million, it will be reclassified as Class I in 2002.

**Worksheet for Calculating Carrier Classification**

**Page 2**

**Table 1** (After completion, fax to Russ Capelle at 202-366-3640.)

<i>Year</i>	<i>Annual Operating Revenue</i>	<i>x Revenue Deflator</i>	<i>= Adjusted Annual Operating Revenue</i>
1998	\$ _____	.96	\$ _____
1999	\$ _____	.94	\$ _____
2000	\$ _____	.91	\$ _____

**Table 2**

<i>Year</i>	<i>Producers Price Index (PPI)</i>	<i>Revenue Deflator</i>
1994	125.0	1.00
1995	127.0	.98
1996	131.3	.95
1997	131.8	.95
1998	130.6	.96
1999	133.1	.94
2000	138.0	.91

**Table 3**

<i>Year</i>	<i>Annual Operating Revenue</i>	<i>x Revenue Deflator</i>	<i>= Adjusted Annual Operating Revenue</i>
1998	\$5,095,000	.96	\$4,891,200
1999	\$5,345,000	.94	\$5,024,300
2000	\$5,535,000	.91	\$5,036,850

Note: Yearly PPI's reflect non-seasonally adjusted data released in January of subsequent year.

## Motor Carrier Annual Report Form M Instructions

A completed Annual Report Form M is required of all for-hire Class 1 and Class 2 motor carriers of property or household goods that have revenues for three consecutive years exceeding \$3 million dollars (adjusted over base year 1994 by revenue deflators). The governing regulations are in 49 CFR 1420. The data collected is used by carriers, shippers, federal agencies, and industry analysts to measure the economic health and operating characteristics of the motor carrier industry.

**Motor Carrier Number (or MC number)** — the docket number assigned by the former Interstate Commerce Commission, in the granting of operating authority to the carrier. Operating authority provided a defined listing of the commodities allowed and the geographic territory within which carriers were allowed to operate.

**U.S. DOT Number** — The number assigned by the U.S. Department of Transportation Federal Motor Carrier Safety Administration (formerly an office of Federal Highway Administration), upon verification that carrier has acquired proper bodily injury, property damage liability, and cargo liability insurance, in compliance with the governing statutes.

**Base State** — The state in which a carrier is registered for fuel tax reporting purposes, also known as the Single State Registration System (SSRS) state. If not part of the SSRS, then the state where the company is headquartered or does the majority of their business.

**Base State Registration Number** — The number assigned to the carrier for fuel tax reporting purposes by the base state, or the Single State Registration System number.

**Reporting carrier and affiliate(s)** — All motor carrier data captured in the Annual Report can be reported on a consolidated basis, consisting of the data of the parent company and all related operating affiliates. The parent or reporting carrier is defined as the highest ranking carrier in the consolidated group. Affiliate motor carriers which maintain their own accounting systems, may file independent reports apart from the parent company. The purpose of the consolidated financial statement is to capture the financial and operating data for the parent and affiliates as if the group were a single company. Companies, which can be included, are those which comprise an integral part of the respondent carrier's operations and whose purpose is to provide transportation service or is supportive to such activity. Affiliates, which comprise integral parts of the carriers operation, are defined as:

- a. any carrier or non-carrier holding company, which is exclusively engaged in providing motor carrier transportation service and controls, through majority stock ownership, one or more carriers.
- b. any carrier subsidiary which is majority owned and controlled by its carrier parent and whose purpose and operations are supportive to the transportation operations of its parent.
- c. any carrier affiliate under common control with the respondent carrier and whose express purpose and operations are supportive to the transportation operations of the respondent carrier.

Not to be included in the report are non-trucking related affiliates such as banks, insurance companies, etc., or affiliated motor carriers, which are subject to regulatory control in another country.

**Revenue Commodity Group** — Identify the type of operation by the category, which comprises the majority of company revenues. Select one of the following three categories:

1. General Freight — Miscellaneous commodities generally not requiring special handling or revenue equipment.
2. Household Goods
3. Specialty Freight — freight requiring special handling and/or revenue equipment.

**NOTE:** If the General Freight carrier group is selected, then choose one of the four given categories (Less Truckload, Truckload, Parcel or Container). If Specialty Freight carrier group is chosen, choose up to "3" sub-categories that define the majority of your operation.

### GENERAL INSTRUCTIONS FOR COMPLETING FORM M

Use Generally Accepted Accounting Principles (GAAP). Report dollar values in whole dollars. Totals for amounts reported in supporting schedules must be in agreement with related primary accounts. Respond to each line. Use "0" or "none" or "not applicable" as appropriate. Explain, with footnotes, any unusual line, such as large differences between figures reported in the current report and those for the preceding report. Indicate negative numbers using parentheses.

#### Schedule 100: BALANCE SHEET

State balances at close (column a) and beginning (column b) of reporting year. Total Assets should be equal to Total Liabilities and Equity

**Current Assets (Subject to settlement within 1 year or upon demand)**

**Line 101: Cash and equivalents** — Available on demand by company (cash and working funds, special deposits, temporary cash investments, etc.)



**Accidents While Being Passed**

**Preventable if** Driver failed to stay in his own lane and hold speed or reduce it to permit safe passing.

**Accidents While Entering Traffic Stream**

**Preventable if** Driver failed to signal when pulling out from curb  
Driver failed to check traffic before pulling out from curb  
Driver failed to look back to check traffic if he/she was in position where mirrors did not show traffic conditions  
Driver attempted to pull out in a manner that forced other vehicle(s) to change speed or direction  
Driver failed to make full stop before entering from side street, alley, or driveway  
Driver failed to make full stop before crossing sidewalk  
Driver failed to yield right of way to approaching traffic.

**Pedestrian Accidents**

**Preventable if**

- Driver did not reduce speed in area of heavy pedestrian traffic
- Driver was not prepared to stop
- Driver failed to yield right of way to pedestrian.

**Mechanical Defects Accidents**

**Preventable if** Defect was of a type that driver should have detected in making pre-trip or enroute inspection of vehicle  
Defect was of a type that driver should have detected during the normal operation of the vehicle  
Defect was caused by driver's abusive handling of the vehicle  
Defect was known to driver, but ignored  
Driver was instructed to operate with known defect.

**All Types of Accidents**

**Preventable if** Driver was not operating at a speed suitable for the existing conditions of road, weather, and traffic  
Driver failed to control speed so that he/she could stop within assured clear distance  
Driver misjudged available clearance  
Driver failed to yield right-of-way to avoid accident  
Driver failed to accurately observe existing conditions  
Driver was in violation of company operating rules or special instructions, the regulations of any Federal or State regulatory agency, or any applicable traffic laws or ordinances.

## Accident Countermeasures: Success Stories

References in parentheses are to cases in the **Commercial Vehicle Preventable Accident Manual (Countermeasures Manual)**.

### CASE # 1.

An Oregon-based carrier transporting wood chips from the coast to the Eugene area began to have an unusual number of accidents. An analysis by the Safety Specialist revealed that the majority of the accidents occurred on a three-mile stretch of the route being used. This two-lane road was narrow, winding, and frequented by tourists in summer; and plagued with fog, ice, and snow in winter. Further investigation revealed that for the past eight months construction had been underway along the three-mile stretch - about the same time the accidents had been happening. The highway department indicated that construction would continue for another six months.

### COUNTERMEASURE:

The Safety Specialist discussed the findings with management and recommended the carrier's vehicles be rerouted until the construction was complete.

(Countermeasures Manual Case No. *A11-Planning Schedules, Loads and Routes*)

The carrier realized that it could not continue with the increased level of accidents for another six months and agreed with the recommendation. Although the new route was approximately 30 miles more each way, the benefit of reducing accidents outweighed this.

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### CASE # 2.

An Illinois-based produce hauler was experiencing a high number of driver injuries resulting in a large number of workman compensation claims. A Safety Specialist's review of the accidents revealed that drivers were wrenching their necks inside their cabovers (vs. conventional cabs) when passing over bumps in the road. The drivers were being thrown unexpectedly out of their seats and into the windshield or ceiling of their tractors. The cabovers were identified as being the primary source of these incidents - the driver's seat is located directly over the front wheels and provides little resistance or cushion to reduce the impact of bumps in the road to the driver.

### COUNTERMEASURE:

The Safety Specialist recommended that the carrier insert language into their employee manual requiring drivers to wear their seat belts.

(Countermeasures Manual Case No. *A8-Company Driver Manuals*)

The carrier agreed to the recommendation and, in addition, instructed guards at each terminal gate to check drivers before leaving to ensure they were complying with the company's policy. This simple solution, which had been overlooked by everyone, turned out to be the key in reducing this type of injury to zero.

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### CASE # 3.

An Indiana-based school bus contractor was experiencing a high number of accidents caused by driver inattention. After examining all of the carrier's accidents, the Safety Specialist determined that they all were occurring during the month of June. The Safety Specialist also came to the conclusion that no specific driver or vehicle was responsible for the accidents. It seemed that the drivers, in general, were becoming inattentive because summer was near and they were anticipating the end of the school year. Further analysis revealed that the Safety Director held two safety meetings a year with the drivers, one in September and another in February.

### COUNTERMEASURE:

The Safety Specialist recommended to the carrier that it should begin holding safety meetings sometime in April and provide each driver with a one-page handout in the period prior to the start of these meetings to keep them alert.

(Countermeasures Manual Case No. *A7-Fleet Safety Program and Supervision*)

This simple solution turned out to be the key in reducing these accidents to zero. When the Safety Director was asked why he had never noticed this problem, he replied "This was right there in front of me, but I just never had the time to sit down and look at it in this manner!"

**CASE # 4.**

A Utah-based carrier, which conducts the majority of its business west of the Mississippi River, was experiencing a high number of accidents.

After discussion with some drivers and management officials, an analysis by the Safety Specialist revealed that a high number of accidents occurred during the same time of day on a three-to-five mile section of a certain interstate, heading west. Apparently, drivers were being blinded as they came over the crest of a very large hill at sunset.

**COUNTERMEASURE:**

The Safety Specialist discussed the situation with management and recommended that the carrier change the time its drivers were being dispatched. The carrier agreed with the recommendation and immediately began to dispatch drivers an hour earlier or an hour later in order to avoid driving over the hill at sunset. This change eliminated the accidents.

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**CASE # 5.**

During a review of a large Indiana-based household goods carrier that operates over 5,000 tractor-trailers, a Safety Specialist discovered that the carrier was experiencing a high number of rear-end collisions. Some of these accidents caused damage to the extent that they were reportable to the DOT. Most, however, were of a lesser amount but still added to the carrier's cost of operation.

**COUNTERMEASURE:**

The Safety Specialist recommended the installation of brake and turn signal lights at the top of the carrier's trailers.

(Countermeasures Manual Case No. B6-*Turning Left and Right*)

(Countermeasures Manual Case No. C10-*Vehicle Lighting and Conspicuity*)

This reduced accidents almost immediately.

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**CASE # 6.**

During a review of a Washington-based grocery company, operating over 100 tractor trailers primarily in urban areas, the Safety Specialist discovered an accident pattern - an inordinate number of right turn accidents. Some of the accidents caused damage to the extent that they were reportable to DOT. Most, however, caused damages in a lesser amount but still added to the carrier's cost of operation.

**COUNTERMEASURE:**

The Safety Specialist discussed the findings with the carrier and recommended the installation of turn signals at a higher level on trailers.

(Countermeasures Manual Case No. B6-*Turning Left and Right*)

(Countermeasures Manual Case No. C10-*Vehicle Lighting and Conspicuity*)

The carrier agreed and also applied signs to the back of each trailer, on the right side, warning of wide turns. Accidents dropped dramatically over a very short period of time.

**CASE # 7.**

During a recent review, a Washington-based carrier that operates over 2,400 tractor trailers west of the Mississippi River was found to have a high number of loss-of-control accidents during adverse driving conditions.

**COUNTERMEASURE:**

The Safety Specialist recommended the carrier require drivers to attend a safety meeting.

(Countermeasures Manual Case No. *A7-Fleet Safety Program and Supervision*)

(Countermeasures Manual Case No. *A9-Driver Training Aids*)

To promote attendance, the carrier scheduled ten Saturday meetings in various locations and required all drivers to attend one. Drivers were paid to attend the meetings and coffee and doughnuts were provided. The safety meeting consisted of approximately four hours of training on the Federal Motor Carrier Safety Regulations, driving in adverse conditions, and other general safety information. Within a short period of time, the company records indicated a 60 percent reduction in accidents.

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**CASE # 8.**

An Oregon-based produce hauler, generally running from Portland to Los Angeles was having a very high number of backing accidents. Considering the areas in which they were required to load and unload, the carrier had not found the number of accidents unusual. An analysis by the Safety Specialist revealed that the carrier was using qualified but relatively inexperienced drivers in sleeper teams. They were paid for load/unload time whether they actually had to do the work or not. Although most of the backing accidents involved damage costing less than \$1,000, one dock worker had been crushed between a trailer and the dock, which emphasized the danger inherent in backing accidents.

**COUNTERMEASURE:**

The Safety Specialist recommended that each driver attend a safety meeting, and that a safety notice be distributed to all drivers requiring them to assist each other during backing maneuvers.

(Countermeasures Manual Case No. *A7-Fleet Safety Program and Supervision*)

(Countermeasures Manual Case No. *A9-Driving Training Aid*)

(Countermeasures Manual Case No. *B3-Start-Up/Back-Up*)

The carrier agreed with the suggestion and required every driver to attend a safety meeting (meetings were held on several Saturdays to allow attendance by all). Drivers were paid overtime and coffee and donuts were furnished. The meeting contained about four hours of training on proper procedures for backing. In addition, a safety notice was distributed in driver's paychecks instructing them to assist each other during backing maneuvers. Backing accidents dropped quickly, and because of increased driver awareness, there was a reduction in other types of accidents as well.

**CASE # 9.**

A Missouri-based farm commodity and hazardous material transporter was experiencing a high number of accidents. Examination of all its accidents revealed that they occurred during bad weather and that the majority of them were caused by drivers who were not paying attention to the road conditions, (that is, they were driving too fast for the weather).

**COUNTERMEASURE:**

The Safety Specialist recommended that the carrier implement a safe driver recognition/incentive program and a driver training program geared to avoiding accident situations and to driving in adverse weather conditions.

(Countermeasures Manual Case No. A3-*Safe Driving Recognition*)

(Countermeasures Manual Case No. A4-*Driver Safety Infractions*)

(Countermeasures Manual Case No. A7-*Fleet Safety Program and Supervision*)

(Countermeasures Manual Case No. B11-*Driving in Adverse Conditions*)

The carrier agreed with the recommendations, and now holds quarterly safety meetings with 95 percent driver participation. Any driver who attended the previous meeting and was accident free during the quarter receives a \$150 U.S. Savings Bond. The carrier also, implemented a driver training program and classroom instruction on accident situations and driving in adverse weather conditions. After the carrier took this proactive stance, its accident rate improved from 0.88 to 0.37 over 12 months.

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**CASE # 10.**

A city-based carrier that operates over 30 delivery trucks was experiencing a high number of accidents.

An analysis by the Safety Specialist revealed that a majority of accidents occurred within a two to three block area downtown every Thursday between nine and ten in the morning. The analysis also revealed that drivers were paid every Thursday morning, and that a number of banks are located within the problem area. Apparently, after they were paid in the morning, drivers would stop at the banks while on-duty to cash their paychecks.

Driving in this highly congested area during rush hour placed both the driver and vehicle in extremely unfavorable conditions. Cashing the checks during the morning rush hour traffic was placing both the driver and vehicle in the worst possible place at the busiest time of the day and led to the high number of accidents.

**COUNTERMEASURE:**

After further discussion with management officials, the Safety Specialist recommended that the carrier change the time the drivers were being paid. The carrier agreed with the recommendation and began paying the drivers at the end of the day. The change forced drivers to cash their paychecks after work while off-duty, and eliminated the accidents.

#### CASE # 11.

An Illinois-based carrier that operates over 200 tractor trailers was experiencing a high number of accidents. An analysis by the carrier's Safety Director revealed that the majority of these accidents fell into three main categories. The carrier was experiencing:

- too many right turn accidents
- too many backing accidents
- too many right lane change accidents.

#### COUNTERMEASURE:

After further discussion among management officials, the carrier developed a program that was based on the three accident types that were occurring most frequently. Each accident type was assigned a different color dot sticker: red, blue, and yellow. The number one accident situation (right turns) was assigned a red dot sticker. The number two accident situation (backing) was assigned a blue dot sticker. The number three accident (right lane change) was assigned a yellow dot sticker. The dots were placed on the right side mirror of the motor carrier's vehicle as a safety reminder to drivers who had accidents.

The carrier also placed a large red sticker halfway back on the side of trailers to aid drivers when making right turns. If a driver could not see the colored sticker in the right side mirror, then he/she had not pulled far enough out to execute the turn.

After implementing the program, the carrier began to see accident numbers starting to decrease considerably.

After a few months, however, the carrier became lax in seeing that the dots remained affixed. Accident rates started to rise again. The Safety Director states that the carrier now makes sure that when a unit comes through the shop, the safety dots are checked and replaced if needed. Other carriers could easily copy this program to meet their own company's most frequent accident situations.

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#### CASE # 12.

Motor carriers in California and Tennessee have recently experienced accidents involving the driver's inability to see other vehicles because of poor visibility (specifically, in fog or dust storms).

#### COUNTERMEASURE:

According to researchers here and in Europe, use of front and rear running lights during daylight hours would save lives and prevent injuries, since many crashes are caused by poor visibility. These running lights can be:

- special additional lights
- reduced-intensity headlights for daytime use, or
- high-intensity parking lights.

In Finland, researchers found that, during a six-year period, the use of daytime running lights in winter reduced daytime crashes by 21 percent. In Sweden, results were similar: crashes decreased by 11 percent. Finland, Sweden, and Denmark now require all drivers to use daytime running lights. In 1989, Canada passed legislation requiring that all new cars, trucks, vans, and buses be equipped with front lights that turn on whenever the engine is running. According to James White of Transport Canada, about 20 percent of all

drivers voluntarily use running lights in the daytime. By 1994, he said, enough new vehicles will be on the road to bring the total to two in five vehicles with lights on in the daytime.

Of course, all of these countries are in the north where it can be relatively dark much of the day in the winter. What about here in the United States? Some States already require the use of headlights just after sunrise, before sunset, or whenever visibility is poor. New York recently passed a law requiring the use of low-beam headlights whenever it rains, snows, sleet, or hails. Any time one has windshield wipers on in New York, headlights must be switched on or the driver risks being ticketed for an equipment violation (a \$100 fine).

In one study, the Insurance Institute of Highway Safety (a research organization supported in part by the insurance industry) equipped 2,000 trucks and vans with automatic daytime running lights for a year. Crashes decreased by 13 percent in bad weather and 7 percent at other times - less than the reduction shown in several European studies but enough to lend support to the use of daytime running lights.

A government study completed in April 1990 showed that, in light levels equivalent to early morning or twilight, drivers were able to see vehicles with running lights sooner than those with no lights. The lights improved visibility and provided drivers going 55 miles per hour with about three extra seconds to brake or take other action to prevent a crash. Several car makers, including General Motors, Chrysler, Ford, and Volvo, voiced support for daytime running lights as a way to decrease highway deaths and injuries. General Motors has filed a petition with the National Highway Traffic Safety Administration for clearance to install daytime running lights.

Daytime running lights won't affect gas mileage by much: for every \$10 spent on gas, they would cost an extra nickel (0.5 percent, according to a study by the Canadian government). Some people may object that these daytime lights can be blinding for other drivers, especially when reflected in rearview mirrors and for older drivers. One government study indicated that glare in the rearview mirror during daytime could be a problem, though the age of the driver was not a significant factor. The right intensity for running lights under different conditions "should be considered" in recommending lamp design, the study concluded.

Meanwhile, it makes good safety sense to switch on low-beam headlights in adverse weather conditions, at daybreak, dusk, and on dark and overcast winter afternoons.

## REVENUE NECESSARY TO PAY FOR ACCIDENT LOSSES

This table shows the dollars of revenue required to pay for different amounts of costs for accidents.

It is necessary for a motor carrier to generate an additional \$1,250,000 of revenue to pay the cost of a \$25,000 accident, assuming an average profit of 2%. The amount of revenue required to pay for losses will vary with the profit margin (as shown in chart below).

### REVENUE REQUIRED TO COVER LOSSES

YEARLY ACCIDENT COSTS	VS. PROFIT MARGIN				
	1%	2%	3%	4%	5%
\$1,000	\$100,000	\$50,000	\$33,000	\$25,000	\$20,000
5,000	500,000	250,000	167,000	125,000	100,000
10,000	1,000,000	500,000	333,000	250,000	200,000
25,000	2,500,000	1,250,000	833,000	625,000	500,000
50,000	5,000,000	2,500,000	1,667,000	1,250,000	1,000,000
100,000	10,000,000	5,000,000	3,333,000	2,500,000	2,000,000
150,000	15,000,000	7,500,000	5,000,000	3,750,000	3,000,000
200,000	20,000,000	10,000,000	6,666,000	5,000,000	4,000,000

Accident costs consist of any /or all of the following:

- Vehicle Damage
- Loss of Revenue
- Administrative Costs
- Police Reports
- Cargo Damage
- Possible Effects on Cost of Insurance
- Possible Effect on Cost of Workmen's Compensation Insurance
- Towing
- Storage of Damaged Vehicle
- Damage to Customer Relationships
- Legal Fees
- Customer's Loss of Revenue Directly Attributable to Accident



### ACCIDENT REGISTER

FROM \_\_\_\_\_, 20\_\_ TO \_\_\_\_\_, 20\_\_

Date & Hour of Accident		Location of Accident			No. of Deaths	No. of Non-Fatal Injuries	H/M	Driver s Name	Copy of State or Insurance Report
Date	Hour	Street Address	City	State					

**Line 102: Accounts receivable** — Accounts owed to the business by customers or affiliated companies who have bought "on credit." Include all accounts receivable regardless of source. Exclude long-term accounts receivable of one year or more.

