From the Chairman

Dear Motor Carrier:

The PUCO has prepared this handbook to assist you in your efforts to understand and comply with the state and federal motor carrier safety regulations. Like you, we place a very high priority on commercial motor vehicle safety and the protection of Ohio’s motoring public. Compliance with the safety and hazardous materials regulations is a considerable responsibility.

If you have questions about the regulations or how they are enforced in Ohio, please contact the PUCO at (800) 686-8277.

Sincerely,

Alan R Schriber, Chairman
Public Utilities Commission of Ohio
# Table of Contents

Motor Carriers Operating in Ohio .................................................. 1  
Points of Contact ........................................................................ 2  
Acronyms and Abbreviations Used in this Document .................. 3  

**Does Your Operation Fall Under the PUCO Regulations?** .................. 4  
 Operating a truck for commercial or business purposes .................. 4  
 Operating a Commercial Motor Vehicle ........................................ 4  
 Intrastate and Interstate Carriers .................................................. 4  
 Private Carriers and For-Hire Carriers ........................................ 5  
 Transporting Hazardous Materials Requiring Placards ................. 5  
 Household Goods Carriers ......................................................... 5  

**Do the PUCO Safety Regulations Apply?** .................................. 5  
 Applicability of the Ohio Safety Rules – Motor Carriers of Passengers ...................................................................................... 7  
 Private Motor Carriers of Passengers .......................................... 7  

**Intrastate Carriers Exempt from PUCO Regulations** .................... 7  
 Intrastate For-Hire Carriers – Exempt Situations/Conditions .......... 8  
 Intrastate Private Carriers – Exempt Situations/Conditions .......... 8  
 Intrastate Private Carriers of Certain Construction Materials and Equipment ................................................................. 8  

**PUCO Carrier Registration and Proof of Insurance Requirements** .................. 10  
 Carrier Registration Requirements .............................................. 10  

**Insurance Requirements** .......................................................... 14  
 Levels of Insurance ..................................................................... 14  
 Proof of Insurance – Intrastate Carriers ...................................... 14  
 Proof of Insurance – Interstate Carriers ....................................... 14  

**Household Goods Carriers** ....................................................... 16  

**Marking of Vehicles – Intrastate Operations** .............................. 16  
 Vehicle Marking Exemptions – Intrastate Operations ................. 16  

**Marking of Vehicles – Interstate Operations** .............................. 17  

**Enforcement by US DOT** ......................................................... 17  

**The Regulations – Frequently Asked Questions** ......................... 21  

**Drug and Alcohol Use and Testing** ........................................... 21  
 Controlled Substances and Alcohol Use and Testing Regulations ................................................................. 22  
 Controlled Substances Tested For .............................................. 22  
 Alcohol and Drug Use by Drivers .............................................. 22  
 Alcohol and Controlled Substance Testing .................................. 22  
 Record Retention – Alcohol and Controlled Substance Tests .......... 23  
 Alcohol and Controlled Substance Testing Records .................. 23  
 Drug and Alcohol Information for Drivers .................................. 23  
 Supervisor Training ................................................................. 23  

**The Commercial Driver’s License** ............................................. 24  
 Getting a CDL ......................................................................... 25  

**CDL Testing and Licensing Procedures** .................................... 25
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notification Requirements – Driver Convictions for Traffic Violations</td>
<td>26</td>
</tr>
<tr>
<td>Notification Requirements – Drivers License Suspension</td>
<td>26</td>
</tr>
<tr>
<td>Notifying Previous Employers – Driving Record</td>
<td>26</td>
</tr>
<tr>
<td>Employer’s Responsibilities – Using Drivers with Invalid CDL</td>
<td>27</td>
</tr>
<tr>
<td>Implied Consent for Alcohol Testing</td>
<td>27</td>
</tr>
<tr>
<td><strong>Driver Disqualifications and Penalties</strong></td>
<td><strong>27</strong></td>
</tr>
<tr>
<td>Major Offenses</td>
<td>28</td>
</tr>
<tr>
<td>Serious Traffic Offenses</td>
<td>28</td>
</tr>
<tr>
<td>Highway-Rail Grade Crossing Offenses</td>
<td>28</td>
</tr>
<tr>
<td>Violating Out-of-Service Orders</td>
<td>29</td>
</tr>
<tr>
<td>US DOT Safety Fitness Procedures</td>
<td>29</td>
</tr>
<tr>
<td>Compliance Reviews</td>
<td>29</td>
</tr>
<tr>
<td>Safety Ratings</td>
<td>30</td>
</tr>
<tr>
<td>Administrative Review</td>
<td>31</td>
</tr>
<tr>
<td>Corrective Actions</td>
<td>31</td>
</tr>
<tr>
<td>Carrier Shut-Down Requirements</td>
<td>31</td>
</tr>
<tr>
<td>New Entrant Carriers</td>
<td>31</td>
</tr>
<tr>
<td>Qualifications of Drivers</td>
<td>33</td>
</tr>
<tr>
<td>Driver Requirements and Qualifications – Interstate Carriers</td>
<td>33</td>
</tr>
<tr>
<td>Driver Requirements and Qualifications – Intrastate Carriers</td>
<td>33</td>
</tr>
<tr>
<td>Driver Disqualifications</td>
<td>33</td>
</tr>
<tr>
<td>Disqualification for Criminal Offenses</td>
<td>34</td>
</tr>
<tr>
<td>Disqualification for Violations of Out-of-Service Orders</td>
<td>34</td>
</tr>
<tr>
<td><strong>Driver’s Applications for Employment</strong></td>
<td><strong>35</strong></td>
</tr>
<tr>
<td>Carrier Investigation of Driver’s Application and Background</td>
<td>35</td>
</tr>
<tr>
<td>Inquiries to State Licensing Agencies</td>
<td>36</td>
</tr>
<tr>
<td>Annual Inquiry and Review of Driving Records</td>
<td>36</td>
</tr>
<tr>
<td>Driver’s Record of Violations</td>
<td>36</td>
</tr>
<tr>
<td>Road Test</td>
<td>37</td>
</tr>
<tr>
<td>Road Test Certificate</td>
<td>37</td>
</tr>
<tr>
<td>Conditions Where A Road Test Is Not Required</td>
<td>37</td>
</tr>
<tr>
<td><strong>Driver Physical Qualifications and Exams</strong></td>
<td><strong>38</strong></td>
</tr>
<tr>
<td>Medical Examination Requirements</td>
<td>38</td>
</tr>
<tr>
<td>Who Must Be Examined</td>
<td>38</td>
</tr>
<tr>
<td>General Physical Standards for Drivers</td>
<td>38</td>
</tr>
<tr>
<td>Who Can Perform the Medical Exam</td>
<td>39</td>
</tr>
<tr>
<td>Intrastate Medical Waiver (Ohio only)</td>
<td>39</td>
</tr>
<tr>
<td>Driver’s Qualifications Records</td>
<td>40</td>
</tr>
<tr>
<td>Drivers Qualification Files – Records Retention</td>
<td>40</td>
</tr>
<tr>
<td>Exemptions from the Driver Qualification Regulations</td>
<td>40</td>
</tr>
<tr>
<td><strong>Driving of CMVs</strong></td>
<td><strong>41</strong></td>
</tr>
<tr>
<td>Forbidden Activities</td>
<td>41</td>
</tr>
<tr>
<td>Safe Operation</td>
<td>41</td>
</tr>
<tr>
<td><strong>Vehicle Parts and Accessories</strong></td>
<td><strong>43</strong></td>
</tr>
<tr>
<td>CMV Mechanical Equipment and Lighting Devices</td>
<td>43</td>
</tr>
<tr>
<td>Cargo Securement</td>
<td>43</td>
</tr>
</tbody>
</table>
PUCO Equipment Requirements ................................................................. 44

