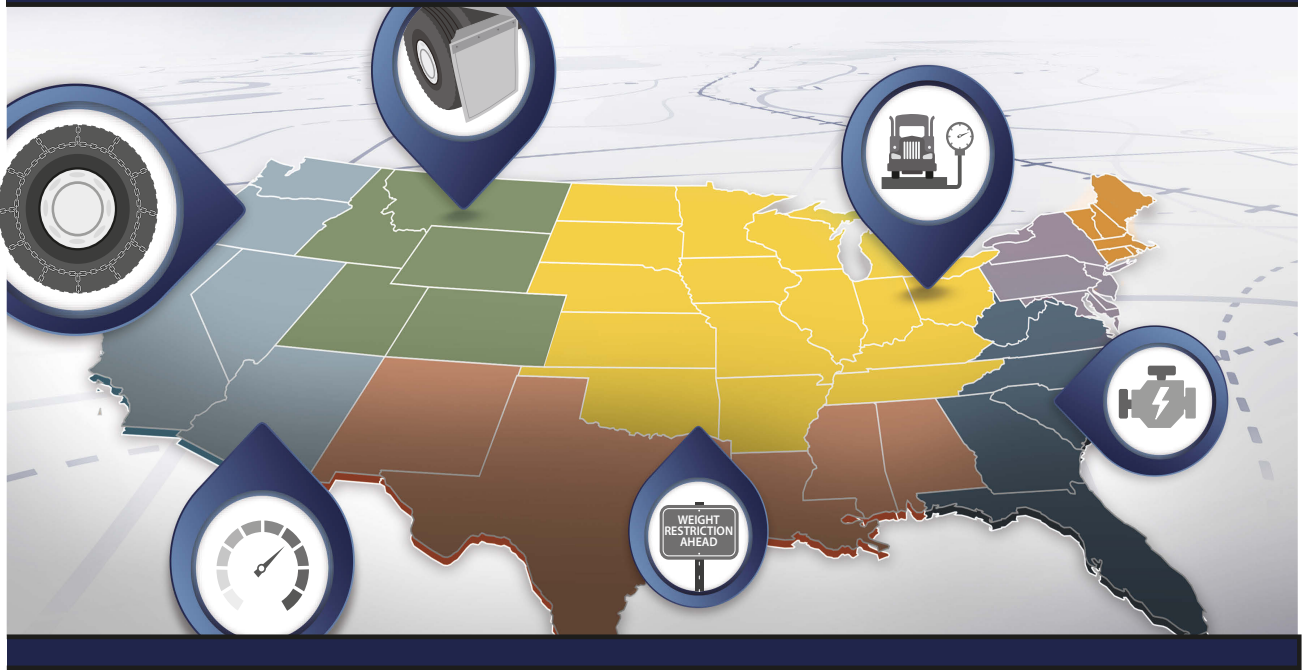


# STATE & FMCSR REQUIREMENTS

Guidelines for Intrastate/Interstate Travel



For All Property-Carrying Commercial Motor Vehicles



J. J. Keller  
& Associates, Inc.  
Since 1953

  
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& Associates, Inc.  
Since 1953

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# State & FMCSR Requirements

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# State & FMCSR Requirements

## INTRODUCTION

Keeping up with the ever-changing interstate and intrastate motor carrier safety requirements, as well as additional state-specific rules and regulations can be a daunting task for even the most seasoned safety professional.

*State & FMCSR Requirements: Guidelines for Intrastate/Interstate Travel* is designed to assist the motor carrier safety professional in understanding and staying up-to-date with these requirements.

This publication is divided into two major sections, State and Federal.

The State section is divided into three major topics, State Overview, State Topics, and Geographic Requirements.

**State Overview** includes a general overview of each state's adoption of the Federal Motor Carrier Safety Regulations (FMCSRs) for intrastate operations, and addresses key compliance issues, including hours of service, driver qualification, and vehicle inspection.

An operation is considered to be involved in intrastate commerce if the driver and vehicle:

- Do not cross state lines,
- Do not travel over the border into and/or from Canada or Mexico, and
- Do travel between two places within a state, and the cargo is not part of a trip that began or will end in another state or foreign country.