**Line 103: Notes receivable** — Money owed by customers or affiliated companies who have signed a written promise to pay within one year. Include all notes receivable regardless of source.

**Line 104: Other current assets** — Include all assets not considered long-term which were not included in lines 101–103 (materials and supplies, prepayments, deferred charges, etc.).

**Line 105: Total current assets** — The sum of Lines 101 through 104.

**Long-term Assets (Assets not readily convertible to cash within one year)**

**Line 106: Net carrier operating property** — Depreciated book value of all tangible operating property (revenue and other operating equipment, land, buildings, garage, furniture and office equipment, and other carrier-owned operating property used by others in motor carrier operations).

**Line 107: Other long-term assets** — Depreciated book value of all non-operating property, long-term notes and accounts receivables, receivables from affiliates, deferred income tax debits, and other deferred debits. Include intangible assets.

**Line 108: Total long-term assets** — The sum of lines 106 and 107.

**Line 109: TOTAL ASSETS** — The sum of lines 105 and 108.

**Current Liabilities (Payables, accrued interest, accrued taxes, due within one year)**

**Line 110: Accounts payable** — Accounts payable within one year. Accounts owed to others for goods and services bought on credit. Include interline payables, employee withholding, COD's & other.

**Line 111: Notes payable** — Promissory notes payable within one year. Include payables to affiliated companies and matured obligations.

**Line 112: Taxes payable** — Taxes payable within one year (accrued taxes, deferred income tax credits).

**Line 113: Current portion of long-term debt** — Long-term debt that is due within one year (bonds, equipment obligations, lease obligations, etc.).

**Line 114: Other current liabilities** — All other liabilities due within one year that are not included in lines 110 through 113. Include salaries and wages payable, accrued bonuses, vacation pay, etc.

**Line 115: Total current liabilities** — The sum of lines 110 through 114.

**Long-term Liabilities (Debts and payables due in more than one year)**

**Line 116: Long-term debt** — All debt and advances payable due after one year. All types of bonds, mortgages, notes, advances, etc. outstanding with more than one year of payments remaining.

**Line 117: Other long-term liabilities** — Deferred tax credits and any other deferred credits or liabilities of more than one year in duration.

**Line 118: Total long-term liabilities** — Sum of lines 116 and 117.

**Line 119: TOTAL LIABILITIES** — Sum of lines 115 and 118.

**Owners' Equity or Capital — Owner's share of a firm's assets; amount remaining when liabilities are subtracted from assets**

**Line 120: Retained earnings (if corporation)** — That part of net profit that is kept for use in the business instead of distributed to the owners.

**Line 121: Equity and other capital (if corporation)** — Include common and preferred capital stock plus additional paid-in capital. Subtract Treasury stock.

**Line 122: Proprietary or partnership capital (if not a corporation)** — Investments of a sole proprietor or partners in an unincorporated entity.

**Line 123: Total owners' equity or capital** — Sum of lines 120 through 122.

**Line 124: TOTAL LIABILITIES AND EQUITY** — Sum of lines 119 and 123.

**Schedule 200: INCOME STATEMENT**

**Operating Revenues — include all revenues from carrier's operations**

**Line 201: Freight operating revenue (intercity) —** Revenue from the transportation of property by motor vehicles. Include revenue from common and contract carriage, and revenue from your portion of interline shipments. Exclude revenue from household goods, compensated inter-corporate hauling, and private carriage.

**Line 202: Freight operating revenue (local) —** Revenue from local freight carriage. Exclude revenue from household goods operations.

**Line 203: Household goods carrier operating revenue —** Revenue from intercity and local common and contract carriage of household goods. Exclude revenue from non-carrier activities such as packing and warehousing.

**Line 204: Other operating revenue —** Operating revenue not included in lines 201 through 203. Include revenue from furnishing vehicles with drivers to other common or contract carriers under lease or similar arrangement. Include revenue received from the lease of operating rights. Include compensated inter-corporate hauling and private carriage. Include commissions for brokerage services, commissions for making payroll deductions, operations of lunchrooms, restaurants, etc.

**Line 205: Total operating revenue —** Sum of lines 201 through 204.

**Wages and Salaries —** Include gross earnings paid to employees prior to such deductions as employee Social Security contributions, withholding taxes, group insurance premiums, union dues, savings bonds, etc. Include all miscellaneous paid time off.

**Line 206: Driver and helper wages (W-2 employees) —** Exclude 1099 owner-operator driver compensation, which are included in equipment rentals with drivers on line 226.

**Line 207: Cargo handler wages**

**Line 208: Officer, supervisor, administrative, and clerical wages and salaries.**

**Line 209: Other wages and salaries —** Include vehicle repair and service wages.

**Line 210: Fringe benefits —** Include all fringe benefits, whether required by law or not. Include payroll taxes, workman's compensation, group insurance, pension & retirement plans, health, welfare and pension, and other fringes.

**Line 211: Commission agent fees (HHG only) —** Booking commissions paid to agents.

**Line 212: Total wages, salaries, and fringe benefits —** Sum of lines 206 through 211.

**Operating Supplies**

**Line 213: Fuel, oil and lubricants —** Include cost of gas, propane, diesel, motor oil, grease, lubricants and coolants used by revenue vehicles, terminal vehicles, and maintenance vehicles. Exclude taxes for fuel, which are included in fuel taxes on line 223.

**Line 214: Outside maintenance —** Maintenance performed by outside vendors. Include total amount paid on invoice—with taxes.

**Line 215: Vehicle parts —** Cost of supplies and parts used to repair vehicles. Exclude tires and tubes, which are included in line 216.

**Line 216: Tires and tubes —** Cost of tires and tubes, retread charges and taxes.

**Line 217: Other operating supplies —** Other operating supplies and expenses used in the operations of vehicles, terminals, and shops.

**Line 218: Total operating supplies —** Sum of lines 213 through 217.

**Insurance Expenses**

**Line 219: Cargo loss and damage premiums and claims paid —** Net cost of commercial insurance to protect the carrier against liability for claims resulting from loss or damage to or delay of property being moved or stored by carrier. Include claims paid.

**Line 220: Liability and property damage premiums and claims paid —** Cost of commercial insurance to protect carrier from liability due to deaths or injuries to non-employees and damage to other property caused by carrier's equipment. Include claims paid.

**Line 221: Other insurance expenses —** Commercial insurance for fire, theft, floods, etc. Include insurance for buildings, offices, structures, machinery, etc. Exclude any insurance cost included in fringe benefits (line 210), such as worker's compensation.

**Line 222: Total insurance expenses —** Sum of lines 219 through 221.

## Miscellaneous Expenses

**Line 223: Fuel taxes** — Federal and state taxes on gas, diesel, and oil consumed by revenue vehicles and terminal and maintenance activities.

**Line 224: Operating taxes and licenses (except fuel taxes)** — Include Federal, state, and local operating taxes, license and registration fees, tolls, other vehicle use taxes, and real estate and personal property taxes. Exclude income, payroll, sales, and other taxes collected from customers.

**Line 225: Depreciation and amortization charges** — Depreciation and amortization expenses of revenue equipment, building and improvements, and all other property. Include depreciation on assets rented or leased to others by you under an operating lease agreement. Include depreciation on assets owned and used by your firm within leaseholds, and assets obtained through capital lease agreements. Exclude depreciation on intangible assets, and assets leased to others by you under a capital lease agreement.

**Line 226: Equipment rentals (with drivers)** — Amounts payable to others for the use of revenue vehicles where vehicle and driver are under control of carrier. Include monies paid to 1099 independent contractors. Exclude wages paid to W-2 drivers reported on line 206.

**Line 227: Equipment rentals (without drivers)** — Amounts payable to others for the use of revenue vehicles where vehicle is under control of carrier. Include compensation for use of owner operator vehicles when driver services are paid separately.

**Line 228: Equipment rentals (agents – HHG Only)** — Amounts payable to agents for moving and transportation costs related to household goods operations. Exclude commission agent fees, which are reported separately in line 211.

**Line 229: Purchased transportation** — Cost of purchased transportation when the hauling carrier retains control of the vehicle and driver. Include payments for the transportation of individual shipments and partial loads in the vehicles of another carrier (interlining), and payments to railroads, water carriers, airlines, and others for the transportation of your company's loaded or empty motor vehicles and containers. Include payments for the delivery of small shipments by parcel, courier, or expedited services. Exclude 1099 independent contractor compensation, which is reported separately.

**Line 230: Communications and utilities** — Cost of communications services, plus taxes (long distance communications, fax services, telephone equipment, etc.).

**Line 231: Other operating expenses** — Include building rents and office equipment rents, gain (loss) on disposal of operating assets, etc. Exclude interest on loans, sales taxes, and other taxes collected directly from customers and paid directly to a taxing authority.

**Line 232: Total miscellaneous expenses** — Sum of lines 223 through 231.

**Line 233: TOTAL OPERATING EXPENSES** — Sum of lines 212, 218, 222, and 232.

## Net Income (Loss) Calculation

**NOTE:** A frequent source of error in the preparation of the Annual Report involves the Net Income or Loss calculations in lines 234 through 242. Ordinary Income or Loss before taxes (line 238), Ordinary Income or Loss after taxes (line 240), and Net Income or Loss (line 242) are calculated by the addition of line 235, and the subtraction of lines 236, 237, 239 and 241. The values entered in lines 236, 237, 239 and 241 should be stated on the form as positive numbers, unless the effect of these accounts is to increase net income (or reduce net loss), in which case they should be stated as negative (or bracketed) numbers.

**Line 234: Net operating income (loss)** — line 205 minus line 233.

**Line 235: Non-operating revenue** — Revenue from non-carrier operations. Include revenue from the lease of a distinct operating unit and household goods packing and warehousing revenue. Include gains on sale, trade in, and/or retiring of equipment. Include interest and dividend income.

**Line 236: Non-operating expenses** — Expenses from non-carrier operations. Include household goods packing and warehousing expenses. Include losses on sale, trade in and/or retiring of equipment.

**Line 237: Interest expenses** — Interest and amortization of debt discount expense and premium.

**Line 238: Ordinary income (loss) before taxes** — Line 234 (plus line 235 minus line 236 minus line 237).

**Line 239: Total provision for income taxes** — Accruals for Federal, state or other income taxes applicable to ordinary income.

**Line 240: Ordinary income (loss) after taxes** — Line 238 minus line 239.

**Line 241: Extraordinary items, effect of accounting changes, and other items** — Include items that are unusual in nature and infrequent in occurrence.

**Line 242: NET INCOME (LOSS)** — Line 240 minus line 241.

### Schedule 300: OPERATING STATISTICS

Report statistics for carrier's owned and leased power units, equipment rentals with and without drivers, equipment rentals—agents, and purchased transportation (owner-operators). Include statistics from common and contract carriage and your portion of interline shipments. Exclude statistics from local, compensated intercorporate, and private carriage. Additional revenue, weight, and shipment data, for household goods carriers only, are to be reported in lines 308 through 311.

**NOTE: General Freight carriers are required to provide LTL and TL breakdowns in columns A and B. All carriers are required to provide operating statistics in column C for lines 301 through 307.**

**Line 301: Miles (intercity)** — Report total miles operated, both loaded and empty, in intercity service. Line 301 should equal the sum of lines 302 and 303.

**Line 302: Miles (highway)** — Report total miles operated in highway service.

**Line 303: Miles (rail, water, and air)** — Report total miles operated in intermodal service (via rail, water, air, and other).

**Line 304: Tons (intercity)** — Total revenue tons carried in intercity service. Include all tons which generated revenue included in "operating revenue – intercity." Include tons carried by carrier's owned and leased power units, equipment rentals with or without drivers, equipment rentals—agents, and purchased transportation (other motor carriers, rail, water, air). Use estimates if necessary.

**Line 305: Total freight bills (shipments and/or loads) (intercity)** — The actual number of freight bills or bills of lading carried in intercity service. Include all shipments which generated revenue included in "operating revenue – intercity." Include shipments carried by carrier's owned and leased power units, equipment rentals with or without drivers, equipment rentals—agents, and purchased transportation (other motor carriers, rail, water, air). Use estimates if necessary.

**Line 306: Revenue (intercity including HHG)** — Revenue from the transportation of property from common and contract carriage. Include revenue from your portion of interline shipments. Line 306 will equal line 201, plus the intercity portion of line 203.

**Line 307: Ton-miles (intercity)** — Total ton-miles of intercity revenue freight carried by owned and leased vehicles, other motor carrier service, rail, water, air, and other methods. Ton-miles can be calculated by multiplying the distance of each movement by the weight in tons to get ton-miles for individual shipments. Add all ton-miles for individual shipments to get total ton-miles. If actual individual shipment data is not available, then ton-miles can be calculated by computing the average length of haul (total miles/total shipments) and then multiplying the average haul by the total number of actual tons transported in intercity service. Do not multiply the total tons of all movements by the total miles of all movements.

**Line 308: Personal effects and property used or to be used in a dwelling.**

**Line 309: Furniture, fixtures, equipment, and the property of stores, offices, etc.**

**Line 310: Articles of an unusual nature or value (such as objects of art).**

**Line 311: TOTAL** — Sum of lines 308a–310(a); 308(b)–310(b); and 308(c)–310(c)

### Schedule 400: REVENUE EQUIPMENT

Include data for all operating equipment owned or leased under a capital lease. Exclude rented vehicles. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. For all categories provide the numbers of units at start of year, acquired during the year (including cost), retired or disposed during the year, and on-hand at the end of year.

**NOTE: Column E (number of units at end of year) should always equal the sum of columns A plus B, minus column D.**

**Line 401: Straight trucks (owned)** — Total number of straight trucks owned by carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude leased or rented vehicles.

**Line 402: Straight trucks (leased)** — Total number of straight trucks leased with or without drivers. Include vehicles that remain under control of carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude rented vehicles.

**Line 403: Truck-tractors (owned)** — Total number of truck-tractors owned by carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude leased or rented vehicles.

**Line 404: Truck-tractors (leased)** — Total number of truck-tractors leased with or without drivers. Include vehicles that remain under control of carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude rented vehicles.

**Line 405: Trailers and semi-trailers (owned)** — Total number of trailers owned by carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude leased or rented vehicles

**Line 406: Trailers and semi-trailers (leased)** — Total number of trailers leased by carrier. Include vehicles that remain under control of carrier. Include vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude rented vehicles.

**Line 407: Other revenue equipment** — Other equipment used to generate revenue for carrier operations. Include owned or leased vehicles used in terminals, maintenance facilities, intercity highway, and storage. Exclude rented vehicles.

**Line 408: TOTAL REVENUE EQUIPMENT** — Sum of lines 401 (a) thru 407 (a); 401 (b) thru 407 (b); 401 (c) thru 407 (c), 401 (d) thru 407 (d), and 401 (e) thru 407 (e).

#### Schedule 500: EMPLOYMENT INFORMATION

Include W-2 employees. Exclude 1099 independent contractors. Lines 501 through 507 - report the average number of employees, and the total compensation amount, including wages, salaries, and miscellaneous paid time off. Exclude fringe benefits.

**NOTE: Total compensation (column B) should always equal lines 206 through 209.**

**Line 501: Drivers and Helpers** — hourly basis

**Line 502: Drivers and Helpers** — mileage basis

**Line 503: Drivers and Helpers** — Other basis not included in line 501 or 502

**Line 504: Cargo handlers**

**Line 505: Officers, supervisors, administrative and clerical**

**Line 506: Other labor** — Include vehicle repair & service employees

**Line 507: TOTAL EMPLOYMENT** — Sum of lines 501 through 506

**Drivers:**

**Line 508: CDL drivers** — Total drivers that held a valid CDL license at close of year

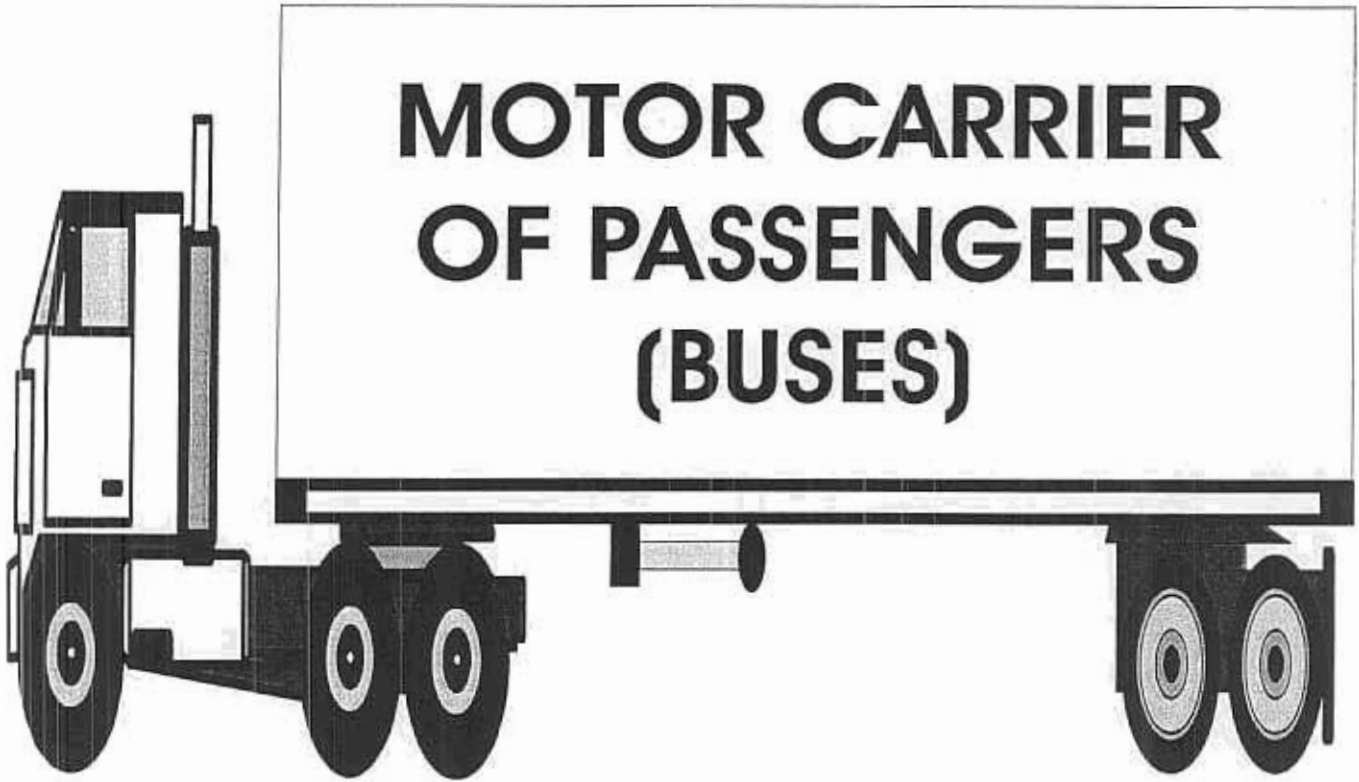
**Line 509: Non-CDL drivers** — Total drivers that did not hold a valid CDL license at close of year

**Line 510: TOTAL DRIVERS** — Sum of lines 508 and 509.

**Certification** — Should contain the name, signature, and title of person responsible for the completion of the form, and date. Retain a copy for your records, and return the original certified Form M to:

U.S. Department of Transportation  
Bureau of Transportation Statistics  
Office of Motor Carrier Information  
c/o Vistrionix, Inc.  
1970 Chain Bridge Road, Suite 1200  
McLean, VA 22102

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



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Safety Administration



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## Motor Carriers of Passengers

Historically, the predecessor agencies of the FMCSA only regulated “for-hire” transportation of passengers with a vehicle designed to transport more than 15 passengers, including the driver.

Private motor carriers of passengers (PMCPs) became subject to the FMCSRs on January 1, 1995. They are separated into two groups (business or nonbusiness) and are exempt from certain requirements of the FMCSRs.

Motor carriers operating vehicles designed or used to transport 9 to 15 passengers (including the driver) for compensation became subject to three regulatory standards on February 12, 2001.

### For Hire Carriers

Three factors must be present before a motor carrier of passengers is classified as a “for-hire” carrier:

1. The motor carrier provides interstate transportation of passengers for a commercial purpose;
2. The motor carrier is compensated, either directly or indirectly, for the transportation service provided; and
3. The transportation service is generally available to the public at large.

Examples of for-hire transportation of passengers include, intercity bus service, charter bus service, canoe rental company bus service, and hotel bus service.

### Business PMCPs

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose.

Examples of business PMCPs include companies that use buses to transport their own employees and professional musicians who use buses for concert tours.

### Non-business PMCPs

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose.

Examples of non-business PMCPs include churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.

### Private Motor Carriers of Passengers (PMCP): Business

#### What is a Business PMCP?

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose. Examples include companies that use buses to transport their own employees and professional musicians who use buses for concert tours. Commercial businesses that provide passenger transportation to the general public are not business PMCPs.



**Applicability of FMCSRs**

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Business Private Motor Carriers of Passengers (PMCPs).

<b>PART</b>	<b>REGULATORY TOPIC</b>	<b>APPLICABLE</b>
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Yes
396	Inspection, Repair, and Maintenance	Yes

**Exemptions**

Business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Road test requirements of Part 391

**Private Motor Carriers of Passengers (PMCP): Non-business**

**What is a Non-business PMCP?**

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose. Examples of non-business PMCPs include churches, private schools, civic organizations, scout groups, and other charitable organizations that may purchase or lease buses for the transportation of their respective groups.

**Applicability of FMCSRs**

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Non-business Private Motor Carriers of Passengers (PMCPs).

<b>PART</b>	<b>REGULATORY TOPIC</b>	<b>APPLICABLE</b>
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Partial
396	Inspection, Repair, and Maintenance	Partial

**Exemptions**

Non-business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Subpart C of Part 391
- Subpart D of Part 391
- Subpart F of Part 391
- Most paperwork and recordkeeping requirements of Parts 390, 391, 395, and 396.

**Applicability of the Minimum Financial Responsibility Regulations to Motor Carriers of Passengers**

**Applicability**

Regulations covering minimum levels of financial responsibility (insurance) are found in 49 CFR Part 387, Subpart B. These regulations are only applicable to “for-hire” carriers transporting passengers in interstate commerce.

The chart below summarizes the applicability of the minimum levels of financial responsibility regulations to passenger carriers.

	<b>“For Hire” Passenger Carrier</b>	<b>Business PMCPs</b>	<b>Non-business PMCPs</b>
<b>Vehicle with a seating capacity of 16 or more</b>	\$5,000,000 insurance coverage required	Not Subject	Not Subject
<b>Vehicle with a seating capacity of 15 or less</b>	\$1,500,000 insurance coverage required	Not Subject	Not Subject

**Exemptions**

Minimum Financial Responsibility Regulations do not apply to:

- A motor vehicle transporting only school children and teachers to and from school
- A motor vehicle providing taxicab service, having a seating capacity of less than 7 passengers, and not operating on a regular route or between specified points
- A motor vehicle carrying less than 16 individuals in a single daily round trip to commute to and from work

**Common Questions About the Applicability of the FMCSRs to Private Motor Carriers of Passengers (PMCPs)**

**1. Are PMCPs required to mark their vehicles as required by 49 CFR Part 390.21?**

Yes. All PMCPs must register with the FHWA as required by 49 CFR 390.19, and mark their vehicle according to 390.21 with their name and U.S. DOT number.

**2. Are non-business PMCP drivers required to be medically examined?**

No. Section 391.68 (a)(4) specifically states that much of Sections 391.41 and 391.45, which require a driver to be medically examined and to have a medical examiner’s certificate on his/her person, do not apply to non-business PMCPs. However, non-business PMCP drivers are subject to the minimum physical qualification standards found in Section 391.41 (b) (1)-(13).

Non-business PMCPs should become familiar with the minimum physical qualification standards found in Section 391.41 and the driver waiver conditions of Section 391.49.

Non-business PMCP drivers may be placed out-of-service during terminal, en route, or destination inspections if they are required by Section 391.41 to have a waiver and do not possess one.

**3. Are non-business PMCP drivers subject to the driver's hours of service regulations?**

Yes. However, they are not required to prepare or maintain records of duty status. Non-business PMCP driver's hours of service will be evaluated by enforcement officers during terminal, en route, and destination inspections based on evidence available at the inspection location.

It is recognized that some individuals who volunteer to drive for non-business PMCPs may also drive for other motor carriers and in that capacity are required to maintain a record of duty status. All on-duty time performed for a non-business PMCP must be recorded on the records of duty-status submitted to that driver's regularly employing motor carrier.

**4. Are non-business PMCPs required to have their vehicles inspected?**

Yes. Section 396.17 requires that commercial motor vehicles be inspected at least once annually. The inspection must be completed by a qualified inspector and must include all components identified in Appendix G of the FMCSRs. Documentation of this inspection must be kept on the vehicle.

**Applicability of the Federal Motor Carrier Safety Regulations to School Bus Transportation**

**Applicability of FMCSRs (Parts 390-399) to School Bus Transportation**

	<b>School to Home or Home to School</b>	<b>Extracurricular School Activities</b>
<b>Public School Transporting Students</b>	Not Subject	Not Subject
<b>Private School Transporting Pre-primary, Primary, and Secondary Students</b>	Not Subject	Subject as Non-business PMCPs
<b>Private School Transporting Post-secondary Students</b>	Subject as Non-business PMCPs	Subject as Non-business PMCPs
<b>"For Hire" Contractors Transporting Pre-primary, Primary, and Secondary Students</b>	Not Subject	Subject as "For Hire" Carriers
<b>"For Hire" Contractors Transporting Post-secondary Students</b>	Subject as "For Hire" Carriers	Subject as "For Hire" Carriers

**Applicability of Minimum Financial Responsibility Regulations to School Bus Transportation**

	<b>Home to School or School to Home</b>	<b>Extracurricular School Trips Organized, Sponsored and Paid for by the School</b>	<b>Extracurricular School Trips Organized, and Paid for by an Independent Group (e.g., Athletic Boosters Club)</b>
<b>“For Hire” Contractors Transporting Pre-primary, Primary, and Secondary Students and Accompanying Teachers</b>	Not Subject	Not Subject	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required  Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required
<b>“For Hire” Contractors Transporting Post-secondary Students</b>	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required  Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required  Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required  Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required

**Applicability of the Federal Motor Carrier Safety Regulations to Commercial Operators of Small Passenger-Carrying Vehicles**

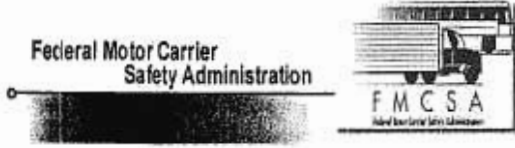
**What requirements are applicable to operators of small passenger-carrying commercial motor vehicles?**

Operators of vehicles designed or used to transport 9 to 15 passengers (including the driver) for compensation, are subject to the Motor Carrier Identification Report (Form MCS-150) filing requirements of Section 390.19, the commercial motor vehicle marking requirements of Section 390.21, and the accident register recordkeeping requirements of Section 390.15.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



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## Accident Countermeasures

The former requirement for reporting accidents to the Federal Motor Carrier Safety Administration (FMCSA) (accident notification under **49 CFR Part 394**) has been replaced with a new requirement for retaining and analyzing accident information.

### Background

As part of the ongoing FMCSA safety management effort to reduce the number of vehicle accidents on highways, assistance by safety specialists in accident analysis and countermeasures planning is now an integral part of compliance reviews conducted by the FMCSA. Accident countermeasures are examples of defensive strategies designed to reduce preventable accidents.

### Purpose

This folder is designed to provide motor carriers and drivers with an introduction to the concepts of preventability analysis and accident countermeasures. The material suggests practical measures that can be taken now to prevent accidents, though its main intent goes further. The core of the presentation is a series of case histories of successful countermeasures. These are true stories of industry successes in promoting highway safety. The case histories are presented, together with a guide called *Determining Preventability of Accidents*, to help readers analyze accidents and create strategies to keep similar accidents from happening in the future.

The FMCSA intends to stimulate thinking and discussion about accident preventability and prevention within the motor carrier industry. The preventability guide and the *Accident Countermeasures* cases are not rating sheets nor orders from above to be followed exactly. They are guidelines and discussion tools to help carriers and drivers look at their unique operations and practices with an eye to identifying opportunities to make safety improvements.

### Determining preventability

No two accidents or carriers are exactly alike, and the FMCSA recognizes that not all accidents are preventable. Some types of accidents, furthermore, can be prevented by drivers, while others require changes in motor carrier practices and policies or equipment. The new FMCSA method for determining preventability is based on examination of the facts in accident records.

### Cases and countermeasures

The countermeasures cases in this file actually occurred. They are true success stories that show how relatively modest improvements led to significant reductions in accident rates.

### Contents and attachments

This section contains *A Guide to Determining Preventability of Accidents* and *Accident Countermeasures: Success Stories*. Attachments include an *Accident Register* form and a chart, *Revenue Necessary to Pay for Accident Losses*.

You are welcome to reproduce and distribute any of the materials in this booklet.

## A Guide to Determining Preventability of Accidents

The heart of accident analysis is the determination of preventability, based on the facts furnished in the motor carrier's recordable accident register, and from various other sources. These sources of information must be evaluated in light of all available facts that are pertinent to the cause of the accident. Digging out these facts from the information on these reports can be difficult in practice due to the limited data contained in some reports. But the information can be obtained in many instances by a detailed analysis and reconstruction of the accident sequence.

Each accident must be judged individually. Certain types will generally fall in the non-preventable category, and certain others, in the absence of extenuating circumstances and conditions, fall in the preventable category. The types of accidents listed below do not cover every accident that may occur, but they are intended to provide general guidance to assist in determining preventability.

### Non-Preventable Accidents

#### Struck In Rear by Other Vehicle

##### Non-preventable if

Driver's vehicle was legally and properly parked  
Driver was proceeding in his/her own lane of traffic at a safe and lawful speed  
Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal or the directions of a police officer or other person legitimately controlling traffic  
Driver was in proper lane waiting to make turn.

#### Struck While Parked

##### Non-preventable if

Driver was properly parked in a location where parking was permitted  
Vehicle was stopped, parked, or left standing in accordance with Sections 392.21 and 392.22 of the Federal Motor Carrier Safety Regulations.

### Preventable Accidents

#### Accidents at Intersections

##### Preventable if

- Driver failed to control speed so that he/she could stop within available sight distance
- Driver failed to check cross-traffic and wait for it to clear before entering intersection
- Driver pulled out from side street in the face of oncoming traffic
- Driver collided with person, vehicle, or object while making right or left turn
- Driver collided with vehicle making turn in front of him/her.

#### Striking Other Vehicle In Rear

##### Preventable if

Driver failed to maintain safe following distance and have his/her vehicle under control  
Driver failed to keep track of traffic conditions and did not slow down  
Driver failed to ascertain whether vehicle ahead was moving slowly, stopped, or slowing down for any reason  
Driver misjudged rate of overtaking  
Driver came too close before pulling out to pass

- Driver failed to wait for vehicle ahead to move into the clear before starting up
- Driver failed to leave sufficient room for passing vehicle to get safely back in line.

#### Sideswipe and Head-on Collisions

**Preventable if** Driver was not entirely in his/her proper lane of travel  
 Driver did not pull to right and slow down or stop for vehicle encroaching on his/her lane of travel when such action could have been taken without additional danger.

#### Struck in Rear by Other Vehicle

**Preventable if**

- Driver was passing slower traffic near an intersection and had to make sudden stop
- Driver made sudden stop to park, load, or unload
- Vehicle was improperly parked
- Driver rolled back into vehicle behind them while starting on grade

#### Squeeze Plays and Shutouts

**Preventable if** Driver failed to yield right-of-way when necessary to avoid accident

#### Backing Accidents

**Preventable if**

Driver backed up when backing could have been avoided by better planning of his/her route  
 Driver backed into traffic stream when such backing could have been avoided  
 Driver failed to get out of cab and check proposed path of backward travel  
 Driver depended solely on mirrors when it was practicable to look back  
 Driver failed to get out of cab periodically and recheck conditions when backing a long distance  
 Driver failed to check behind vehicle parked at curb before attempting to leave parking space  
 Driver relied solely on a guide to help him/her back  
 Driver backed from blind side when he/she could have made a sight-side approach.

#### Accident Involving Rail Operated Vehicles

**Preventable if**

- Driver attempted to cross tracks directly ahead of train or streetcar
- Driver ran into side of train or streetcar
- Driver stopped or parked on or too close to tracks.

#### Accidents While Passing

**Preventable if**

Driver passed where view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.  
 Driver attempted to pass in the face of closely approaching traffic  
 Driver failed to warn driver of vehicle being passed  
 Driver failed to signal change of lanes  
 Driver pulled out in front of other traffic overtaking from rear  
 Driver cut in too short while returning to right lane.



## THE HAZARDS OF OPERATING MULTIPLE TRAILERS

5 axle tractor-semitrailer with 45 ft trailer



3 axle tractor-semitrailer with 27 ft trailer



turnpike double 45 ft trailers



B-train double 27 ft trailers



Rocky mountain double—45 ft & 27 ft trailers



California truck full trailer



65 ft conventional double—27 ft trailers



triple 27 ft trailers



# On Guard



U.S. Department of Transportation

## TRUCKERS AND CARRIERS!

According to accident reports cited by the National Transportation Safety Board (NTSB) from a study on heavy trucks: accidents involving combination tractors with multiple trailers indicate that many truck drivers are making the transition from driving single trailer units to combination tractors with multiple trailers (doubles and triples) with little or no training on the hazards of operating these units . . . and without any behind-the-wheel training. (1)

Do not assume that a driver of a semi-trailer combination unit can easily make the switch to a multiple trailer unit with little or no special training. The controllability and maneuverability of these multiple trailer units can vary greatly between straight truck and even single-unit trailer configurations.

For example:

- The small tractor steering movements or braking applications, particularly in a lane change, are magnified by a second trailer and can reach uncontrollable levels, producing considerable yawing and subsequent rollover.
- The chances of the rear trailer unit rolling over during a sharp turn vary with the combination trailer unit configuration. The last trailer of a triple with 27-foot trailers is 3½ times more apt to roll over in a sharp turn than a 5-axle tractor semi-trailer with a 45-foot trailer. (2)
- The height and positioning of cargo in a combination vehicle are even more important than in straight trucks in determining the likelihood of a rollover.
- The type of cargo also contributes to the likelihood of a rollover. With bulk liquids, for instance, sudden steering movements or braking applications can cause product surge in a tank vehicle and shifting of the vehicle's center of gravity.

The following accident summaries from the NTSB study on heavy trucks illustrate the controllability and maneuverability hazards in operating combination tractors with multiple trailers:

- The driver of a twin trailer combination unit lost control when he steered sharply left to pass an automobile on an interstate highway. Both trailers began swinging from side to side. The first trailer then struck the automobile, and the rear trailer broke away and rolled over.

(next page)

# On Guard

- The driver of a twin trailer combination unit was taking a right curve on a downward mountain grade, when he felt the rear trailer begin a violent counter-clockwise rotation. The rear trailer broke away, rolled over onto its left side, slid through a guardrail and down a mountain slope before it came to rest.
- The driver of a twin trailer combination unit ran off the right side of an interstate highway and struck a concrete drainage cover at the outer edge of the shoulder. When he steered left to return the unit to the roadway, the rear trailer broke away and rolled over.
- A driver of a twin trailer unit on a two-lane highway made a sharp right steering maneuver onto the grassed shoulder to avoid an oncoming automobile. When the driver steered back onto the roadway, the rear trailer began weaving laterally; it broke away from its coupling pin and rolled over.
- The driver of a twin trailer unit was taking a right curve on a downgrade when the rear trailer began weaving on the roadway. The weaving became rapid; the trailer broke away from its coupling pin and rolled over on the roadway.
- The driver of a twin cargo tank trailer combination unit was taking a left curve on a downward mountain grade when the rear trailer began swinging laterally. As the unit continued through the curve, the rear trailer broke away and rolled over. The driver had 10 years' experience driving combination units but only 2 weeks driving twin trailer units.

*These were experienced single trailer unit drivers in the above examples. Yet, they reported having training ranging from no formal training in the operation of multiple trailers to a maximum of a single trip behind the wheel of a similar vehicle with a senior driver. Most of the drivers only had training on the inspection and hookup of multiple trailers.*

Drivers must have adequate driver training, both on the road and in the classroom, to make them aware of the variables that influence the controllability and maneuverability of the multiple trailer configurations and how these variables compare to and contrast with those that affect operation of the semi-trailer combination.

**DRIVERS SHOULD NOT BE DRIVING THESE MULTIPLE TRAILER COMBINATION UNITS WITHOUT THIS SPECIALIZED TRAINING.**

(1) "Case Summaries of 189 Heavy Truck Accident Investigations." National Transportation Safety Board, Safety Study. NTSB/SS-88/06.

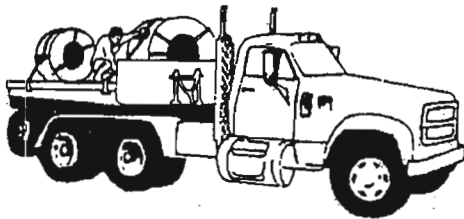
(2) "Influence of Size and Weight Variables on the Stability and Control Properties of Heavy Trucks." R. D. Ervin, R. L. Nisonger, C.C. MacAdam, and P.S. Fancher. University of Michigan Transportation Research Institute, 1983.

# On Guard



U.S. Department of Transportation

## STEEL AND ALUMINUM COIL LOAD SECUREMENT!



On August 5, 1991, two aluminum coils fell off a U.S.-based carrier's trailer near Gananoque, Ontario, killing four members of a family in a passenger car, all U.S. residents. One of the deceased had just returned from service in Operation Desert Storm.

On October 5, 1992, several 7,000-pound steel coils fell off a carrier's trailer on I-190 near Buffalo, New York, striking several cars and killing four occupants.

On May 18, 1993, a 20-ton coil of steel fell off a carrier's trailer on I-290 near Buffalo, injuring the driver. Luckily, no one was killed and the injuries were minor.

Between those dates, several other incidents of lesser severity occurred in Western New York in which steel or aluminum coils fell off vehicles. In all instances, improper load securement was a factor.

To determine the extent of the load securement problem, the New York Department of Transportation implemented a commercial vehicle roadside inspection policy in February 1993 in the Western New York area, devoting 1 day each week to load securement. Approximately 50 percent of the vehicles checked were placed out of service for load securement problems.

Investigation of the past incidents and the recent inspections in New York indicate that load securement is a major problem and that it is not limited to New York-based carriers. The problem appears to be of national and international scope.

The FHWA is advising motor carriers to pay particular attention to their load securement policies and practices. Specific attention should be paid to the number of tie-down assemblies, the condition and strength of the tie-downs and anchors, and any blocking or bracing that may be necessary. Webbing, chains, cables, and tie-down anchors must be inspected for wear and damage, and the blocking and bracing must be inspected for adequacy before any load is transported.

Sections 393.100 through 393.106 of the Federal Motor Carrier Safety Regulations specify the load securement requirements applicable to Interstate carriers, and the Commercial Vehicle Safety Alliance (CVSA)/FHWA "out-of-service" criteria identify defects which will cause a carrier to be placed out of service. Carriers should acquaint themselves with both.

The CVSA has also developed "Cargo Securement Tie-Down Guidelines" and other related training materials.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



## SPONSORED BY:



New Entrant  
Safety Audit Program





## Central Services Division

### OVERWEIGHT / OVERDIMENSIONAL PERMIT SECTION

To prescribe rules in the interest of public safety and preservation of highways, for the issuance and or renewal of special permits for the transportation of such oversize, overweight, or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise, and for the operation of such superheavy or overweight vehicles, motor trucks, semi-trailers and trailers, whose gross weight, including load, weight, height or length, may exceed statutory limits, or which in other respects fail to comply with requirements of the *Tennessee Code Annotated*, as may be reasonably necessary for the transportation of such oversize, overweight or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise.

*Tennessee Department of Transportation, Overweight & Overdimensional Permits  
Suite 300, James K. Polk Bldg., 505 Deaderick Street, Nashville, TN 37243  
615.741.3821 (Voice) 615.741.1159 (Fax)  
Hours: 8:00 a.m. – 4:30 p.m., Monday – Friday*

#### **Statement of Necessity Requiring Public Necessity Rules**

(Requires [Adobe Acrobat Reader](#))

#### **Vertical Clearances for the State of Tennessee**

(Requires [Adobe Acrobat Reader](#))

#### **Overweight and Overdimensional Movements on Tennessee Highways**

(Requires [Adobe Acrobat Reader](#))

### Tennessee Computerized Permit Issuance Services (CPI)

#### How To Obtain a Permit:

- It may be ordered by mail.
- It may be picked up in person.
- Ordered through permit transmittal services. (Requires [Adobe Acrobat Reader](#))

#### Additional Information That May Be Useful:

##### Tennessee Department of Safety

Commercial Vehicle Division

1148 Foster Avenue - Cooper Hall

Nashville, TN 37243

Business Hours: 8:00 a.m. until 4:30 p.m. Monday through Friday

The following telephone numbers may assist you in answering inquires relating to commercial vehicle registration enforcement and auditing of the same.

Commercial Vehicle Administration	615.687.2326 Fax Number: 615.253.2278
Commercial Vehicle Enforcement Audit – IRP and IFTA	615.687.2326 615.687.2281 615.687.2274
International Fuel Tax Agreement (IFTA)	Toll Free: 1.888.468.9025 Fax Number: 615.532.7015
International Registration Plan (IRP)	615.687.2274 Toll Free: 1.888.826.3151 Fax Number: 615.532.7015
Overweight Assessments	615.687.2289 Fax Number 615.253.2278
Single State Registration and Motor Carrier Authority	615.387.2285 Fax Number: 615.253.2283

**Other telephone numbers of interest:**

Tennessee Department of Safety	
Driver License Issuance (CDL)	615.251.5310
Title & Registration	615.741.3101
Motor Vehicle Report MVR	615.741.3954
Federal Government:	
Internal Revenue Service – Heavy Vehicle Use Tax (HVUT)	1.800.829.1040
Federal Department of Transportation	1.800.832.5660 615.781.5781

**RULES  
OF  
TENNESSEE DEPARTMENT OF TRANSPORTATION  
CENTRAL SERVICES DIVISION**

**CHAPTER 1680-7-1  
OVERWEIGHT AND OVERDIMENSIONAL  
MOVEMENTS ON TENNESSEE HIGHWAYS**

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**1680-7-1-.01 FORWARD-PURPOSE.**

- (1) To prescribe rules in the interest of public safety and preservation of highways, for the issuance and or renewal of special permits for the transportation of such oversize, overweight or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise, and for the operation of such superheavy or overweight vehicles, motor trucks, semi-trailers and trailers, whose gross weight, including load, weight, height or length, may exceed statutory limits, or which in other respects fail to comply with requirements of the Tennessee Code Annotated, as may be reasonably necessary for the transportation of such oversize, overweight or overlength articles or commodities as cannot be reasonably dismantled or conveniently transported otherwise.
- (2) These rules apply whenever any of the following limits are exceeded:

(a) **GENERAL SIZE AND WEIGHT LIMITATIONS**

Gross Weight	80,000 lbs. provided however, that freight motor vehicles shall not be operated on the interstate system where the gross weight exceeds 73,280 lbs. or where the weight exceeds 18,000 lbs. on any single axle or where the weight exceeds 32,000 lbs. on any tandem axle group unless the weight is distributed on a group of 2 or more consecutive axles by application of the formula set forth in <i>T.C.A. §55-7-203</i> .
Single Axle	20,000 lbs. except as provided above.

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.01, continued)

Tandem Axle	34,000 lbs. except as provided above.	
Width	8 ft. 6 in. on the Federal and State Highway System.	
Height		13 ft. 6 in.
Length:		
Straight Truck		40 ft.
Straight Truck with trailer attached		65 ft.
Truck tractor and semi-trailer or trailer combination	The towed vehicle shall not exceed 50 ft. in length from the point of attachment to the tractor. If the towed vehicle exceeds 48 ft. in length from the point of attachment to the tractor, the distance between the kingpin and the rearmost axle or a point midway between the two rear axles, if the two rear axles are a tandem axle, shall not exceed 41 ft.	
Except, if		
Transporting livestock or automobiles and/or motor vehicles		52 ft. in length from the point of attachment to the tractor
Or, if		
Transporting poles, logs or timber in single length pieces		75 ft. total length
Truck-tractor and Twin Trailer combination		28 ft. 6 in. either towed vehicle

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Amendment filed December 7, 1983; effective January 6, 1984. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.01 filed and effective February 1, 2003.

**1680-7-1-.02 GENERAL INFORMATION-PERMITS.**

- (1) An original permit shall be in the possession of the driver of the permitted vehicle at all times during the authorized move.
- (2) No permit shall be issued when the issuing authority deems a movement to be unsafe or detrimental to the traveling public, or if the highway cannot accommodate the move.
- (3) When the permitted vehicle exceeds fifteen (15') feet in height the permittee shall determine all vertical clearances by use of a front escort vehicle having protrusions equal to the height of the permitted vehicle. The escort vehicle shall be capable of immediately advising the permitted vehicle, and shall do so whenever any actual vertical clearance is less than such height. The permitted vehicle shall follow the escort vehicle at such a distance and at such a speed as will permit stopping on receipt of advice that any vertical clearance is less than the height of the permitted vehicle.
- (4) Routes of travel shall be strictly followed.



OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.02, continued)

- (5) Permits will normally be issued for movements during daylight hours only from sunrise to sunset on Monday through Saturday. (Daylight is defined as one-half hour before sunrise to one-half hour after sunset local time as established by the National Weather Service). Time of movement may be further restricted by the issuing authority based upon factors such as type of load, traffic volume, roadway condition and route of move. However, permits issued exclusively for overweight movements may be obtained subject to the restrictions imposed by Rule 1680-7-1-.09 for continuous movement twenty-four (24) hours per day, Monday through Sunday.
- (6) Permits will not be issued for movement on Sundays, holidays or nighttime except when the necessity for the movement is created by an emergency or in the interest of national defense. Permits for emergency movement of any nature will be considered only upon submission of a justification statement by the applicant, provided a permit will be issued based on the severity of the emergency and need for action to protect life or property.
- (7) The American Association of State Highways and Transportation Officials (AASHTO) policy pertaining to emergency movement of Housing and Urban Development (HUD) mobile homes shall govern the movement of such units to a declared disaster area.
- (8) No permits will be issued for movement on the day the following holidays are observed:
  - (a) New Year's Day - January 1
  - (b) Good Friday - Friday before Easter
  - (c) Memorial Day - Last Monday in May
  - (d) Independence Day - July 4
  - (e) Labor Day - First Monday in September
  - (f) Thanksgiving Day - Fourth Thursday in November
  - (g) Christmas Day - December 25
- (9) Movement under special permit will not be allowed during inclement weather when conditions prevail which would make the movement unsafe.

Any person, firm, company or corporation that undertakes the movement of any overweight and/or overdimensional piece(s) of equipment and/or commodity contrary to the provisions of *T.C.A. §59-11-205* and to the provisions of these regulations shall, at the discretion of the Commissioner of Transportation, be denied further permit(s) for such overweight and/or overdimensional movement for such period of time, not to exceed one (1) year, as the Commissioner of Transportation, in exercising such discretion, shall deem appropriate.

- (11) No permit fees will be refunded after issuance.

Every special permit will be issued on the condition that the permittee accepts and uses it at his or her own risk, even though all instructions, directions, and requirements of the Department have been followed.

- (13) Any motor vehicle having a load or vehicle component which extends more than four inches (4") beyond the sides of the vehicle or more than four feet (4') beyond the rear of the vehicle shall have the

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.02, continued)

extremities of the load marked with a red flag, not less than twelve inches (12") square, at each point where a lamp is required by Federal Motor Carrier Safety Regulations under 49 C.F.R. §393.11, Table 1.

- (14) All permit holders requiring travel off of the state highway system are responsible for coordination with the local government having jurisdiction of such other roads.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule certified June 10 1974. Amendment filed September 23, 1976; effective October 24, 1976. Amendment filed August 4, 1977; effective September 2, 1977. Amendment filed September 3, 1980; effective October 20, 1980. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendments filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.02 filed and effective February 1, 2003.

**1680-7-1-.03 APPLICATION FOR SPECIAL PERMIT.**

- (1) Applications for special permits may be made in person, by letter or by telephone to the Supervisor of Overweight and Overdimensional Permits, Suite 300, James K. Polk State Office Building, 505 Deaderick St., Nashville, TN 37243-0331.
- (2) The applicant must provide the following information:
  - (a) Name of Applicant
  - (b) Address of Applicant
  - (c) Description of article and/or commodity to be moved
  - (d) Method of moving - (Truck & Trailer, Towing by Truck, Under own Power, etc.)
  - (e) Overall dimensions and/or gross weight of load
  - (f) Number and spacing of Axles, including steering (if overweight)
  - (g) Origin and Destination of movement within Tennessee
  - (h) Proposed highway routes over which movement will be made
  - (i) Proposed effective date of permit
  - (j) Address to which permit is to be transmitted and method of transmittal

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule certified June 10, 1974. Amendment filed September 23, 1976; effective October 24, 1976. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.03 filed and effective February 1, 2003.

**1680-7-1-.04 ADDITIONAL REQUIREMENTS FOR OBTAINING SPECIAL PERMITS TO MOVE SUPERHEAVY AND/OR EXTRA OVERDIMENSIONAL MOVEMENTS.**

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.04, continued)

- (1) Movement of superheavy and/or extra overdimensional loads essential to health, welfare, safety or defense may be permitted provided the highway can accommodate the move, and the move is not considered to be detrimental or unsafe for the other traveling public.
  - (a) Application must be made in writing to the Supervisor of Overweight and Overdimensional Permits and must contain in addition to the information stated above, the following:
    - Complete and detailed proposal of movement
    2. Detailed sketch of vehicle and load
    3. Tire sizes and contact pressures
    4. Distance between axles
    5. Load distribution to axles
    6. Overall length, width and height of movement
    7. Detailed traffic control proposal
    8. Any other information required
- (2) Application should be submitted with sufficient advance notice since the Department may require engineering examinations. In the event extensive engineering examinations are required the applicant shall, in advance, pay the Department for estimated costs of such examinations. Following completion of such examinations, actual cost will be established, and the applicant shall be responsible for such cost.
- (3) Special permits for superheavy and/or extra overdimensional movements shall be issued or withheld at the sole discretion of the Department based on engineering judgment of the necessity for, importance of, and safety of movement, alternative methods of transportation, and possible damage to roadway and appurtenances.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule certified June 10, 1974. Amendment filed May 1, 1975; effective May 31, 1975. Amendment filed January 6, 1976; effective February 5, 1976. Amendment filed September 23, 1976; effective October 24, 1976. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.04 filed and effective February 1, 2003.

**1680-7-1-.05 DURATION OF SPECIAL PERMITS.**

- (1) Six (6) weekdays.
- (2) Annual special permits may be available as set forth in T.C.A. §§55-7-205(g)(5) and 55-7-205(g)(6).

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.05 filed and effective February 1, 2003.

**1680-7-1-.06 CONDITIONS FOR PERMITTING OVERWIDTH MOVEMENTS.**

- (1) Movements over eight feet six inches (8'6") wide but not exceeding ten feet (10') wide: No escorts, special signs, lights and/or markings will be required.
- (2) Movements over ten feet (10') wide but not exceeding twelve feet six inches (12'6") wide:
  - (a) No escort will be required to accompany the movement on the interstate highway system, four-lane highways or two-lane highways with a minimum pavement width (excluding paved shoulders) of twenty-four feet (24').
  - (b) One (1) escort vehicle is required to precede the movement where the minimum pavement width (excluding paved shoulders) is less than twenty-four feet (24').
  - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (e) Escort vehicles shall be signed and marked as hereinafter set out in rule 1680-7-1-.21.
  - (f) At the discretion of the issuing authority, time of movement may be further restricted due to:
    - Route to be traveled
    2. Weather conditions
    3. Traffic density
    4. Length of daylight hours
- (3) Movements over twelve feet six inches (12'6") wide but not exceeding fourteen feet (14') wide:
  - (a) One (1) escort vehicle is required to follow the movement on the interstate highway system or four-lane highways.
  - (b) One (1) escort vehicle is required to precede the movement on two-lane highways.
  - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (e) Escort vehicles shall be signed and marked as hereinafter set out in rule 1680-7-1-.21.
  - (f) At the discretion of the issuing authority, time of movement may be further restricted due to:
    - Route to be traveled
    2. Weather conditions
    3. Traffic density
    4. Length of daylight hours
- (4) Movements over fourteen feet (14') wide but not exceeding sixteen feet (16') wide:

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ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.06, continued)

- (a) Front and rear escort vehicles are required on all highways.
- (b) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during the movement.
- (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
- (d) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
- (e) Escort vehicles shall be marked as hereinafter set out in rule 1680-7-1-.21
- (f) At the discretion of the issuing authority, time of movement may be further restricted due to:
  1. Route to be traveled
  2. Weather conditions
  3. Traffic density
  4. Length of daylight hours

*Authority: T.C.A. §55-7-205. Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.06 filed and effective February 1, 2003.*

**1680-7-1-.07 ADDITIONAL REQUIREMENT FOR EQUIPMENT WITH BLADES.**

- (1) In the interest of safety, equipment such as but not limited to bulldozers with blades or other protruding sharp objects of any kind which create an overwidth exceeding ten feet six inches (10'6") but not exceeding thirteen feet six inches (13'6"), will be loaded in such a manner to place the blade or protruding sharp object to the rear of the hauling equipment.
- (2) No permit will be issued for blades or protruding sharp objects creating width in excess of thirteen feet six inches (13'6").

*Authority: T.C.A. §55-7-205. Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed February 25, 2000; effective June 28, 2000. Amendment filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.07 filed and effective February 1, 2003.*

**1680-7-1-.08 WIDTH IN EXCESS OF SIXTEEN FEET (16').**

Generally, movements in excess of sixteen feet (16') will not be permitted. A movement needed in the interest of the public welfare, safety, health or defense may be permitted as provided in Rule 1680-7-1-.04 upon submission of proof of necessity, provided the movement is not considered to be detrimental or unsafe to the traveling public and the highway can accommodate the movement.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30,*

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.09, continued)

*1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendments filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.08 filed and effective February 1, 2003.*

**1680-7-1-.09 CONDITIONS FOR PERMITTING OVERWEIGHT MOVEMENTS.**

- (1) Maximum allowable axle weights by special permit.
  - (a) Tandem Axle 40,000 pounds
  - (b) Single Axle 20,000 poundsIn no case shall a single axle in a tandem group exceed 20,000 pounds.
- (2) Movements with gross weight exceeding 150,000 pounds must be approved by the Structures Division before a special permit can be issued.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.09 filed and effective February 1, 2003.*

**1680-7-1-.10 CONDITIONS FOR PERMITTING OVERHEIGHT MOVEMENTS.**

- (1) Height in excess of thirteen feet six inches (13'6")
  - (a) Special routing may be required.
- (2) A special permit shall be required for all movements whose height exceeds thirteen feet six inches (13'6"), provided that where the height exceeds fifteen feet (15') the following provisions shall govern:
  - (a) Generally permits for movements in excess of fifteen (15') feet will not be issued. A permit may be issued upon submission of proof of necessity that the movement is needed in the interest of the public welfare, safety, health or defense and provided the move is not considered to be detrimental or unsafe to the traveling public and the highway can accommodate the move. When such movements are authorized, the following conditions will apply:
    - Special routing maybe required.
    2. Front and rear of movement shall be signed and marked as hereinafter set forth in rule 1680-7-1-.20.
    3. Escort as required in rule 1680-7-1-.02(3) shall have radio communications with the towed vehicle at all times. The escort shall be marked as hereinafter set forth in rule 1680-7-1-.21.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule certified June 10, 1974. Repeal and new rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.10 filed and effective February 1, 2003.*

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.11, continued)

**1680-7-1-.11 CONDITIONS FOR PERMITTING OVERLENGTH MOVEMENTS.**

- (1) Length over seventy-five (75') feet, but not exceeding eighty-five (85') feet.
  - (a) No escort vehicle will be required.
  - (b) For lengths over seventy-five (75') feet, the front and rear movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20. The rear sign shall be fitted with either a rotating amber light or a strobe type amber light which is visible from at least 500 feet and has a horizontal placement which shall be visible from all directions, three hundred sixty (360) degrees.
- (2) Length over eighty-five (85') feet, but not exceeding one hundred twenty (120') feet.
  - (a) One (1) escort vehicle shall immediately follow the movement.
  - (b) Front and rear of movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (c) The escort vehicle shall be marked as hereinafter set out in rule 1680-7-1-.21.
- (3) Length in excess of one hundred twenty (120) feet.
  - (a) One (1) escort vehicle shall immediately precede and one (1) escort shall immediately follow the movement.
  - (b) Front and rear of movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (c) Each escort vehicle shall be marked as hereinafter set out in rule 1680-7-1-.21.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Amendment filed December 7, 1983; effective January 6, 1984. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed August 29, 1996; effective December 27, 1996. Rule has been assigned a new control number from 1680-2-2-.11 filed and effective February 1, 2003.*

**1680-7-1-.12 TIME RESTRICTIONS.**

- (1) Overlength, overwidth or overheight movements are normally allowed during daylight hours only from sunrise to sunset on Monday through Saturday. However, because of traffic, movements eight-five feet (85') or greater in length and/or movements in excess of twelve feet six inches (12'6") in width will not be allowed within any city limits or any heavily traveled adjoining commercial or residential area between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. (local time) from Monday through Friday.
- (2) Time of movement may be further restricted upon, among other things, type of load, traffic volume, roadway conditions, and route of move.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.12 filed and effective February 1, 2003.*

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(Rule 1680-7-1-.13, continued)

**1680-7-1-.13 CONDITIONS FOR MOVEMENT OF FIXED LOAD VEHICLES.**

- (1) Notwithstanding anything to the contrary contained herein, special permits may be issued for operation of fixed load vehicles as defined in *T.C.A. §55-1-117*, on the state highway system including that portion designated as the interstate system, provided that in addition to all other applicable provisions of these rules, the following conditions are met:
  - (a) No single load bearing axle exceeds 24,000 lbs.
  - (b) No single axle in a tandem group exceeds 24,000 lbs.
  - (c) Maximum gross weight does not exceed 120,000 lbs.
  - (d) Routing does not include any posted bridge.
- (2) Special permits may be issued for fixed load vehicles for operation over the state highway system, other than that portion designated as the interstate system, provided that, in addition to all other applicable provisions of these rules, the following conditions are met:
  - (a) No front or steering axle exceeds 24,000 lbs.
  - (b) No drive axle exceeds 40,000 lbs.
  - (c) Maximum gross weight does not exceed 150,000 lbs.
  - (d) Routing does not include any posted bridge.
  - (e) Vehicle does not exceed crawl speed when crossing any bridge.
  - (f) No other traffic is permitted on the bridge being crossed.
  - (g) Permittee shall provide necessary flagging.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Rule has been assigned a new control number from 1680-2-2-.13 filed and effective February 1, 2003.

**1680-7-1-.14 CONDITIONS FOR PERMITTING MOVEMENT OF SITE-BUILT HOUSES.**

Notwithstanding any other provision in this chapter to the contrary, special permits may be issued for the movement of site-built houses subject to the following restrictions:

- (1) All proposed site-built house movements over state highways shall be inspected by a representative of the Department within that region. The permit may be issued only after the representative of the Department is satisfied that such a move can be safely made over the proposed route.
- (2) No permits will be issued for movement of site-built houses on the interstate highway system within Tennessee.
- (3) Movements shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.



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(Rule 1680-7-1-.14, continued)

- (4) Two (2) escort vehicles (one in front and one in rear) shall be required. Such vehicles shall be signed and marked as hereinafter set out in rule 1680-7-1-.21.
- (5) Special Permits shall be valid for six (6) days.
- (6) All site-built houses shall be loaded and moved on trailers with steel beams on rubber dollies.
- (7) Prior to the issuance of any permit, the proposed route to be traveled shall be inspected by the proposed mover, and the applicant shall provide proof that all utility companies having above-ground facilities along the proposed route have been notified of the proposed move in writing.
- (8) At the discretion of the issuing authority, time of movement may be further restricted due to:
  - (a) Route to be traveled
  - (b) Weather conditions
  - (c) Traffic density
  - (d) Length of daylight hours
- (9) At the discretion of the issuing authority, a police escort may be required to accompany the movement.
- (10) Inspection of proposed site-built house movements may be obtained by contacting the following Department of Transportation regional offices.
  - (a) Region 1, Maintenance Office  
TN Dept. of Transportation  
7345 Region Lane  
Knoxville, TN 37914  
Telephone No. (865) 594-9165
  - (b) Region 2, Maintenance Office  
TN Dept. of Transportation  
P. O. Box 22368  
Chattanooga, TN 37422-2368  
Telephone No. (423) 510-1132
  - (c) Region 3, Traffic Office  
TN Dept. of Transportation  
6601 Centennial Boulevard  
Nashville, TN 37243-0360  
Telephone No. (615) 350-4336
  - (d) Region 4, Maintenance Office  
TN Dept. of Transportation  
300 Benchmark Place  
Jackson, TN 38301  
Telephone No. (731) 935-0174

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed August 29, 1996; effective December 27, 1996. Amendments filed January 25, 2001; effective May 31, 2001. Amendment filed January 11, 2002; effective May 31, 2002. Rule has been assigned a new control number from 1680-2-2-.14 filed and effective February 1, 2003.*

**1680-7-1-.15 CONDITIONS FOR PERMITTING MOVEMENT OF MOBILE HOMES, MANUFACTURED HOMES, PORTABLE MODULAR UNITS OR HOUSE TRAILERS.**

- (1) Application and Scope of Rule.
  - (a) Notwithstanding any other provision of this Chapter to the contrary, no mobile home, manufactured home, portable modular unit or house trailer as herein defined shall be moved into or through the State of Tennessee or upon the public roads or highways of this State unless and until the owner, operator or transporter thereof has obtained a permit as required under

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(Rule 1680-7-1-.15, continued)

Tennessee Code Annotated, Title 55, Chapter 4, Part 4, and in accordance with the provisions of this Rule.