Driver Hours of Service ............................................................................ 44
  Driver On-Duty Time .............................................................................. 44
  Property-Carriers .................................................................................. 45
  Passenger-Carriers ................................................................................ 45
  CMV Drivers with More Than One Job .................................................. 46
  The 100 Air-Mile Driver Exception ....................................................... 46
  Filing the Drivers Record of Duty Status (Driver’s Logbook) .............. 47
  Retention of Records of Duty Status .................................................... 47
  Automatic On-Board Recording Devices .............................................. 47

Vehicle Inspection, Repair, and Maintenance ............................................ 47
  Required Vehicle Maintenance and Lubrication ..................................... 47
  Required Vehicle Inspections – CMV Drivers ....................................... 47
  Required Annual Vehicle Inspection .................................................... 48
  Maintenance and Repair Records .......................................................... 48

Transporting Hazardous Materials .......................................................... 50
  Hazardous Materials ............................................................................ 50
  Hazardous Waste ................................................................................. 50
  The US DOT Hazardous Materials Regulations ................................... 50

Hazardous Materials Registration and Permit Requirements .................. 51
  PHMSA – Hazardous Materials Registration ....................................... 51
  FMCSA Hazardous Materials Safety Permits ........................................ 52
  State of Ohio Hazardous Materials and Hazardous Waste Registration Requirements ................................................................. 53

PUCO Registration Forms .......................................................................... 54
  Intrastate For-Hire Carriers ................................................................. 54
  Interstate Carriers Brokers, Freight Forwarders, and Leasing Companies ...................................................................................... 54
Motor Carriers Operating in Ohio

This document is intended to help motor carriers operating in Ohio understand and follow the rules, regulations, and laws of the Public Utilities Commission of Ohio (PUCO) related to commercial vehicle registration and safety. The regulations contained within this document apply to drivers and vehicles used by private and for-hire carriers transporting person and property in commerce as well as the offering and transport of hazardous materials. In addition, the regulations also address both interstate and intrastate operations and provide information to assist carriers in determining which rules apply to their specific type of business.

In Ohio, commercial vehicle safety regulations are enforced by a variety of state and federal agencies. The PUCO and the Ohio State Highway Patrol (OSHP) handle enforcement on behalf of the state while the Federal Motor Carrier Safety Administration (FMCSA) handles enforcement from the federal government’s perspective. A number of factors contribute to who has regulatory jurisdiction over a carrier and each is discussed within this document.

PUCO regulatory authority extends over a broad spectrum of property, goods, equipment, and passengers in commerce. These regulations apply to both intrastate operations (only within Ohio) and interstate (between states) operations. The state laws that address commercial vehicle regulations are found in the Ohio Revised Code (ORC) and the specific rules that have been enacted to enforce these laws can be found in the Ohio Administrative Code (OAC).

In most cases, the state of Ohio has adopted the U.S. Department of Transportation (US DOT) Federal Motor Carrier Safety Regulations (FMCSRs) and Hazardous Materials Regulations (HMRs). When these regulations change, the state normally also seeks to change its rules to ensure that it continues to match those of the federal government. Specifically, the state of Ohio has adopted regulations in Title 49 Code of Federal Regulations (CFR) Parts 40, 382, 383, 385, 387, 390 through 397, 107 and 171 through 180. The specific rule that adopts these regulations can be found in OAC section 4901:2-5-02.

As such, the following parts of Title 49 CFR are enforced as state requirements.

- **US DOT Federal Motor Carrier Safety Regulations (FMCSRs)**
  - