Part 390

Federal Motor Carrier Safety Regulations

General Applicability

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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 in "INTERSTATE COMMERCE": 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, or
- Is designed or used to transport 9 or more passengers, including the driver, for compensation,or
- Is designed or used to transport 16 or more passengers, including the driver, regardless of compensation, or
- Is used in transporting a quantity of hazardous material requiring placarding

Commercial Motor Vehicle in "INTRASTATE COMMERCE": Any self-propelled or towed motor vehicle used on a highway in intrastate 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 11,794 kg (26,001 pounds) or more, or
- Is designed or used to transport 9 or more passengers, including the driver, for compensation, or
- Is designed or used to transport 16 or more passengers, including the driver, regardless of compensation, or
- 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 and is used in transporting any amount of hazardous material or transports passengers.
- Is used in transporting a quantity of hazardous material requiring placarding

Interstate-Only Exemptions

Vehicles and drivers used in transportation by a Covered Farm Vehicle as defined on page 29 of this manual are excepted from the following requirements of the Federal Motor Carrier Safety Regulations (FMCSRs):

- Part 382 Alcohol and Drug Testing Requirements
- Part 383 Commercial Driver's License Standards
- Part 391 Qualification of Drivers (Medical Certification Only)
- Part 395 Hours of Service of Drivers
- Part 396 Inspection, Repair, and Maintenance

Intrastate-Only Exemptions

- Property carrying vehicles with less than 26,001 pounds Gross Vehicle Weight Rating or Gross Combination Weight Rating and not transporting any amount of hazardous material
- Vehicles licensed for 60,000 pounds or less when used exclusively for the transport of solid waste
- Vehicles licensed for less than 42,000 pounds and the license plate is designated for farm use.
- Persons having a valid Missouri Chauffeur's License on or before May 13, 1988, are not subject to the medical requirements of Section 391.41

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Exceptions to General Applicability

Transportation provided by federal, state, and local governments are exempt from Part 390-397; however, must comply with Part 40, Part 382 (Drug

and Alcohol) and Part 383 (CDL) requirements of 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.

Accident Register

Accident: An incident involving a CMV operating on a public road resulting 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

Accident Register: A motor carrier must maintain an accident register for three years after the date of each accident, containing the following information:

A list of accidents as defined in 390.5, containing for each accident:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released
- Copies of all accident reports required by state or other governmental entities or insurers

Vehicle Identification (Markings)

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

- The motor carrier's legal name or trade name
- The motor carrier's identification number preceded by USDOT
- If the name of any person other than the operating carrier appears on the CMV, the name of the operating carrier must be followed by the same information as above, and preceded by the words "operated by"

Other identifying information may be displayed if not inconsistent with the above Size, shape, location, and color.

The marking must:

- Appear on both sides
- Contrast sharply in color with the background
- Be legible, during daylight hours, from a distance of 50 feet while the CMV is stationary
- Be maintained in a manner that retains legibility

Construction and durability:

- The marking may be painted on the CMV or may consist of a removable device that meets the above requirements

Every **"For-Hire"** CMV requiring MoDOT operating authority, operated by a motor carrier only in intrastate commerce must be marked, on BOTH sides of the vehicle, with the same information as provided above except that:

- The motor carrier ID number preceded by "US
- DOT", then the letters "MO" shall be included in
- the vehicle markings, immediately following the
- USDOT number. e.g.: "USDOT 654321 MO".
- Intrastate for-hire passenger carriers operating limousines or vans with the total capacity of 13
- or less, are allowed to display only the USDOT number anywhere on the rear of the vehicle instead of the vehicle side per 390.021 RSMo

Per 301.330 RSMo. Each CMV (except those licensed under the provisions of Section 301.057 or 301.058 based on a gross weight of thirty-six thousand pounds or less and which are not used for actual commercial purposes) must display in a conspicuous place:

- The name of the owner;
- The address from which the vehicle is operated;
- Each local commercial vehicle must also display in a conspicuous place the word "local".

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.

Accident Register

Index	Date	Time	Driver Name	Location City / State	Injured	Fatality	Vehicle Towed	H/M Incident	Damage	Citation Issued yes or no

Employer Note: It is recommended, but not required, to keep a copy of all insurance and police reports.