- (b) A mobile home, manufactured home, portable modular unit or house trailer (hereinafter referred to collectively as a "mobile home") within the scope of this Rule shall include:
    - 1. Any self-propelled or non-self-propelled vehicle, with a length exceeding thirty-five feet (35'), so designed, constructed, reconstructed or added to by means of accessories in such manner as will permit the use thereof for human habitation, and so constructed to permit its being used as a conveyance upon public streets or highways; or
    - 2. Manufactured houses or portable modular units in excess of eight feet six inches (8'6") in width or when towing vehicle and manufactured home are in excess of sixty feet (60') in length.
  - (c) The other provisions of this Chapter shall apply to the movement of a mobile home; provided, however, that in the event of any conflict between the specific provisions of this Rule and any other provisions of this Chapter, the specific provisions of this Rule shall govern.
- (2) General Permit Requirements.
- (a) Any permit required under this Rule shall be issued only in the name of the owner of the mobile home or in the name of the owner of the motor carrier used to transport the mobile home.
  - (b) The permit shall be displayed in the vehicle used to transport the mobile home so as to be visible from outside the vehicle, and it shall be produced for inspection upon request by a representative of any law enforcement agency.
  - (c) A permit shall be required for each category of size (height, width, length and/or weight) in which the mobile home exceeds the normal size limits as provided in Paragraphs (5) through (8) of this Rule.
- (3) Duration and Renewal of Permits.
- (a) Short-term permits shall be valid for a period of six (6) days from the date of issuance, unless suspended in accordance with this Rule. The date of issuance and the expiration date shall be indicated on the permit.
  - (b) Annual permits, where allowed, shall be valid for a period of three hundred and sixty-five (365) days from the date of issuance, unless suspended in accordance with this Rule. The date of issuance and the expiration date shall be indicated on the permit.
  - (c) Upon a sufficient showing that an otherwise valid permit has been lost or destroyed prior to its expiration date, the Department of Transportation shall issue a renewal permit in place of the original permit. The renewal permit shall be valid from the date of its issuance up to the expiration date of the original permit, unless suspended in accordance with this Rule. If a lost permit is subsequently found, it shall be deemed void and ineffective when a renewal permit has been issued in accordance with this subparagraph.
  - (d) It shall be unlawful, and a violation of the terms of a permit issued under this Rule, to display an expired, invalid or suspended permit or to display more than one permit bearing the same permit number.

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(Rule 1680-7-1-.15, continued)

- (4) Display of Placard.
- (a) The Department of Transportation shall issue to all annual permit holders a placard bearing the same annual permit number and a telephone number to be used to report unsafe or erratic driving to the Department. There shall be only one placard issued for each annual permit.
  - (b) The transporter of any mobile home being moved under an annual permit shall prominently display the applicable placard on the rear of the mobile home. The annual permit number displayed on the placard must match the permit number on the annual permit displayed in the transporting vehicle as provided in Subparagraph (2)(b) of this Rule; provided, however, that if an annual permit has been replaced by a renewal permit, as provided in Subparagraph (3)(c) of this Rule, the placard may continue to bear the original annual permit number.
  - (c) Upon a sufficient showing that an otherwise valid placard has been lost or destroyed, and upon the receipt of a fifty dollar (\$50.00) replacement fee, the Department of Transportation shall issue a replacement placard bearing the same annual permit number as the original placard it replaces. If a lost placard is subsequently found, it shall be deemed void and ineffective when a replacement placard has been issued in accordance with this subparagraph. There shall be no reimbursement of the replacement fee.
  - (d) Upon the expiration of an annual permit, the placard bearing that annual permit number shall also expire.
  - (e) It shall be unlawful, and a violation of the terms of a permit issued under this Rule, to display an expired, invalid or suspended placard or to display more than one placard bearing the same annual permit number.
  - (f) Failure to properly display a placard as required in Tennessee Code Annotated § 54-4-411, and in accordance with the provisions of this Paragraph, is a Class C misdemeanor punishable by a fine of fifty dollars (\$50.00).
- (5) Special Permit Requirements for Overlength Movements.
- A special permit shall be required for the movement of any mobile home exceeding sixty feet (60') in length, including the towing vehicle; provided, however, that if the mobile home is being transported under a valid annual overwidth permit, as provided in Paragraph (6) of this Rule, an additional special overlength permit shall only be required if the mobile home exceeds ninety feet (90') in length, including the towing vehicle.
- (b) A special overlength permit authorized under this Paragraph shall be issued only on a single trip basis under a short-term permit valid for a period not to exceed six (6) days.
  - (c) The fee for each special overlength permit issued under this Paragraph shall be twenty-five dollars (\$25.00).
  - (d) A special overlength permit issued under this Paragraph shall be subject to such additional conditions as are prescribed in applicable provisions of Rule 1680-7-1-.11 governing overlength movements in general.
- (6) Special Permit Requirements for Overwidth Movements.

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(Rule 1680-7-1-.15, continued)

- (a) A special permit shall be required for the movement of any mobile home exceeding eight feet six inches (8'6") in width.
- (b) The movement of mobile homes exceeding 16 feet (16') in width shall not be permitted.
- (c) Special overwidth permits authorized under this Paragraph may be issued on either a short-term basis for a period not to exceed six (6) days from the date of issuance or on an annual basis for a period not to exceed three hundred and sixty-five (365) days from the date of issuance.
- (d) The fee schedule for each overwidth permit issued under this Paragraph shall be as follows:

For mobile home widths from eight feet six inches (8'6") wide up to fourteen feet (14') wide:

- (i) Short-term (6-day) permits: \$50.00
- (ii) Annual (365-day) permits: \$1,000.00

2. For mobile home widths from eight feet six inches (8'6") wide up to sixteen feet (16') feet wide:

- (i) Short-term (6-day) permits: \$100.00
- (ii) Annual (365-day) permits: \$2,000.00

- (e) A special overwidth permit issued under this Paragraph shall be subject to such additional conditions as are prescribed in applicable provisions of Rule 1680-7-1-.06 governing overwidth movements in general.

(7) Special Permit Requirements for Overheight Movements.

- (a) A special permit shall be required for the movement of any mobile home exceeding fourteen feet two inches (14'2") in height.
- (b) The movement of mobile homes exceeding 15 feet six inches (15' 6") in height shall not be permitted.
- (c) A special overheight permit authorized under this Paragraph shall be issued only on a short-term basis for a period not to exceed six (6) days, and it shall be subject to special routing instructions approved by the Department of Transportation.
- (d) Each permit authorized under this Paragraph shall also be subject to such additional conditions as are prescribed in applicable provisions of Rule 1680-7-1-.10 governing overheight movements in general.
- (e) The fee for each overheight permit issued under this Paragraph shall be fifty dollars (\$50.00).
- (f) The Department of Transportation shall make available, both in printed form and on the Department's official web site at [www.tdot.state.tn.us](http://www.tdot.state.tn.us), a list of overpasses on public roads within the State of Tennessee that have been identified as having a minimum vertical clearance above the roadway of less than fourteen feet six inches (14'6").

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(Rule 1680-7-1-.15, continued)

1. This list shall be updated at least monthly on the Department's web site and at least annually in printed form. The Department shall charge a fee for the printed list sufficient to offset the administrative cost of compiling, updating, printing and shipping the list.
2. The Department of Transportation makes no representations, and expressly disclaims any warranty, that the information it provides in any list of overpasses on public roads is current or accurate. The information provided in these lists is generated from bridge inspections conducted on a biennial basis. Actual vertical clearances may be subject to change beyond the control or knowledge of the Department, and the posted vertical clearances may vary from the information provided in the Department's list.
3. At all times, the affirmative duty to determine that the route traveled will allow the safe passage of the mobile home shall remain with the transporter and/or seller of the mobile home, as provided in Paragraph (11) below, and nothing in this Paragraph or this Rule shall be construed as shifting this duty to the Department of Transportation.

(8) Special Permit Requirements for Overweight Movements.

The movement of mobile homes shall be subject to other provisions of this Chapter pertaining to excess weight, including without limitation Rule 1680-7-1-.09.

(9) Timing of Movements.

- (a) The movement of mobile homes subject to this Rule shall be permitted only from sunrise to sunset, Monday through Saturday; provided, however, that movements of mobile homes shall not be permitted on legal holidays as enumerated in Tennessee Code Annotated § 15-1-101, including New Year's Day, Martin Luther King, Jr. Day, Washington Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.
- (b) Notwithstanding the provisions of Subparagraph (9)(a) of this Rule, the movement of mobile homes eighty-five feet (85') or greater in length, or fourteen feet (14') or greater in width, or fourteen feet two inches (14'2") or greater in height, is prohibited in heavily traveled urban areas between the hours of seven o'clock a.m. (7:00 a.m.) to nine o'clock a.m. (9:00 a.m.) and between the hours of four o'clock p.m. (4:00 p.m.) to six o'clock p.m. (6:00 p.m.).

(10) Safety Precautions and Equipment.

- (a) The transporter of any mobile home subject to this Rule shall at all times comply with applicable statutes, rules and ordinances governing the operation of motor vehicles on public roads and/or the maintenance of appropriate safety equipment on motor vehicles.
- (b) The transporter of a mobile home, and the seller of the mobile home if the seller is someone other than the transporter, shall have the affirmative duty to assure that the undercarriage for the mobile home is equipped with adequate brakes that are operated from the towing vehicle. This affirmative duty shall be primarily the transporter's duty; the seller shall be secondarily liable.
- (c) Any violation of the provisions of this Paragraph shall be deemed a violation of the terms of a permit, if any, issued under this Rule.

(11) Duty to Determine Safe Route for Movement.

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(Rule 1680-7-1-.15, continued)

- (a) Notwithstanding any other provision of this Rule, the transporter of a mobile home, and the seller of the mobile home if the seller is someone other than the transporter, shall have the affirmative duty to determine that the route over which the mobile home is to be transported allows for the safe passage of the mobile home, taking into account the size, including especially the height and width, of the mobile home. This affirmative duty shall be primarily the transporter's duty; the seller shall be secondarily liable.
- (b) The affirmative duty to determine that the route will allow safe passage of the mobile home, based on its height and width, may be met by the use of a front escort vehicle having protrusions equal to the height and width of the mobile home. It shall not be sufficient to meet this duty by relying on highway signs or other information regarding highway clearances that may be provided by the Department of Transportation or any local government.
- (c) At all times, the affirmative duty to determine that the route traveled will allow the safe passage of the mobile home shall remain with the transporter and/or seller of the mobile home, and nothing in this Rule shall be construed as shifting this duty to the Department of Transportation.

(12) Enforcement.

- (a) Section 55-4-412 of the Tennessee Code provides that any person who transports a mobile home, manufactured home, portable modular unit or house trailer, as defined in Tennessee Code Annotated § 55-4-402, over any public street, road or highway within the State of Tennessee in violation of the provisions of Title 55, Chapter 4, Part 4, of the Tennessee Code commits a Class B misdemeanor punishable as follows:

By a fine of two hundred fifty dollars (\$250.00) for the first offense within a twelve (12) month period;

- 2. By a fine of five hundred dollars (\$500.00) for the second offense within a twelve (12) month period; and
- 3. By a fine of one thousand dollars (\$1,000.00) and a ninety (90) day revocation of any driver's license for the third or any subsequent offense within a twelve (12) month period.

- (b) Within thirty (30) days of conviction for a violation of the provisions of Title 55, Chapter 4, Part 4, as provided in Tennessee Code Annotated § 55-4-412, the clerk of the court of conviction shall give notice of such conviction to the Department of Transportation.

- (c) Upon receipt of notice of that a person has been convicted of a third violation within a twelve (12) month period, the Department of Transportation shall:

Suspend the subject permit involved in the third violation; and

- 2. Suspend the permit holder's privilege to obtain other permits under this Rule.
- 3. These suspensions shall be effective for a period of ninety (90) days from the date on which the Department receives notice of the third violation; provided, however, that nothing in this subparagraph shall be construed as:
  - (i) Prohibiting multiple permit holders from using other valid permits not subject to suspension;

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(Rule 1680-7-1-.15, continued)

- (ii) Prohibiting multiple permit holders from obtaining a short-term overheight or overlength permit, as provided in Paragraphs (5) and (7) of this Rule, to supplement an otherwise valid annual overwidth permit not subject to suspension; or
- (iii) Prohibiting multiple permit holders from renewing an otherwise valid permit not subject to suspension, as provided in Subparagraph (3)(c) of this Rule.

(13) Liability.

- (a) The transporter of any mobile home subject to the provisions of this Rule shall be liable for any and all damages resulting from the mobile home striking a guardrail, bridge, concrete barrier, overhead structure or other obstruction while traveling on the public roads or highways of this State.
- (b) If during transport a mobile home subject to the provisions of this Rule blocks traffic on a controlled-access facility, as defined in Tennessee Code Annotated § 54-16-101, because such mobile home cannot proceed due to height, width or length, the transporter thereof shall be subject to the following:
  - 1. The transporter shall pay to the Department of Transportation a road user fee in the amount of one thousand dollars (\$1,000.00); and
  - 2. The Department of Transportation shall suspend the subject permit involved in the incident and the permit holder's privilege to obtain other permits under this Rule for a period of ninety (90) days from the date the Department receives notice that the roadway was blocked; provided, however, that nothing in this part shall be construed as:
    - (i) Prohibiting multiple permit holders from using other valid permits not subject to suspension;
    - (ii) Prohibiting multiple permit holders from obtaining a short-term overheight or overlength permit, as provided in Paragraphs (5) and (7) of this Rule, to supplement an otherwise valid annual overwidth permit not subject to suspension; or
    - (iii) Prohibiting multiple permit holders from renewing an otherwise valid permit not subject to suspension, as provided in Subparagraph (3)(c) of this Rule.
- (c) If the same permit holder blocks traffic on a controlled-access facility a second time within eighteen (18) months after the date of the first such occurrence, the transporter shall be subject to the following:
  - The transporter shall pay to the Department of Transportation a road user fee in an amount calculated by the Department using the same formula it uses to calculate incentive payments on road construction projects; and
  - 2. The Department of Transportation shall suspend the subject permit involved in the incident and the permit holder's privilege to obtain other permits under this Rule for a period of ninety (90) days, as provided in Part (b)2 of this Paragraph.
- (d) If the transporter fails to pay any road user fee required under this Paragraph within thirty (30) days of the date the road is blocked, the transporter's privilege to obtain permits under this Rule

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shall be suspended in all respects whatsoever until full payment is made. The Department is authorized to take legal action to collect the fee.

- (e) Any person or entity transporting a mobile home subject to the provisions of this Rule shall secure and maintain public liability insurance in an amount not less than one million dollars (\$1,000,000) per occurrence. Such insurance shall cover the tractor, mobile home and any other attachments thereto. Proof of such insurance shall be carried in the vehicle used to transport the mobile home, and satisfactory proof of such insurance shall be provided to the Department of Transportation prior to the issuance of any permit under this Rule.
- (f) Notwithstanding any other provision of law to the contrary, the State of Tennessee and any political subdivision thereof shall be absolutely immune from liability for all damages resulting from a mobile home striking a guardrail, bridge, concrete barrier, overhead structure or other obstruction while traveling on the public roads or highways of the State.

*Authority: T.C.A. §§55-4-401 through 55-4-413, 55-7-205, and 55-11-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Amendment filed December 7, 1983; effective January 6, 1984. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Amendment filed December 8, 1987; effective January 23, 1988. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed July 8, 1991; effective August 22, 1991. Amendment filed August 29, 1996; effective December 27, 1996. Amendment filed September 30, 2002; effective January 28, 2003. Rule has been assigned a new control number from 1680-2-2-.15 filed and effective February 1, 2003.*

**1680-7-1-.16 CONDITIONS FOR PERMITTING MOVEMENT OF HOUSEBOATS.**

Houseboats not exceeding eighteen feet (18') in width may be transported on the highways, but any such boat in excess of eight feet six inches (8'6") shall be subject to the fees provided in T.C.A. §55-7-205, and to the following requirements:

- (1) Movements over eight feet six inches (8'6") wide but not exceeding ten feet (10') wide: No escorts, special signs, lights and/or markings will be required.
- (2) Movements over ten feet (10') wide but not exceeding twelve feet six inches (12'6") wide:
  - (a) No escort will be required to accompany the movement on the interstate highway system, four-lane highways or two-lane highways with a minimum pavement width (excluding paved shoulders) of twenty four feet (24').
  - (b) One (1) escort vehicle is required to precede the movement where the minimum pavement width (excluding paved shoulders) is less than twenty-four feet (24').
  - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (e) Escort vehicles shall be signed and marked as hereinafter set out in rule 1680-7-1-.21.
  - (f) At the discretion of the issuing authority, time of movement may be restricted due to:



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(Rule 1680-7-1-.16, continued)

1. Route to be traveled
  2. Weather conditions
  3. Traffic density
  4. Length of daylight hours
- (3) Movements over twelve feet six inches (12'6") wide but not exceeding fourteen feet (14') wide:
- (a) One (1) escort vehicle is required to follow the movement on the interstate highway system or four-lane highways.
  - (b) One (1) escort vehicle is required to precede the movement on two-lane highways.
  - (c) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (d) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (e) Escort vehicles shall be marked as hereinafter set out in rule 1680-7-1-.21.
  - (f) The towing vehicle for fourteen feet (14') wide movements must be at least fourteen feet six inches (14'6") in length.
  - (g) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
  - (h) At the discretion of the issuing authority, time of movement may be restricted due to:
    1. Route to be traveled
    2. Weather conditions
    3. Traffic density
    4. Length of daylight hours
- (4) Movements over fourteen feet (14') wide but not exceeding sixteen feet (16') wide:
- (a) Front and rear escort vehicles are required on all highways.
  - (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (c) The front and rear of the movement shall be signed and marked as hereinafter set forth in rule 1680-7-1-.20.
  - (d) Escort vehicles shall be marked as hereinafter set forth in rule 1680-7-1-.21.
  - (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.
  - (f) The towing vehicles and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
  - (g) Movements shall only be made Monday through Friday between the hours of 9:00 a.m. to 4:00 p.m. (local time) on Saturday from sunrise to sunset. No annual permits shall be issued.

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(Rule 1680-7-1-.16, continued)

- (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
  - Route to be traveled
  - 2. Weather conditions
  - 3. Traffic density
  - 4. Length of daylight hours
  
- (5) Movements over sixteen feet (16') wide but not exceeding seventeen feet (17') wide:
  - (a) Front and rear escort vehicles are required on all highways.
  - (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (c) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (d) Escort vehicles shall be marked as hereinafter set out in rule 1680-7-1-.21.
  - (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.
  - (f) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
  - (g) Special permits may be issued for movements Tuesday, Wednesday, and Thursday between the hours of 9:00 a.m. to 4:00 p.m. (local time), and shall only be valid for three (3) of any said week days. No annual permits shall be issued.
  - (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
    - 1. Route to be traveled
    - 2. Weather conditions
    - 3. Traffic density
    - 4. Length of daylight hours
  
- (6) Movements over seventeen feet (17') wide but not exceeding eighteen feet (18') wide:
  - (a) Three (3) escort vehicles are required on all highways. Two (2) escort vehicles are required to precede the movement. One (1) escort vehicle is required to follow the movement.
  - (b) A flagperson will be required at all bridge structures where the roadway width is less than twenty feet (20').
  - (c) The front and rear of the movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.
  - (d) Escort vehicles shall be marked as hereinafter set out in rule 1680-7-1-.21.
  - (e) The towing vehicle must be at least fourteen feet six inches (14'6") in length.

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(Rule 1680-7-1-.16, continued)

- (f) The towing vehicle and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
- (g) Special permits may be issued for movements Tuesday, Wednesday, and Thursday between the hours of 9:00 a.m. to 4:00 p.m. (local time), and shall only be valid for three (3) of the said week days. No annual permits shall be issued.
- (h) At the discretion of the issuing authority, time of movement may be further restricted due to:
  - Route to be traveled
  - 2. Weather conditions
  - 3. Traffic density
  - 4. Length of daylight hours

*Authority:* T.C.A. §§55-7-202 and 55-7-205. *Administrative History:* Original rule filed June 19, 1991; effective August 3, 1991. Amendment filed August 29, 1996; effective December 27, 1996. Amendment filed February 25, 2000; effective June 28, 2000. Amendment filed January 25, 2001; effective May 31, 2001. Rule has been assigned a new control number from 1680-2-2-.16 filed and effective February 1, 2003.

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
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**1680-7-1-17 CONDITIONS FOR PERMITTING MOVEMENT OF SEALED CONTAINERIZED (OCEAN GOING) CARGO UNITS.**

- (1) Sealed containerized cargo units will be considered as nondivisible loads and overweight trip permits will be issued to operate vehicles hauling such units on the State, or Federal highway systems, subject to the following restrictions:
  - (a) Such containerized cargo units must be part of international trade and be moved on the highways due to importation from, or exportation to, another country.
  - (b) A copy of the international bill of lading signed by a custom's official, or an international bill of lading with an equipment interchange and inspection report must be submitted to the TDOT Permit Section before a permit will be issued.
  - (c) The operators of such units shall at all times have in their possession a copy of the documents as described in (b) above.
  - (d) All vehicles operating under a sealed containerized cargo unit permit shall have a minimum of five (5) full-time load bearing axles and shall not exceed twenty thousand (20,000) lbs. per axle, or total gross vehicle weight of ninety thousand (90,000) lbs.
  - (e) All vehicles operating under a sealed containerized cargo unit permit must be legal width, length, and height.
  - (f) All vehicles permitted for movement of overweight sealed containerized units are authorized 24 hours continuous movement Monday through Sunday with normal travel conditions.
  - (g) All permits will be issued for a duration of six (6) days, and will only be valid for one (1) move.
- (2) Annual Permits will be available for the movement of sealed containerized cargo units from the Department of Transportation subject to the following restrictions:
  - (a) Such containerized cargo units must be part of international trade and be moved on the highways due to importation from, or exportation to, another country.
  - (b) All vehicles operating under a sealed containerized cargo unit permit must be legal width, length, and height.
  - (c) Application for a permit must be made in writing to the Tennessee Department of Transportation, before a permit will be issued.
  - (d) A specified route to be traveled from port to city, or city to port must be determined, and the specified route must be strictly adhered to, or the permit will be considered void. These routes must be established by the Department of Transportation, and the permittee. The annual permit is for multiple trips utilizing the same route.
  - (e) All vehicles operating under a sealed containerized cargo unit permit must have a permit in possession at all times, and the permit must be accompanied by a copy of a bill of lading, or shipping ticket showing the origin, and destination of the container being moved.
  - (f) All vehicles operating under a sealed containerized cargo unit permit shall have a minimum of five (5) fulltime load bearing axles and shall not exceed twenty thousand (20,000) lbs. per axle, or total gross vehicle weight of ninety thousand (90,000) lbs.