This section also includes state-specific information to assist the motor carrier in complying with safety-related requirements on the state level. Topics addressed include how to obtain driving records and accident reports, idling limits, and legal size and weight limits.

**State Topics** addresses some of the most-referenced topics when it comes to intrastate compliance, including driver age, driver qualification files, and daily vehicle inspection. Each topic is presented in an easy-to-reference format for all 50 states and the District of Columbia.

**Geographic Requirements** addresses state-specific requirements drivers must follow, including mudflaps, speed limits, and tire chains. It is organized by regions, allowing the user to easily reference these topics as he/she plans a trip or travels from one state to the next.

The Regulations and Interpretations section contains the FMCSRs and accompanying official interpretations of these regulations as issued and enforced by the Federal Motor Carrier Safety Administration (FMCSA). Motor carriers and drivers involved in interstate commerce must comply with the FMCSRs. Interstate commerce, includes:

- Crossing state lines,
- Traveling over the border into and/or from Canada or Mexico, and
- Traveling between two places within a state, but the cargo is part of a trip that began or will end in another state or foreign country.

The majority of states require compliance with at least some of the FMCSRs, with certain variances, for intrastate operations.

Due to the constantly changing nature of government regulations, it is impossible to guarantee absolute accuracy of the material contained herein. The Publisher and Editors, therefore, cannot assume any responsibility for omissions, errors, misprinting, or ambiguity contained within this publication and shall not be held liable in any degree for any loss or injury caused by such omission, error, misprinting or ambiguity presented in this publication.

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# State & FMCSR Requirements

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# State Overview

## Alabama

### Overview

The Public Service Commission and the Alabama Law Enforcement Agency, Department of Public Safety have established trucking safety requirements for motor carriers. The Public Service Commission has regulations that are very similar to the federal regulations for carriers operating under its jurisdiction. These regulations do not contain a lightweight vehicle exemption.

The Department of Public Safety has adopted Parts 382-387, and 390-399 of the Federal Motor Carrier Safety Regulations, including all future amendments.

The Department of Public Safety adoption applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.



*Interactive feature online*

**Alabama At-a-Glance**

### Summary of state-specific information for your drivers

A printable summary of state-specific information for your drivers is available online.

### DOT Marking/Identification

The Alabama Law Enforcement Agency, Department of Public Safety has adopted §390.21 of the Federal Regulations. The Public Service Commission has regulations that are similar to the Federal Regulations.

Under the Department of Public Safety adoption, §390.21 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

### Driver Qualification

The Alabama Law Enforcement Agency, Department of Public Safety has adopted Part 391 of the Federal Regulations. The Public Service Commission has regulations that are similar to the Federal Regulations.

Under the Department of Public Safety adoption, Part 391 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

|   |  |
|---|--|
| <b>Age (Alabama Law Enforcement Agency)</b> | 21-years old (Age waiver may be issued to intrastate driver hauling non-hazardous cargo in a straight truck weighing < 26,000 lbs. GVWR) |
| <b>Age (Public Service Commission)</b>      | 18-years old   |
| <b>Driver Qualification File</b>            | Same as federal  |



# State Overview: Alabama

|                                      |  |
|--------------------------------------|--|
| <b>Motor Vehicle Records Request</b> | All requests for driver history must be submitted on a “Request for Motor Vehicle Record” form.<br>The form may be accessed via the Alabama Law Enforcement Agency, Department of Public Safety website:<br><a href="http://www.alea.gov/Documents/Forms/MotorVehicleRecord-MVRRequest.pdf">http://www.alea.gov/Documents/Forms/MotorVehicleRecord-MVRRequest.pdf</a> .<br>The fee is \$5.75.  |
| <b>Physical Qualification</b>        | Physical exam and certificate required.<br>Vision and diabetes waivers may be granted to intrastate drivers who meet prescribed criteria.<br>Public Service Commission rules require that no person may drive or be permitted to drive who has: <ul style="list-style-type: none"><li>• Loss of or loss of use of foot, leg, hand or arm which interferes with his ability to control and safely drive a motor vehicle;</li><li>• A medical history of or current diagnosis of any condition or impairment likely to cause loss of consciousness or any loss of ability to control a motor vehicle or likely to interfere with his ability to control and safely drive a motor vehicle; and</li><li>• Has a certificate that he has passed a medical examination as required by the Federal Department of Transportation within the preceding 24 months.</li></ul> |

## Hours of Service

The Alabama Law Enforcement Agency, Department of Public Safety has adopted Part 395 of the Federal Regulations. Under Public Service Commission regulations, the driving limits are the same as prescribed in the Federal Regulations.

Under the Department of Public Safety adoption, Part 395 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

Under the Department of Public Safety adoption of §395.1(k), the state’s planting and harvesting season is April 1 of each calendar year to March 31 of the next succeeding calendar year.

Under Public Service Commission regulations, the driving limits are the same as prescribed in the Federal Regulations. Log requirements are also the same, except for retention requirements. The log is to be retained by the carrier for 12 months from date of receipt. The driver is to retain his/her copy of each daily log for 30 days which shall be in his/her possession while on duty.

*Exception:* Drivers of commercial motor vehicles operating within a 75 air-mile radius of their normal work reporting location are limited to 12 hours of driving time and 15 on-duty hours following 10 consecutive hours off duty. Driving is not permitted after being on duty 70 hours in 7 consecutive days.

Motor carriers that use this exception must have a satisfactory rating with the Federal Motor Carrier Safety Administration or be unrated. Drivers using this exception must comply with the record of duty status requirements in §395.8 and must retain and have available for inspection a copy of each record of duty status for the previous seven consecutive days.

## Load Securement

The Alabama Law Enforcement Agency, Department of Public Safety has adopted Part 393 of the Federal Regulations, including regulations dealing with projecting, shifting, and falling loads.

The Public Service Commission has regulations that are similar to the Federal Regulations.

# State Overview: Alabama

Under the Department of Public Safety adoption, Part 393 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

|                    |  |
|--------------------|--|
| <b>Loose Loads</b> | <p>All vehicles carrying gravel, rocks, slag, bricks, sawdust, chips, wood products, or other similar materials must be loaded in such manner or in that the contents of the vehicle will not spill out and endanger the safety of the persons or property of motorists and pedestrians.</p> <p>All vehicles hauling logs, lumber, pulp wood, tar wood, bale cotton, hay, or other articles that may shift or drop onto the highway is required to fasten such load with steel cables or chains of sufficient size to prevent the load from shifting or dropping onto the highway.</p> <p>Under Public Service Commission rules, an open-top cargo vehicle transporting commodities in bulk must have a tarpaulin covering the cargo to prevent the cargo from blowing, bouncing, or otherwise discharging from the vehicle.</p> |
|--------------------|--|

## Operator Licensing

| <b>Class</b> | <b>Description</b>   |
|--------------|--|
| Class A      | Any combination of vehicles with a gross combination weight rating (GCWR) of 26,001 or more lbs. provided the gross vehicle weight rating (GVWR) of the vehicle(s) being towed is more than 10,000 lbs.  |
| Class B      | Any single vehicle with a GVWR of 26,001 or more lbs., or any such vehicle towing a vehicle not in excess of 10,000 lbs. GVWR.   |
| Class C      | Any single vehicle less than 26,001 lbs. GVWR, or any such vehicle towing a vehicle not in excess of 10,000 lbs. GVWR. This group comprises vehicles designed to: <ul style="list-style-type: none"><li>• Transport 16 or more passengers including the driver; and</li><li>• Vehicles used in the transportation of materials requiring placarding.</li></ul> |

## Speed Limits

| <b>Road Type</b>            | <b>Speed Limit</b> |
|-----------------------------|--------------------|
| Rural Interstate            | 70 mph             |
| Selected four-lane highways | 65 mph             |

## Vehicle Accidents

The Alabama Law Enforcement Agency, Department of Public Safety has adopted §390.15 of the Federal Regulations, which includes accident recordkeeping requirements.

Under the Department of Public Safety adoption, §390.15 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

# State Overview: Alabama

## Accident Reporting

|   |  |
|---|--|
| <b>Notification (Alabama Law Enforcement Agency)</b>        | An accident must be reported by the driver if it involved: <ul style="list-style-type: none"> <li>• Death</li> <li>• Injury or</li> <li>• Property damage \$250 or more</li> </ul>   |
| <b>Notification (Public Service Commission)</b>             | All carriers under the jurisdiction of the Public Service Commission must file a written report with the Commission for accidents involving: <ul style="list-style-type: none"> <li>• Death</li> <li>• Injury or</li> <li>• Property damage \$2,000 or more</li> </ul> |
| <b>Reporting Timeframe (Alabama Law Enforcement Agency)</b> | Immediately (to local law enforcement)<br>30 days (written report) If the driver is unable to file the report, the owner of the vehicle must file instead.   |
| <b>Reporting Timeframe (Public Service Commission)</b>      | 15 days (24 hours if death)  |

## Obtaining an Accident Report

|                  |  |
|------------------|--|
| <b>Procedure</b> | A copy of the official accident report may be obtained by sending a request in writing along with the required fee to the Alabama Law Enforcement Agency. Each request must include the: <ul style="list-style-type: none"> <li>• Full name of each driver involved in the accident,</li> <li>• County in which the accident occurred,</li> <li>• Date of the accident, and</li> <li>• Driver license number (when available).</li> </ul> <p>The Alabama Law Enforcement Agency’s website includes a form that may be used to request an accident report: <a href="http://www.alea.gov/Documents/Forms/DLCrashReportRequest.pdf">http://www.alea.gov/Documents/Forms/DLCrashReportRequest.pdf</a>.</p> <p>A report may also be obtained via an online request: <a href="https://www.alabamainteractive.org/dps_crash_report/welcome.action">https://www.alabamainteractive.org/dps_crash_report/welcome.action</a> .</p> |
| <b>Fee</b>       | \$15.00 per copy   |

## Vehicle Inspection & Maintenance

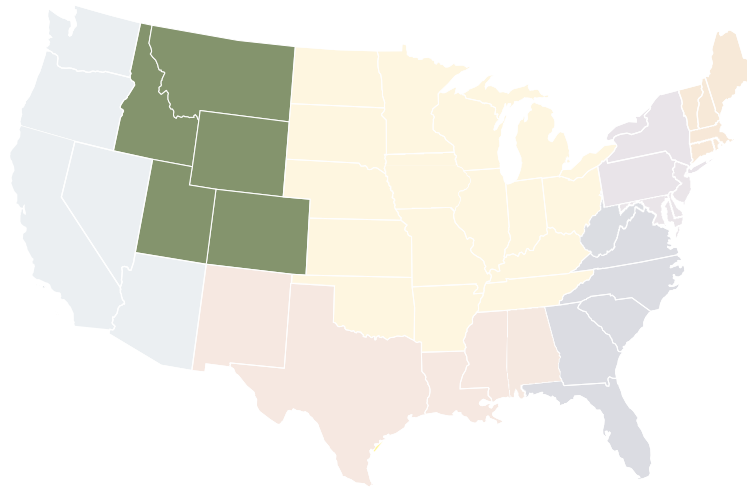
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The Public Service Commission has regulations that are similar to the Federal Regulations.

Under the Department of Public Safety adoption, Part 396 applies to intrastate commercial motor vehicles 26,001 pounds or more, or vehicles of any size which transport a placardable amount of hazardous materials.

# Geographic Requirements

## Rocky Mountain



### Idling Limits

|          |  |   |
|----------|--|---|
| Colorado | Applies to   | A commercial diesel vehicle with a GVWR > 14,000 lbs. that is designed to operate on highways |
|          | Maximum idle time  | 5 minutes in any 60-minute period   |
|          | <p>A vehicle may idle for up to 20 minutes in any 60-minute period when the outside temperature is &lt; 10°F.</p> <p>A vehicle may idle to heat or cool a sleeper berth during a sleep or rest period at a safety rest area, fleet trucking terminal, commercial truck stop, state-designated location designed to be a driver's rest area, or a location where the vehicle is legally permitted to park that is at least 1,000 ft. from residential housing, a school, daycare facility, hospital, senior citizen center, or medical outpatient facility providing primary, specialty, or respiratory care.</p> <p>There are also exceptions for:</p> <ul style="list-style-type: none"> <li>• Traffic conditions,</li> <li>• Operation of defrosters, heaters, or air conditioners to prevent a safety or health emergency,</li> <li>• Emergency vehicles,</li> <li>• Vehicle maintenance or repair,</li> <li>• Vehicle inspection,</li> <li>• Operation of power take-off equipment if necessary for operating work-related mechanical or electrical equipment, and</li> <li>• Armored vehicles when a person remains inside to guard contents or while loading/unloading.</li> </ul> |   |
|          | <p>Idaho</p> <p>Montana</p> <p>Utah</p> <p>Wyoming</p>   |   |

# Geographic Requirements: Rocky Mountain

## Mudflaps

|          |   |
|----------|---|
| Colorado | <p>All motor vehicles must be equipped with splash guards. Splash guards are defined as:</p> <ul style="list-style-type: none"> <li>• Mudflaps;</li> <li>• Aprons made of rubber, plastic, or fabric; or</li> <li>• Other devices directly behind the rear-most wheels, designed to minimize the spray of water and other substances to the rear.</li> </ul> <p>Splash guards must:</p> <ul style="list-style-type: none"> <li>• Be wide enough to cover the full tread of the tire or tires being protected;</li> <li>• Hang perpendicular from the vehicle not more than 10 inches above the surface of the street or highway when the vehicle is empty; and</li> <li>• Generally, maintain their perpendicular relationship under normal driving conditions.</li> </ul> <p><i>Exceptions:</i> There are exceptions for certain types of vehicles, including trailers equipped with fenders and truck tractors or converter dollies when used in combination with other vehicles.</p> |
| Idaho    | <p>Every truck, bus, semitrailer, or trailer must be equipped with fenders or covers, which may include flaps or splash aprons, over and to the rear of the wheels not more than 10 inches above the roadway when vehicle is empty.</p> <p>The fender or cover must be capable at all times of arresting and deflecting such dirt, mud, water or other substance.</p>   |
| Montana  | <p>All trucks, truck-tractors, trailers or semitrailers moved on the highways of Montana must be equipped with fenders, splash aprons or flaps designed, constructed and attached to the rear most wheels or set of wheels so as to arrest and deflect dirt, mud and water, rocks and other substances which may be picked up and thrown into the air by the rear wheels.</p> <p>If the vehicle is &gt; 8,000 lbs. GVW or GVWR, such fenders, splash aprons, or flaps must extend downward to a point that is not more than 10 ins. above the surface of the highway when the vehicle is empty.</p> <p>If the vehicle is ≤ 8,000 lbs. GVW or GVWR, the fender, splash apron, or flap must extend down to a point that is not more than 20 inches above the road surface.</p>  |
| Utah     | <p>Mudguard and fender requirements apply to trucks with a GVWR ≥ 10,500 lbs., any truck tractor, and any trailer or semitrailer with an unladen weight ≥ 750 lbs.</p> <p>Trucks, truck-tractors, trailers, and semitrailers (when at the rear of a combination of vehicles) are required to have wheel covers, mudguards, flaps, or splash aprons behind the rearmost wheels to prevent most dirt, water, or other materials from being thrown by the wheels onto other vehicles.</p> <p>The wheel covers, mudguards, flaps, or splash aprons must be at least as wide as the tire they're protecting and directly in line with the tire. They must have a ground clearance of not more than 50 percent of the diameter of the rear-axle wheel, under any conditions of loading the vehicle.</p> <p><i>Exception:</i> If fenders, body construction, etc. perform the same service, no mudflaps are required.</p>  |
| Wyoming  | No requirements.  |

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