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(Rule 1680-7-1-.17, continued)

- (g) All vehicles permitted for movement of overweight sealed containerized cargo units are authorized 24 hours continuous movement, Monday through Sunday with normal travel conditions.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed December 29, 1995; effective April 29, 1996. Amendment filed May 22, 1997; effective September 28, 1997. Rule has been assigned a new control number from 1680-2-2-.17 filed and effective February 1, 2003.*

**1680-7-1-.18 CONDITIONS FOR PERMITTING MOVEMENT OF ROOF TRUSSES.**

- (1) For movements not exceeding ten (10) feet wide, no escort vehicle, special signs, lights, and or markings shall be required.
- (2) Movements over ten (10) feet wide, but not exceeding twelve (12) feet wide:
  - (a) No escort vehicle shall be required to accompany the movement on the Interstate highway system, four (4) lane highways, or two (2) lane highways with a minimum pavement (roadway surface) width of twenty-four (24) feet.
  - (b) One (1) escort vehicle shall be required to precede the movement where the minimum pavement (roadway surface) width is less than twenty-four (24) feet.
  - (c) A flagperson shall be required at all bridge structures where the roadway width is less than twenty (20) feet.
  - (d) The front and rear of the movement shall be appropriately signed and marked.
  - (e) Escort vehicles shall be appropriately marked.
- (3) Movements over twelve (12) feet wide, but not exceeding fourteen (14) feet wide:
  - (a) Front and rear escort vehicles shall be required on all two (2) lane highways. Front escort vehicles shall not be required on Interstate highways or four (4) lane highways. Front and rear escort vehicles shall be required on Interstate highways where two (2) lanes are traveled.
  - (b) Towing vehicles and escort vehicles shall be so equipped as to be in radio communication at all times during movement.
  - (c) The front and rear of the movement shall be appropriately signed and marked.
  - (d) Escort vehicles shall be appropriately marked.
  - (e) Towing vehicles for fourteen foot (14') wide movements shall be at least fourteen feet six inches (14'6") in length.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed December 29, 1995; effective April 29, 1996. Rule has been assigned a new control number from 1680-2-2-.18 filed and effective February 1, 2003.*

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**1680-7-1-.19 CONDITIONS FOR PERMITTING MOVEMENT OF OFF-THE-ROAD VEHICLES OR EQUIPMENT OVER STATE HIGHWAYS.**

- (1) Any rubber-tired mobile construction vehicle or equipment carrying no load other than its own weight, which has been reduced in size and/or weight until further reduction is impractical and is mounted on pneumatic tires, may be permitted to move over designated Tennessee State Highways.
- (2) If any axle exceeds the weight allowed by law for that particular axle, a special permit is required.
- (3) In no case may any axle weight exceed 24,000 pounds.
- (4) If width or length exceeds those allowed by law, a special permit is required.
- (5) Front and rear of movement shall be signed and marked as hereinafter set out in rule 1680-7-1-.20.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed August 29, 1996; effective December 27, 1996. Rule has been assigned a new control number from 1680-2-2-.19 filed and effective February 1, 2003.*

**1680-7-1-.20 SIGNS AND MARKINGS ON MOVEMENTS.**

- (1) All movement exceeding ten (10) feet in width and/or seventy-five (75) feet in length shall bear information signs.
- (2) Adequate markings shall be provided to outline the extremities of the load.
  - (a) Overwidth and/or overlength movements shall bear a sign reading "OVERSIZE LOAD" mounted on the front and rear of the movement.
    1. Signs shall be at least seven (7) feet long and eighteen (18) inches high. The background shall be yellow and the lettering black. Letters shall be at least ten (10) inches high with a 1 5/8 inch stroke. Each letter shall be solid. Gaps within the stroke of letter are not permitted.
    2. Signs shall be durable wood or metal construction. Heavy canvas or cloth signs, otherwise meeting same requirements, will be permitted if they can be securely fastened to the movement against a flat surface backing up the entire area of the sign.
    3. Signs shall be in a good state of repair, clean and readable.
  - (b) Additional Requirements for Overwidth Movements.

Red flags shall be fastened to the load (front and rear) at the top and bottom of each side which is widest. Flags shall extend from the load in a manner in which they will be visible to traffic approaching both the front and rear. If the widest part of the load is between the top and the bottom, flags shall be placed at this point both front and rear.

    2. All warning flags shall be of solid red color and at least eighteen (18) inches square.
  - (c) Additional Requirements for Overlength Movements.

OVERWEIGHT AND OVERDIMENSIONAL MOVEMENTS CHAPTER 1680-7-1  
ON TENNESSEE HIGHWAYS

(Rule 1680-7-1-.20, continued)

1. In addition to required signs described in (2)(a) of this rule, red flags shall be conspicuously displayed at the extreme rear end of overlength loads.

*Authority: T.C.A. §55-7-205. Administrative History: Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rules filed June 19, 1991; effective August 3, 1991. (Formerly numbered 1680-2-2-.18). Rule has been assigned a new control number from 1680-2-2-.20 filed and effective February 1, 2003.*

**1680-7-1-.21 ESCORT VEHICLE SIGNS, MARKINGS AND EQUIPMENT REQUIREMENTS.**

- (1) Escort vehicles shall comply with the following requirements.
  - (a) The escort vehicle must be a vehicle weighing more than 2,000 pounds with a manufacturer's gross vehicle weight rating less than 10,000 pounds and must be properly licensed, which is to be used to escort one or more other vehicles, when required, due to the vehicle(s) size or character or load, in accordance with the conditions set forth in a permit issued by the appropriate state agency.
  - (b) Identification signs or placards showing the name of the company or the owner or driver of the escort vehicle must be in a conspicuous place on both the right and left sides. The signs or placards shall be at least 8" x 12" and shall also contain the telephone number of the owner or driver plainly legible and visible to the motoring public.
  - (c) All escort vehicles must be equipped with either a rotating amber light or a strobe type amber light which is visible from at least 500 feet and has a horizontal placement which shall be visible from all directions three hundred sixty (360) degrees.
  - (d) Escort vehicles shall display bumper mounted or roof mounted yellow sign(s) reading "OVERSIZE LOAD" with black letters a minimum of ten (10) inches high, one and one-half (1-1/2) inch wide brush stroke, which must be visible from front and rear.
  - (e) Signs shall be of durable wood or metal construction. Heavy canvas or cloth signs, otherwise meeting same requirements will be permitted if they can be securely fastened to the escort vehicle against a flat surface backing up the entire area of the sign.
  - (f) Signs shall be in a good state of repair, clean and readable at all times.
  - (g) Two flags, either red or fluorescent orange in color, which must be at least 18" in size, shall be mounted at approximately a 40 to 70 degree angle on the escort vehicle's roof rack.
  - (h) During escort operations, all escort vehicles shall have on-board the following equipment and such equipment shall be in working order:
    1. Operable two-way electronic communications
    2. Two 5-pound fire extinguishers
    3. Stop and go paddle (18" with 6" letters).
    4. Safety orange vest, shirt, or jacket.

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(Rule 1680-7-1-.21, continued)

5. Red hand-held flag (18" in size).
6. Two oversized load banners (yellow w/black lettering).
7. Hard hat (no color specified)
8. Reflecting triangles or 18" traffic cones.
9. Additional equipment recommended, but not mandated:
  - (i) Hand-held two-way electronic communications.
  - (ii)
  - (iii)
  - (iv) Height indicator.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed December 28, 1995; effective April 29, 1996. Rule has been assigned a new control number from 1680-2-2-.21 filed and effective February 1, 2003.

**1680-7-1-.22 FINANCIAL RESPONSIBILITY.**

- (1) Any person, firm, company, corporation or other who undertakes the movement of any overweight and/or overdimensional article and/or commodity on the highways of the State of Tennessee shall hold the State of Tennessee, its officers and employees, harmless from any claims for damages resulting from the exercise of any of the privileges granted under the Special Permit so issued for such overweight and/or overdimensional movement, and to this end, shall carry liability insurance with an Insuror, acceptable to the Commissioner of Transportation, and shall furnish a certificate of insurance to the Commissioner of Transportation, in the amount of not less than three hundred thousand dollars (\$300,000) for each claimant injured and one million dollars (\$1,000,000) per occurrence.
- (2) The certificate of insurance shall provide that the Insuror shall give, to the Department of Transportation of the State of Tennessee, written notice of intention to terminate said required insurance by certified mail, said termination to become effective thirty (30) days after receipt of said notice from the Insuror by the Department of Transportation.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule filed July 1, 1982; effective August 2, 1982. Repeal and rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed February 25, 2000; effective June 28, 2000. Rule has been assigned a new control number from 1680-2-2-.22 filed and effective February 1, 2003.

**1680-7-1-.23 BOND OR PROOF OF SOLVENCY REQUIREMENTS.**

- (1) The Commissioner may require, as a condition of the issuance of a permit under these rules, that an applicant shall agree to and give bond with surety (unless an applicant shall by sworn statement furnish satisfactory proof of the applicant's own solvency to the authority issuing the permit) to indemnify the state and/or counties thereof, against damages to roads, or bridges, resulting from the



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(Rule 1680-7-1-.23, continued)

use thereof by the applicant. Each such permit and bond, if the Commissioner so authorizes, may cover more than one vehicle operated by the same applicant.

- (2) The bond required shall be in a form acceptable to the Department and in an amount, as determined by the Department, sufficient to indemnify the state and/or counties for the potential damages to roads and bridges resulting from the applicant's use.
- (3) A sworn statement furnishing satisfactory proof of the applicant's solvency shall mean an audited financial statement, certified by a certified public accountant, showing net assets of the applicant in an amount, as determined by the Department, sufficient to indemnify the state and/or counties for the potential damages to roads and bridges resulting from the applicant's use.

*Authority:* T.C.A. §55-7-205. *Administrative History:* Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed January 11, 2002; effective May 31, 2002. Rule has been assigned a new control number from 1680-2-2-.23 filed and effective February 1, 2003.

**1680-7-1-.24 FEES.**

The Commissioner of Transportation shall charge fees for granting special permits in accordance with the following schedules.

- (1) Excessive Width:
  - (a) Not more than ten feet (10'): \$10.00
  - (b) Over ten feet (10') but not more than twelve feet (12'): \$15.00
  - (c) Over twelve feet (12') but not more than fourteen feet (14'): \$25.00
  - (d) Over fourteen feet (14') but not more than sixteen feet (16'): \$30.00
  - (e) Over sixteen feet (16'): \$30.00 plus \$5.00 for each additional foot or fraction thereof greater than seventeen feet (17'), except as otherwise provided in subparagraph (f).
  - (f) For houseboats over seventeen feet (17'): \$2,500.00 plus \$100.00 for each additional inch or fraction thereof greater than eighteen feet (18').
- (2) Excessive Height or Length:

\$15.00
- (3) Excessive Weight:

\$15.00 plus 5 cents per ton mile
- (4) Evaluation of Bridges and Similar Structures:

Movements weighing over two hundred thousand but not more than three hundred thousand pounds, \$100.00

Movements weighing over three hundred thousand but not more than five hundred thousand pounds, \$300.00

Movements weighing over five hundred thousand but not more than one million pounds, \$500.00

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(Rule 1680-7-1-.24, continued)

Movements weighing over one million pounds, actual cost.

(5) Annual Permits:

Annual Permits may be obtained for overdimensional and/or overweight vehicles at a cost of five hundred dollars (\$500.00) per year for weights up to 120,000 lbs., and for one thousand dollars (\$1,000.00) per year for weights in excess of 120,000 lbs.

Individual owners of overdimensional boats used strictly for non-commercial pleasure may obtain annual permits for double the amount of the regular fee for a single trip permit for the particular movement.

Annual permits are available for manufactured roof trusses not to exceed fourteen (14') feet wide for a fee of five hundred (\$500.00) dollars.

Annual Permits are available for sealed containerized cargo units for a fee of five hundred (\$500.00) dollars.

(6) Multi State Permitting

A permit for movement through more than one state may be obtained by application submitted by phone or facsimile through a qualified Multi-State Permit Agent. All requests must be ordered with a 24 hour lead time to coordinate all states effective dates and times, and conform to the guidelines as represented in the SASHTO Agreement in the Multi State Permitting Manual.

(7) Authorized Vendor Stations

(a) Permits (except annual permits) may be received and paid for through the various authorized vendor stations. At the present time these vendors are:

- Best Permit Agency
2. Comdata Network, Inc.
3. Interstate Permit Service, Inc.
4. Jet Permit
5. Maryland Permit Service
6. Nova Permits & Pilot Cars
7. Permits, Inc.
8. State Permits
9. The Permit Company
10. Trans Mid-America, Inc.
11. Transport Permits
12. Xero-Fax, Inc.

(b) Special permits pertaining to overweight and/or overdimensional movements may be obtained only from the Department of Transportation (telephone #: (615) 741-3821).

**Authority:** T.C.A. §55-7-205. **Administrative History:** Original rule filed July 1, 1982; effective August 2, 1982. Repeal and new rule filed October 31, 1985; effective November 30, 1985. Repeal and new rule filed June 19, 1991; effective August 3, 1991. Amendment filed December 28, 1995; effective April 29, 1996. Amendment filed May 22, 1997; effective September 28, 1997. Amendment filed February 25, 2000; effective June 28, 2000.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



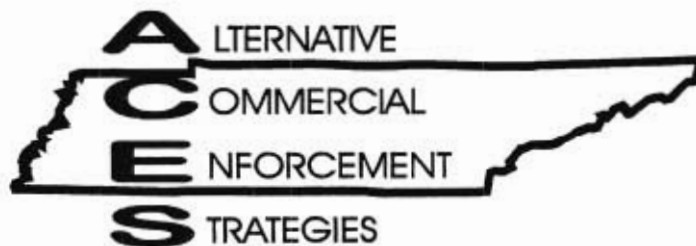
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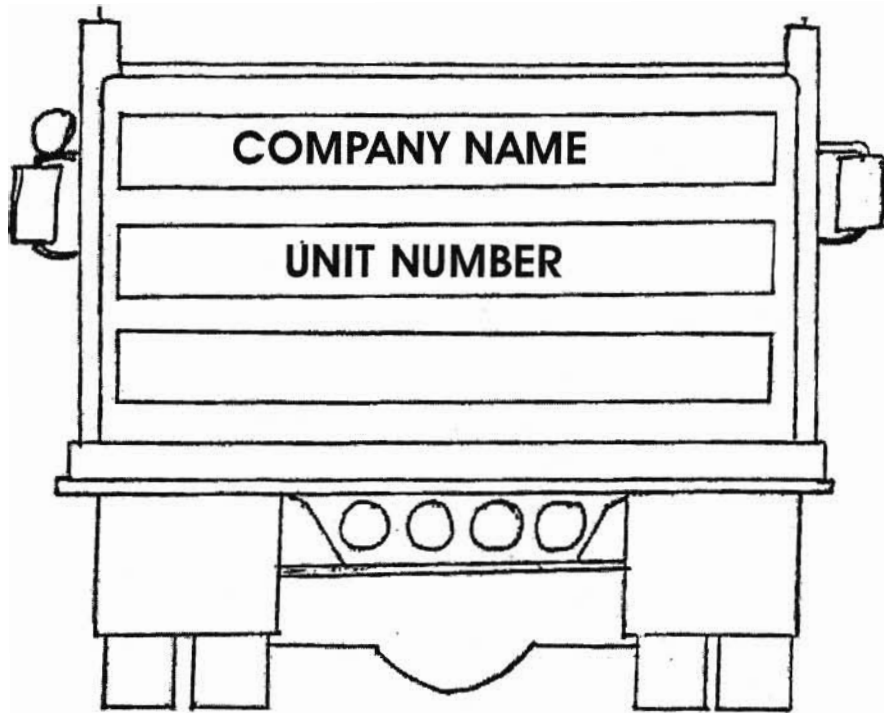
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Safety Administration



TENNESSEE HIGHWAY PATROL

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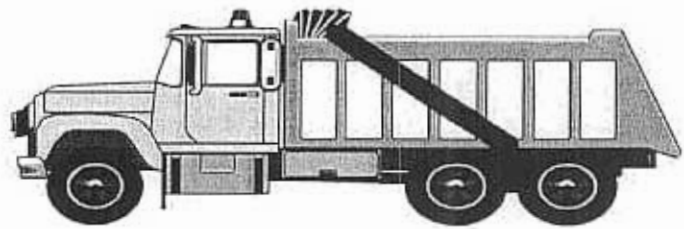
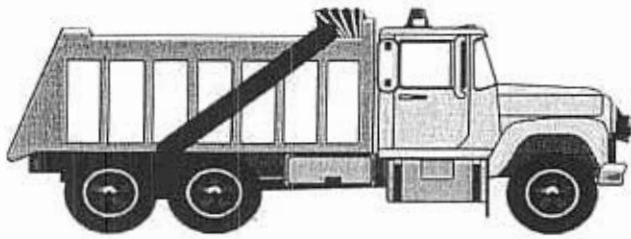


## **RULES FOR DUMP TRUCKS**

### **IDENTIFICATION**

**TCA 55-7-113:** Any vehicle hauling loose material, except farm produce, as defined in 55-7-109(a), shall have affixed, stenciled, or painted on the rear of such vehicle a sign or placard bearing the **name of the owner** of such vehicle in letters at least six (6) inches in height, clearly visible to a motorist following such vehicle, and an **additional identifying number** if the owner has more than one (1) such vehicle.

**TCA 55-9-212 MUDGUARDS ON TRUCKS:** No person shall operate upon a public highway or street any motor vehicle, including a separate truck tractor (normally used in a tractor-trailer combination), or combination of vehicles having a carrying capacity in excess of three thousand (3,000) pounds, if such motor vehicle or combination of vehicles is not equipped with rear fenders, mud flaps or mudguards of such size as to substantially prevent the projection of rocks, dirt, water or other substances to the rear. Such fenders, flaps or guards shall be of a type approved by the Commissioner of Safety.



## **IDENTIFICATION**

**FMCSA 49CFR 390.21:** Every self-propelled commercial vehicle operated in interstate commerce and operated for-hire, under authority issued by the Interstate Commerce Commission (ICC) may meet the requirements by displaying on both sides the trade name, US DOT number and /or MC number.

**TCA 55-4-114:** Shall display on both sides of the power unit trade name and address of the motor carrier under whose authority the vehicle is being operated, with identifying numbers.

Name and numbers shall be in letters and figures in sharp color contract to background, and of such size, color and shape as to be readily legible during daylight hours, from a distance of fifty-feet (50') while vehicle is not in motions. (Maintained legible)

## **TCA 55-4-124: REGISTRATION OF CERTAIN VEHICLES**

Vehicles operated on roads other than the interstate system.

Transports: Crushed stone, fill dirt and rock, soil. Bulk sand, coal, clay, shale, and phosphate muck. Asphalt, concrete, other building material, forest products, unfinished lumber, ferrous, and non-ferrous scrap metal, agricultural lime, liquid fertilizer, solid waste, and coal ash.

So designed to unload itself and area a single unit four (4) axels with a gross weight not exceeding seventy-four thousand pounds (74,000 lbs.). Three (3) axles with a gross weight not exceeding sixty-six thousand (66,000 pounds).

**TCA 55-7-109: Loose material in open truck bed:** Any truck with an open bed operated on any highway, road and street used in this state **shall be loaded** so that any material remains at least four (4) inches below the walls of such bed, measured at the front, back, and sidewalls. (But such load may be piled higher in the center). **“Loose Materials”** includes any substance, which could spill, drop off, or blow away form the vehicle being operated.

### **TCA 39-14-503: Tarpaulin Law:**

The provisions of this section shall not apply to motor vehicles which transport crushed stone, fill dirt and rock, soil, bulk sand, coal, phosphate muck, asphalt, concrete, other building materials, forest products, unfinished lumber, agricultural lime and agricultural products, and which are loaded in compliance with the four inch (4") requirement of § 55-7-109. Such exemption shall not apply to any load if any law enforcement officer sees any part of such material blowing off such vehicle. The provisions of this section shall also not apply to motor vehicles which transport farm produce going to market, or from field to field, or from field to storage.

**1340-4-2.03 CRITERIA FOR MUDGUARDS/MUD FLAPS FOR FREIGHT VEHICLE.**

The Tennessee Department of Safety hereby adopts criteria for mudguards/mud flaps for freight vehicles having a carrying capacity in excess of 3,000 pounds. In accordance with TCA 55-9-212 as follows:

- (1) Mudguards/mud flaps shall be attached so as to prevent the splashing of mud or debris to the rear of side upon other motor vehicles and shall extend to a length which shall end not more than eight (8) inches from the ground.
- (2) Mudguards shall be wide enough to cover full tread or treads of the tires being protected and shall be installed close enough to the tread surface of the tire or wheel as to control the side throw of the bulk of the thrown material.
- (3) Mudguards may be constructed of a flexible rubberized material, and shall be attached in such a manner that, regardless of movement, either in such guards or the vehicle, such guards will retain their general parallel relationship to the tread surface of the tire or wheel under all ordinary operating conditions.
- (4) This section shall have no application to farm vehicles, or vehicles used by farmers to haul produce from farm to market, or shall it apply to vehicles used exclusively for hauling logs.

**AUTHORITY: TCA 4-3-209, 55-9-212**

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



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# **Mexico-domiciled Motor Carrier Operations Beyond U.S. Municipalities and Commercial Zones On the U.S./Mexico Border**

Process For Obtaining Operating Authority

## **Executive Summary**

The process for Mexico-domiciled carriers to obtain U. S. operating authority is contained in the Federal Motor Carrier Safety Administration's (FMCSA's) rules entitled, "Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the United States-Mexico Border" and "Safety Monitoring System and Compliance Initiative for Mexico-domiciled Motor Carriers Operating in the United States." This paper summarizes the information contained in the rules mentioned above into an easy-to-read overview of the process.

This process applies to any Mexico-domiciled motor carrier of property or passengers seeking authority to operate between Mexico and points in the United States beyond the border zones and is comprised of three sub-processes:

### **Initial application,**

- Operations under provisional authority, and
- Operations under permanent authority.

### **Application Process**

The application process represents the first phase in a carrier's efforts to obtain U.S. operating authority. To successfully complete the application process a carrier must accomplish two activities-- correctly complete the application package, accompanied by an application fee; and pass a safety audit.

### **Provisional Operating Authority**

FMCSA has implemented a safety monitoring system and compliance initiative to help determine whether Mexico-domiciled carriers conducting operations anywhere in the United States comply with applicable safety regulations and conduct safe operations. The two major elements of this safety monitoring system are:

### **Compliance monitoring via a compliance review (CR) and**

- Roadside performance monitoring.

### **Permanent Authority**

Mexico-domiciled carriers that demonstrate acceptable levels of safety performance and receive a satisfactory rating from the CR will be issued permanent operating authority at the end of the 18-month provisional period. FMCSA will send written notification to the carrier indicating that the status of its operating authority has been changed from provisional to permanent.

Once Mexico-domiciled carriers have been issued permanent operating authority, they will fall under the same safety requirements and operational procedures applied to U.S. and Canadian carriers, with one exception. For a period of three years, Mexico-domiciled carriers that have been granted permanent operating authority will still be required to ensure that all their vehicles that operate beyond the border zone display a valid Commercial Vehicle Safety Alliance (CVSA) decal. Decals are valid for 90 days.

## **Process For Obtaining Operating Authority**



The process for obtaining operating authority applies to any Mexico-domiciled carrier of property or passengers seeking authority to operate between Mexico and points in the United States beyond the border commercial zones and is comprised of three sub-processes - initial application, operations under provisional authority, and operations under permanent authority. Each of these is described in more detail below.

## **Application Process**

The application process represents the first phase in a carrier's efforts to obtain U.S. operating authority. To successfully complete the application process a carrier must accomplish two activities:

- Correctly complete and file the OP-1(MX) application package, accompanied by an application fee and
- Pass a safety audit.

### **COMPLETING AND FILING AN OP-1(MX) APPLICATION**

The first step in the application process is to thoroughly and accurately complete the application forms. Applications containing missing or incomplete information will delay processing until the necessary information is provided. The following provides an overview of the steps involved in obtaining, completing and filing an OP-1(MX) application.

#### **Obtaining a Copy of the OP-1(MX) Application Package**

Mexico-domiciled carriers can obtain a copy of the application package:

- Through the mail by calling FMCSA's Information Line (001-800-832-5660 from Mexico or 1-800-832-5660 from the U.S. or Canada) or any FMCSA Division office and requesting the OP-1(MX) application package or
- Through the FMCSA web site on the Internet at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov).

#### **Attending a 1-Day Seminar on U.S. Safety Requirements (Optional)**

FMCSA has developed a 1-day seminar on U.S. safety requirements for Mexico-domiciled carriers seeking U.S. operating authority. The seminar provides an overview of the U.S. safety regulations and process for obtaining U.S. operating authority. The information provided at the seminar will be valuable to the carrier in completing the application and preparing for the upcoming Safety Audit. Although participation in the seminar is not mandatory, carriers are strongly encouraged to attend. Information about the time and location of future seminars will be provided to the Mexican trucking associations, the Secretaría de Comunicaciones y Transportes, and will be distributed to drivers at major border crossings.

#### **Completing the Application**

The application package is printed in English and Spanish, but the carrier's responses must be written in English. It is very important that the carrier provides all required information and completes the application in its entirety before mailing it back. Applications with missing information will be returned to the carrier. Information provided on the application will be checked against a variety of U.S. and Mexican databases to ensure that the carrier is eligible to apply for authority.

#### **Filing the Application**

All applicants must submit the following documents and fee to FMCSA:

**OP-1(MX) Application: An original and one copy of a completed Form OP-1(MX), Application to Register Mexican Carriers for Motor Carrier Authority to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border, with all necessary attachments and statements.**

- **Motor Carrier Identification Report (Form MCS-150):** A completed and signed Form MCS-150, Motor Carrier Identification Report. The MCS-150 provides basic information about the carrier's operation necessary to maintain FMCSA's carrier census database.
- **Designation of Agents for Process (Form BOC-3):** A carrier must provide a signed and dated Form BOC-3, Designation of Agents for Service of Process, or use a process service agent who will electronically file the BOC-3 within 90 days. The BOC-3 form must show the street addresses for the person(s) designated as the agent(s) for serving notices of enforcement action. A process agent must be designated in each state in which the applicant may operate. The applicant may not begin operations unless the Form BOC-3 has been filed with the FMCSA.
- **Filing Fee:** Except for those carriers that have already paid the fee, a filing fee of \$300 for each type of registration requested (e.g., contract, common or household goods) payable in U.S. dollars on a U.S. Bank to the FMCSA by means of check, money order or credit card must accompany the application.

The completed application, fee and above-mentioned documents should be sent to either FMCSA's Trans-border Office (if paying with a credit card) or to FMCSA's Lockbox (if paying by check or money order). The addresses are as follows:

**FMCSA Trans-Border Office**

FMCSA Trans-border Office  
P.O. Box 530870  
San Diego, CA 92153

**FMCSA Lockbox Addresses**

**FOR REGULAR DELIVERY:**  
Federal Motor Carrier Safety Administration  
P. O. Box 100147  
Atlanta, GA 30384-0147

**FOR EXPRESS MAIL ONLY:**  
Bank of America, Lockbox 100147  
6000 Feldwood Road  
3rd Floor East  
College Park, GA 30349

**Providing Proof of Insurance**

The carrier is not required to submit proof of insurance with the application. However, the carrier must present evidence of insurance coverage as part of the pre-authority Safety Audit. Also, if the carrier passes the audit, the carrier's insurance company must file the appropriate insurance forms (Form BMC-91 or BMC-91X for bodily injury and property damage; Form BMC-34 for cargo liability) with FMCSA within 90 days after the date that notice of the carrier's application is published in the DOT/FMCSA Register.

**PASSING A SAFETY AUDIT**

The second major element of the application process is the pre-authority Safety Audit. The Safety Audit consists of a review of the carrier's safety data, a review of requested motor carrier documents, vehicle inspections, and an interview session with the motor carrier's safety official by a trained safety auditor. The following steps describe this aspect of the application process.

### **Preparing for the Audit**

In addition to completing the OP-1(MX) application package, Mexico-domiciled carriers seeking U.S. operating must also receive and pass an FMCSA Safety Audit prior to receiving provisional operating authority. FMCSA recommends that a Mexican carrier do the following things in preparation for the audit:

**Obtain a copy of FMCSA's Educational and Technical Assistance (ETA) Package through the Internet at [www.fmcsa.dot.gov/factsfigs/eta/index.html](http://www.fmcsa.dot.gov/factsfigs/eta/index.html) (English) or [www.fmcsa.dot.gov/spanish/eta/ETA\(SP\)\\_index.html](http://www.fmcsa.dot.gov/spanish/eta/ETA(SP)_index.html) (Spanish)**

- Attend the 1-day Mexico-domiciled Carrier Seminar
- Ensure all vehicles intended for operations beyond the U.S. commercial zones have current CVSA decals
- Become familiar with the Federal Motor Carrier Safety Regulations (FMCSRs) and Hazardous Materials Regulations (HMRs) (if appropriate). These regulations are available through the Internet at [www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm](http://www.fmcsa.dot.gov/rulesregs/fmcsrhome.htm)

### **Scheduling the Audit**

The FMCSA Division Office assigned to the carrier's business location will contact the carrier to schedule a mutually agreeable time and place for conducting the audit. FMCSA is required to conduct at least 50% of all safety audits on-site at the carrier's place of business. The remaining 50% may be conducted at sites other than the carrier's place of business depending on variables such as the size of the carrier, commodity hauled, and location of the carrier's place of business. A letter will be sent to the carrier documenting when and where the safety audit will be held.

### **Participating in the Audit**

The objective of the safety audit is to both educate the carrier on compliance with the FMCSRs and HMRs and to determine areas where the carrier might be deficient in terms of compliance. The safety auditor will use a series of questions regarding the carrier's safety management practices and safety performance to ensure that all applicable acute and critical areas of the FMCSRs and HMRs are addressed. Areas covered include the qualification of drivers, driving a motor vehicle, hours of service, inspection, repair, and maintenance, transporting and marking hazardous materials, controlled substance and alcohol use and testing, commercial driver's license standards, and financial responsibility. At the end of the audit, the carrier will receive a report listing any deficiencies that may have been found along with recommendations for correcting those deficiencies. If the carrier passes the pre-authority safety audit and FMCSA approves its application, the Agency will publish a summary of the application as a preliminary grant of authority in the DOT/FMCSA Register. FMCSA will notify the carrier of the results of the audit (Pass or Fail) within 45 days after completion of the audit.

### **Passing the Audit**

Carriers that pass the audit will receive:

**A letter stating that they have passed the audit and**

- A reminder that the carrier is required to have a Form BOC-3 (Designation of Agents) and insurance forms on file with the FMCSA before operating authority can be issued.

Once the Form BOC-3 and the insurance forms have been filed, the FMCSA will send the carrier a package of materials that will contain:

**A certificate authorizing the carrier to operate in the United States for a period of 18 months and**

- A USDOT number.

The USDOT number must be displayed on both sides of any vehicle intended for use in the United States before a carrier can operate in the United States. Also, a current DOT Form MCS-90 and evidence of continuing insurance coverage must be on each of the carrier's vehicles when it crosses the border.

### **Failing the Audit**

Carriers that fail the audit will receive a letter from the FMCSA informing them that they failed the safety audit along with instructions for re-applying.

## **Operating with Provisional Authority**

FMCSA has implemented a safety monitoring system and compliance initiative to help determine whether Mexico-domiciled carriers conducting operations anywhere in the United States comply with applicable safety regulations and conduct safe operations. The two major elements of this safety monitoring system are:

**compliance monitoring via a Compliance Review and**

- roadside performance monitoring.

Each of these elements is discussed below.

### **FMCSA COMPLIANCE REVIEW**

All Mexico-domiciled carriers seeking permanent U.S. operating authority to operate beyond the commercial zones must undergo an FMCSA-conducted Compliance Review (CR). A CR is a process whereby a federal safety investigator examines a carrier's trucking operation to determine compliance with the FMCSRs and HMRs (if applicable). It focuses on not only the carrier's safety management controls, but also the carrier's operational performance and regulatory compliance.

### **Participating in a Compliance Review**

At some point within the 18-month provisional operating period, FMCSA is required to conduct a Compliance Review (CR) consistent with federal safety fitness evaluation procedures. As a result of the CR, the carrier will be issued a safety rating of satisfactory, conditional or unsatisfactory. Carriers must receive a satisfactory rating in order to qualify for permanent operating authority. Enforcement action in the form of fines, suspension or revocation of operating authority may result from a CR.

### **Scheduling the Compliance Review**

FMCSA's Division Office will call the carrier to schedule a mutually agreeable time and location for conducting the compliance review. The call will be followed up with a letter to the carrier documenting when and where the compliance review will be held.

### **Receiving a Satisfactory Rating**

If the CR reveals that the carrier is in compliance with the FMCSRs and HMRs (if appropriate) and has basic safety management controls in place that are functioning adequately, the carrier will receive a satisfactory safety rating. The Mexican carrier's provisional operating authority will remain in place and its performance will remain closely monitored by the FMCSA until the end of the 18-month period.

#### **Receiving an Unsatisfactory or Conditional Rating**

If a carrier receives an unsatisfactory rating as a result of a CR due to severe safety problems and/or non-compliance with the FMCSRs and HMRs (if appropriate), FMCSA will notify the carrier that it is required to take action to improve its safety practices if it wishes to continue to operate in the United States. The carrier's operating authority would be suspended effective 15 days after the service date of the notice and an Operations Out of Service Order would be imposed, prohibiting it from operating any motor vehicle in the United States, unless the carrier demonstrates, within 10 days of the service date of the notice, that the compliance review contains material error. Failure to take the necessary corrective action within 45 days of the service date of an unsatisfactory rating would result in the revocation of a carrier's provisional operating authority. A follow-up review would be conducted to ensure that all corrective actions have been taken.

Carriers receiving a conditional rating would have their provisional operating authority revoked and an Operations Out of Service Order imposed if the necessary corrective action is not taken within 45 days after the service date of the rating. A follow-up review would be conducted to ensure that all corrective actions have been taken.

#### **ROADSIDE PERFORMANCE MONITORING**

During the 18-month period following issuance of provisional operating authority, the over-the-road safety performance of Mexico-domiciled carriers will be tracked and assessed through a comprehensive roadside performance monitoring system. The major aspects of that system are presented below.

#### **Checking Mexican Commercial Motor Vehicle (CMV) Drivers Licenses**

Federal and State inspectors will be required to electronically verify the status and validity of the Licencia Federal of Mexican commercial drivers for the following commercial vehicles:

##### **Vehicles carrying placardable quantities of hazardous materials;**

- Vehicles undergoing a Level 1 inspection; and
- Randomly selected Mexican commercial vehicles (at least 50% of all Mexican vehicles operating beyond the commercial zones).

#### **Inspecting All CMVs of Mexico-Domiciled Carriers Without CVSA Decals**

All vehicles of Mexico-domiciled carriers that do not display a currently valid CVSA decal will be inspected by certified inspectors, including examination of the driver, vehicle exterior and vehicle under-carriage for a period of 4.5 years (1.5 years while operating with provisional authority and 3 years while operating with permanent authority.) In addition, a certified CVSA inspector may inspect any vehicle, at any time, either at the border or roadside, regardless of whether the vehicle has a CVSA decal.

#### **Using Expedited Action Letters to Alert Carriers to Safety Problems**

Mexico-domiciled motor carriers that commit certain violations discovered as part of a roadside inspection or other means may be subject to an expedited safety audit or compliance review (if the carrier has not already had one) or issued an expedited action letter identifying the violations and directing the carrier to submit a written response demonstrating corrective action. The specific violations that may generate an expedited action letter include:

**Using drivers not possessing, or operating without a valid Commercial Driver's License (CDL) or Licencia Federal de Conductor (LF);**

- Operating vehicles that have been placed out-of-service (OOS) for CVSA OOS violations without making required repairs;
- Involvement in, due to carrier act or omission, a hazardous materials (HM) incident within the United States involving highway route controlled quantity of certain HM;
- Involvement in, due to carrier act or omission, two or more hazardous materials incidents within the United States;
- Using a driver who tests positive for drugs or alcohol or who refuses to submit to required drug or alcohol tests;
- Operating within the United States a motor vehicle that is not insured as required by 49 CFR Part 387;
- Having a driver or vehicle OOS rate of at least 50% based upon three inspections within a consecutive 90-day period.

Failure to respond to an agency request for a written response demonstrating corrective action within 30 days will result in suspension of the carrier's provisional operating authority until the required showing of corrective action is submitted to the FMCSA. Expedited CRs and the use of expedited action letters will only apply during the 18-month monitoring period.

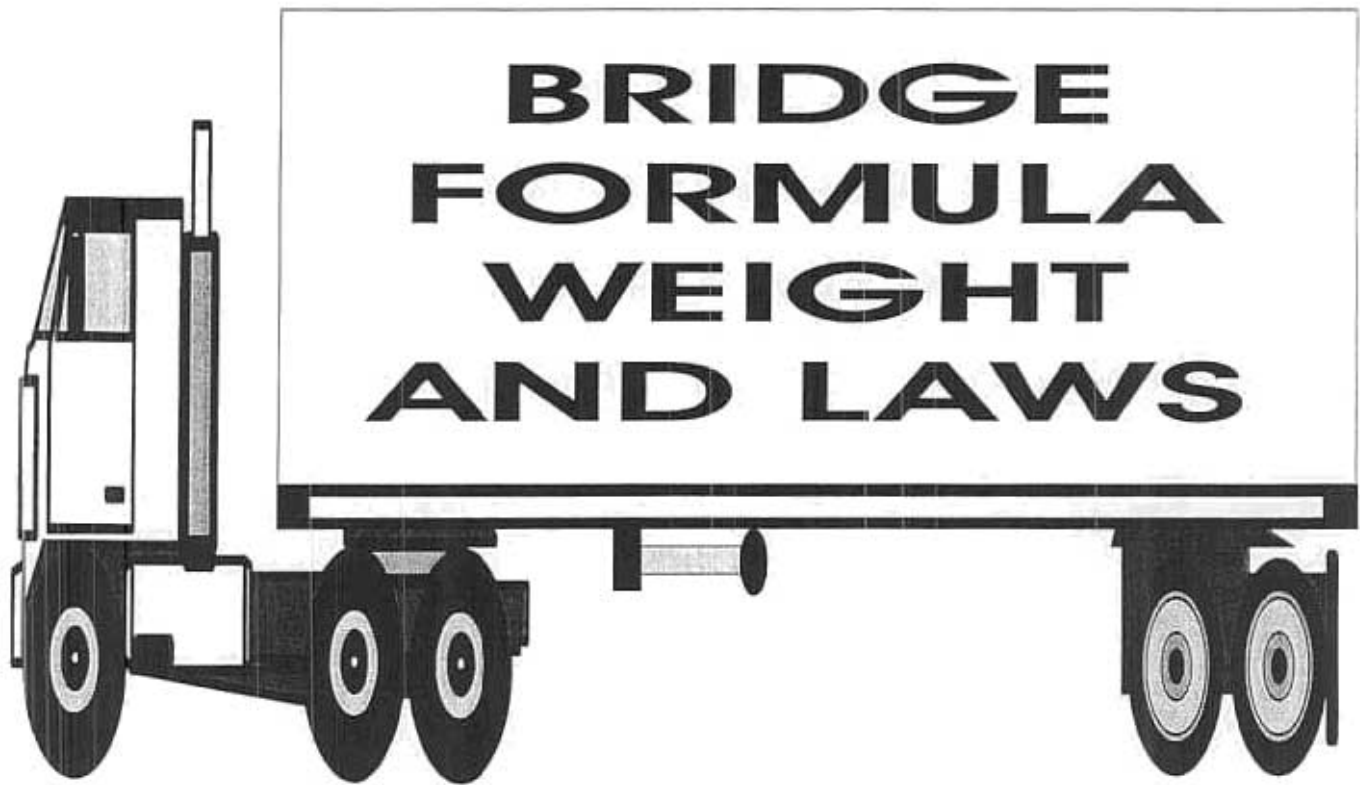
In addition, Mexico-domiciled carriers identified as "at risk" by FMCSA's SafeStat performance system may receive a compliance review regardless of whether they are operating with provisional authority.

### **Operating With Permanent Authority**

Mexico-domiciled carriers that demonstrate acceptable levels of safety performance and receive a satisfactory rating from the CR will be issued permanent operating authority at the end of the 18-month provisional period. FMCSA will send written notification to the carrier indicating that the status of its operating authority has been changed from provisional to permanent.

Once Mexico-domiciled carriers have been issued permanent operating authority, they will fall under the same safety requirements and operational procedures applied to U.S. and Canadian carriers, with one exception. For a period of three years, Mexico-domiciled carriers that have been granted permanent operating authority will still be required to ensure that all their vehicles operating beyond the border zone display a currently valid CVSA decal. Decals are valid for 90 days.

# A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY



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TENNESSEE HIGHWAY PATROL

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# BRIDGE FORMULA WEIGHTS

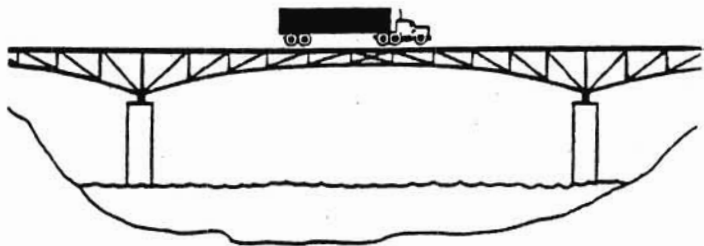


U.S. Department  
of Transportation  
Federal Highway  
Administration

January 1994

NOTE: For additional copies contact:  
Federal Highway Administration  
Office of Motor Carrier Information  
Management, HIA-20  
400 7th Street, SW; Room 3104  
Washington, DC 20590  
(202) 366-2212

$$W = 500 \left[ \frac{LN}{N-1} + 12N + 36 \right]$$



Publication No. FHWA-MC-94-007  
HIA-20/1-94 (15M) E



## HOW IS THE FORMULA USED?

Some definitions are needed to use the Bridge Formula correctly.

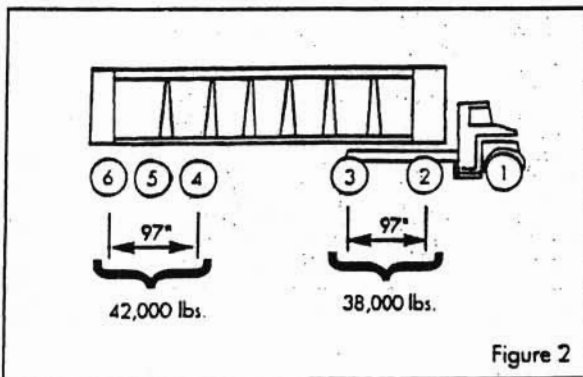
**Gross Weight**—the weight of a vehicle or vehicle combination and any load thereon. The Federal gross weight limit on the Interstate System is 80,000 pounds.

**Single-Axle Weight**—The total weight on one or more axles whose centers are not more than 40 inches apart. The Federal single-axle weight limit on the Interstate System is 20,000 pounds.

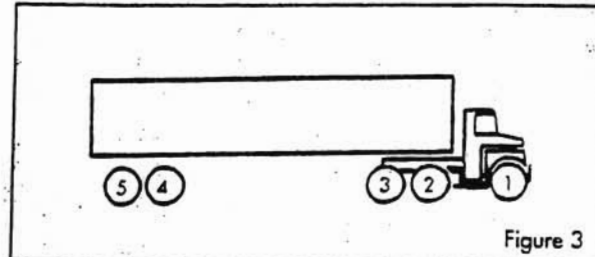
**Tandem-Axle Weight**—The total weight on two or more consecutive axles more than 40 inches but not more than 96 inches apart. The Federal tandem-axle weight limit on the Interstate System is 34,000 pounds.

Interstate System weight limits in some States may be higher than these figures due to "grandfather" rights. When the Interstate System axle and gross weight limits were adopted in 1956, States were allowed to keep or "grandfather" those which were higher. In 1975, States were also allowed to keep "grandfathered" bridge formula limits which were higher than those established for the Interstate System.

Bridge Formula calculations yield a series of values usually referred to as Bridge Table B (pages 6-7). However, the single-axle weight limit replaces the Bridge Formula weight limit on axles not more than 40 inches apart, and the tandem-axle weight limit replaces the Bridge Formula weight limit for axles over 40 but not more than 96 inches apart. At 97 inches apart, two axles can carry 38,000 pounds and three axles 42,000 pounds, as shown in Figure 2.

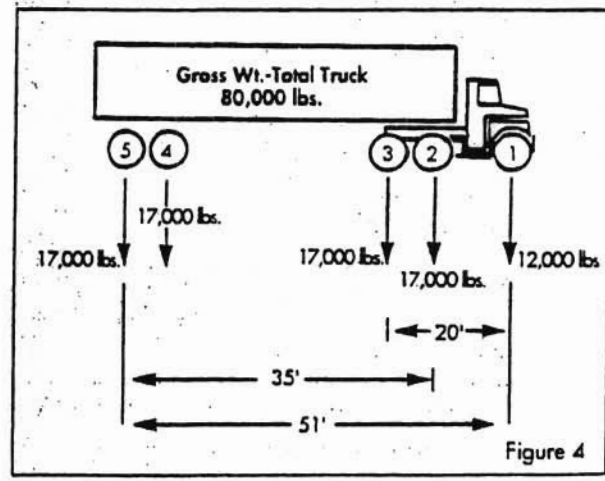


Federal law provides that any two or more consecutive axles may not exceed the weight computed by the Formula even though single axles, tandem axles, and gross weight are within legal limits. In other words, the axle group that includes the entire truck—sometimes called the "outer bridge" group—must comply with the Bridge Formula. But interior combinations of axles, such as the "tractor bridge" (axles 1, 2, and 3) and "trailer bridge" (axles 2, 3, 4, and 5), must also be in compliance with weights computed by the Formula (Figure 3).

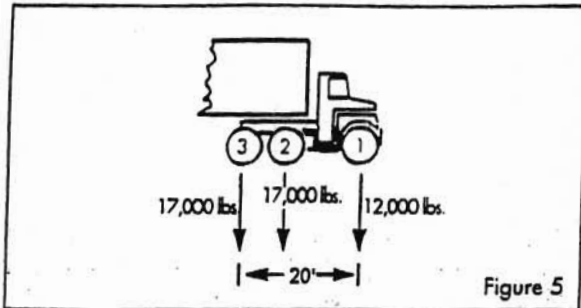


The most common vehicle checked for compliance with weight limit requirements is shown in Figure 3. While the Bridge Formula applies to each combination of two or more axles, experience shows that axle combinations 1 through 3, 1 through 5, and 2 through 5 are critical and must be checked. If these combinations are found to be satisfactory, all of the others on this type of vehicle will normally be satisfactory.

The vehicle with weights and axle dimensions as shown in Figure 4 will be used to illustrate a Bridge Formula check. (Continued on page 8.)



Before checking a vehicle for compliance with the Bridge Formula, its single-axle, tandem-axle, and gross weight should be checked. Here the single axle (number 1) does not exceed 20,000 pounds, tandems 2-3 and 4-5 do not exceed 34,000 pounds each, and the gross weight does not exceed 80,000 pounds. These preliminary requirements are thus satisfied. The first Bridge Formula combination is checked as follows:



Check of 1 thru 3 (Figure 5)

Actual weight = 12,000 + 17,000 + 17,000 = 46,000 pounds.

N = 3 axles.

L = 20 feet.

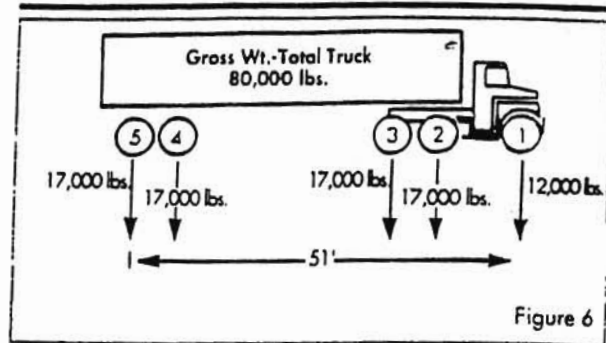
$$W = 500 \left( \frac{LN}{N-1} + 12N + 36 \right)$$

$$W = 500 \left[ \frac{(20 \times 3)}{(3-1)} + (12 \times 3) + 36 \right] = 51,000\#$$

W maximum = 51,000#, which is more than the actual weight of 46,000#, so the Bridge Formula requirement is satisfied.

Example—Bridge Table B

This same number (51,000#) could have been obtained from Bridge Table B as shown by reading down the left side to L = 20 and across to the right where N = 3.

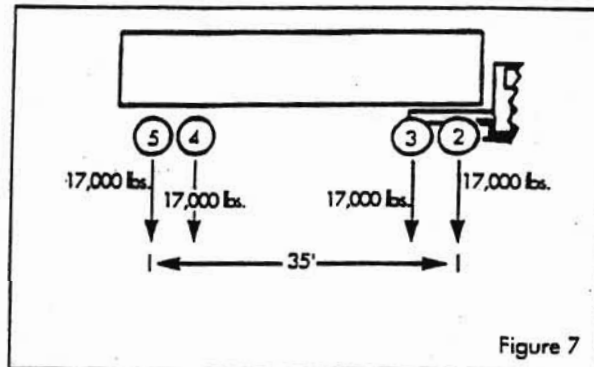


Now check axles 1 thru 5 (Figure 6)

Actual weight = 12,000 + 17,000 + 17,000 + 17,000 + 17,000 = 80,000#.

W maximum, from Table B for "L" of 51 feet and "N" of 5 = 80,000#.

Therefore, this axle spacing is satisfactory.



Now check axles 2 thru 5 (Figure 7)

Actual weight = 17,000 + 17,000 + 17,000 + 17,000 = 68,000#.

W maximum, from Table B for "L" of 35 feet and "N" of 4 = 65,500#.

This is a violation because the actual weight exceeds the weight allowed by the Bridge Formula. To correct the situation, some load must be removed from the vehicle or the axle spacing (35 feet) must be increased.

**GENERAL SIZE AND WEIGHT LIMITATIONS**

**GROSS WEIGHT - 80,000 pounds**

Freight motor vehicles operated on the interstate system where the gross weight exceeds 73,280 pounds or where the weight on any single axle exceeds 18,000 pounds, or where the weight on any tandem axle group exceeds 32,000 pounds, must comply with the Federal Bridge Formula B.

**SINGLE AXLE - 20,000 pounds (except as provided above)**

**TANDEM AXLE - 34,000 pounds (except as provided above)**

**WIDTH - 8 feet 6 inches (102 inches.)**

**HEIGHT - 13 feet 6 inches**

**LENGTH LIMITATIONS**

**STRAIGHT TRUCK - 40 feet (overall length)**

**STRAIGHT TRUCK WITH TRAILER ATTACHED - 65 feet (overall length)**

**TRUCK-TRACTOR AND SEMI-TRAILER -** The towed vehicle shall not exceed 48 feet in length from the point of attachment to the tractor [kingpin] to the rearmost portion of the trailer or load.

**EXCEPT,** the distance from the point of attachment to the tractor [kingpin] to the rearmost portion of the trailer or load may be 50 feet so long as the distance from the point of attachment to the tractor [kingpin] to the center of the rear axle, or a point midway between the rear axles, if the rear axles are a tandem, shall not exceed 41 feet.

**EXCEPT,** if transporting livestock or automobiles and/or motor vehicles the distance from the point of attachment to the tractor [kingpin] to the rearmost portion of the trailer or load may be 52 feet.

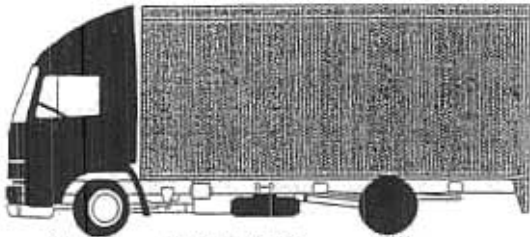
**OR,** if transporting poles, logs or timber in single length pieces, the overall length may not exceed 75 feet.

**TRUCK-TRACTOR AND TWIN-TRAILER COMBINATION -** neither trailer may exceed 28 feet 6 inches overall length.

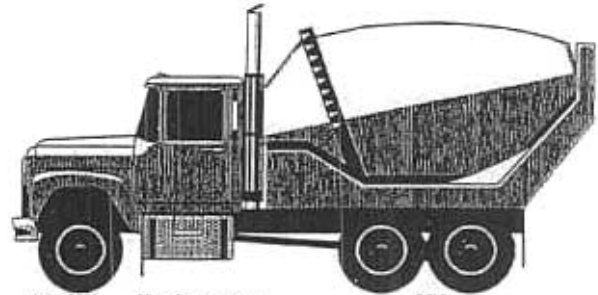
**STINGER-STEERED COMBINATION -** transporting automobiles and/or motor vehicles or boats are allowed a maximum overall length of seventy-five feet, and in addition are allowed maximum overhang of three (3) feet on the front and four (4) feet on the rear of the combination.

# WEIGHT LIMITATIONS BASED ON VEHICLE AND AXLE CONFIGURATIONS

20M=20,000 Pounds  
34M=34,000 Pounds



Axle 20M    Max. Gross 40,000    20M

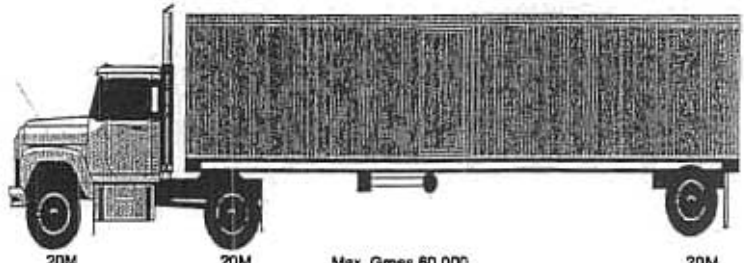


Axle 20M    Max. Gross 54,000

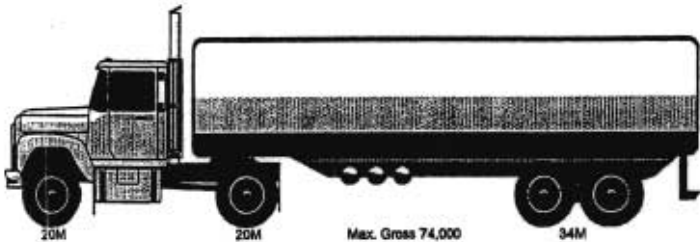
34M



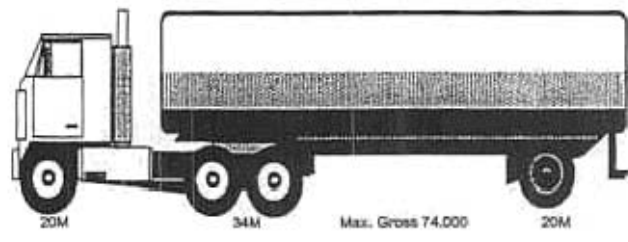
20M    Max. Gross 74,000    20M    34M



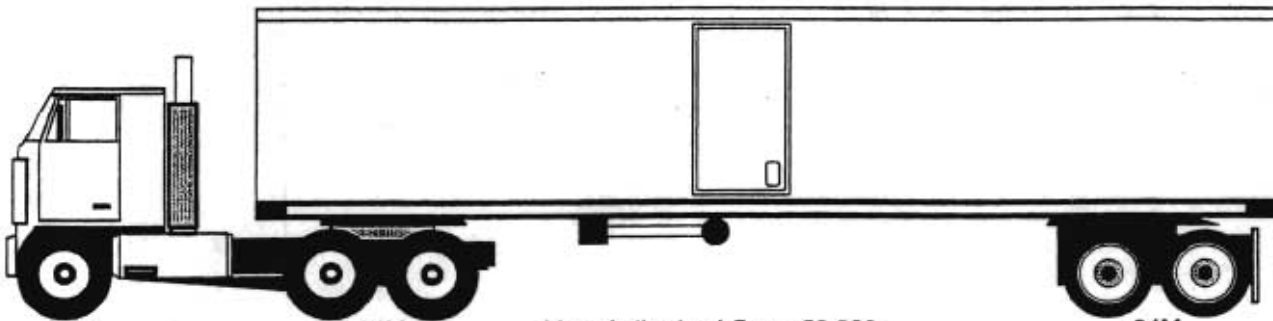
20M    20M    Max. Gross 60,000    20M



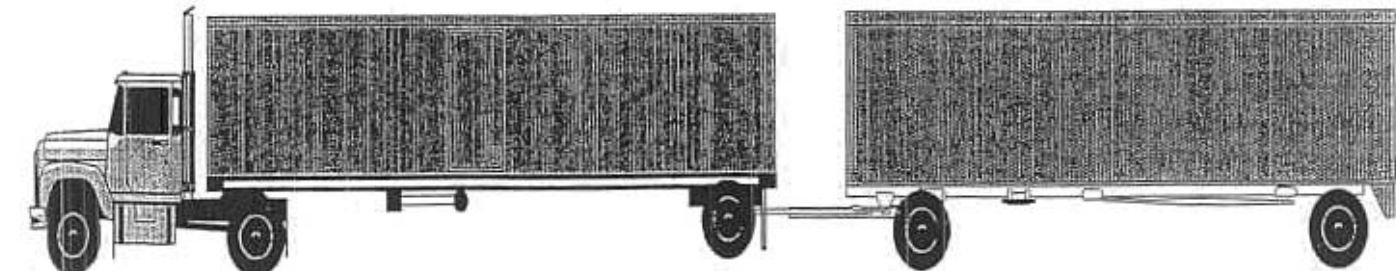
20M    20M    Max. Gross 74,000    34M



20M    34M    Max. Gross 74,000    20M



20M    34M    Max. Authorized Gross 80,000    34M

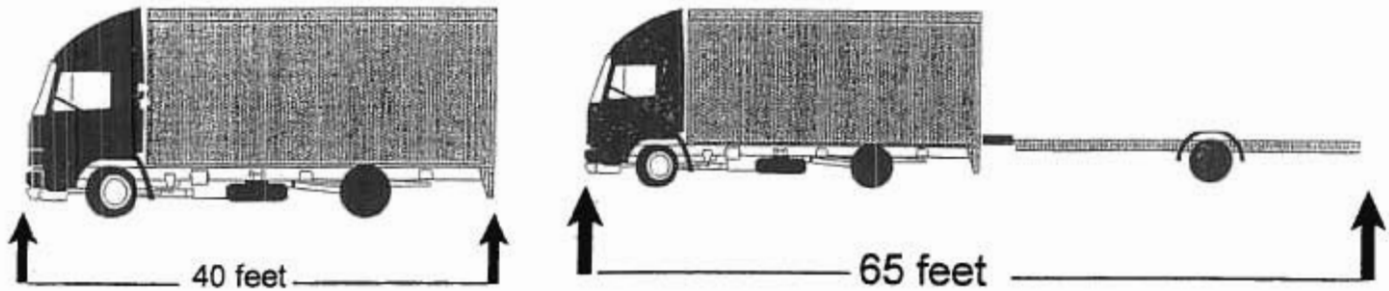


Axle 20M    20M    20M    20M    20M

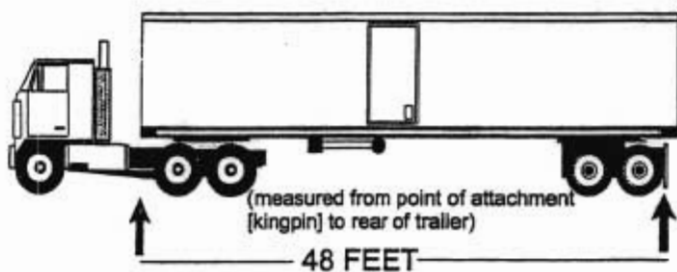
Max. Authorized Gross 80,000

# LENGTH LIMITATIONS BASED ON VEHICLE CONFIGURATION

## STRAIGHT TRUCK 2. STRAIGHT TRUCK WITH TRAILER

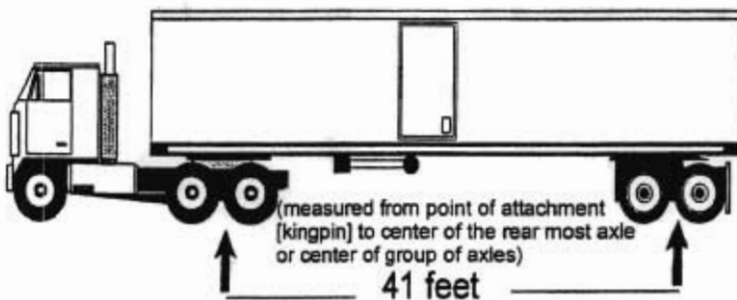


## TRUCK TRACTOR/SEMI-TRAILER (see exceptions #1 and #2)



**EXCEPTION 1**  
52 FEET IN LENGTH FROM THE POINT OF ATTACHMENT TO THE TRACTOR IF TRANSPORTING LIVESTOCK OR AUTOMOBILES AND/OR MOTOR VEHICLES.

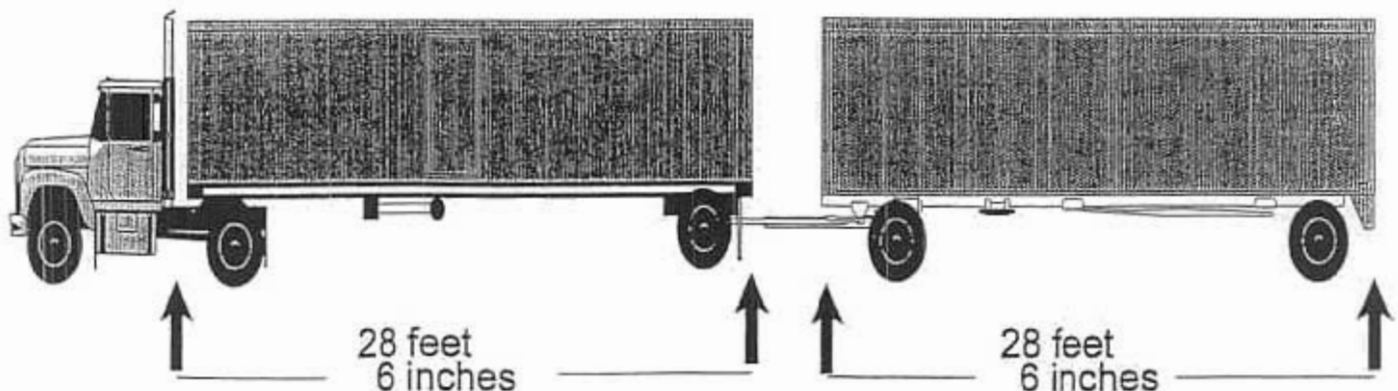
75 FEET TOTAL OVERALL LENGTH IF TRANSPORTING POLES, LOGS OR TIMBER IN SINGLE LENGTH PIECES.



### EXCEPTION 2

The towed vehicle may exceed the 48 feet limit by two feet (50 feet) so long as the distance from the point of attachment to the tractor (kingpin) to the center of the rearmost axle or a point midway between the rear axles, if the rear axles are a tandem, does not exceed 41 feet.

## 4. TRUCK TRACTOR/TWIN TRAILER

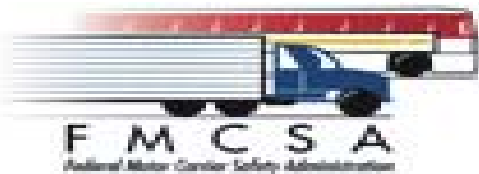


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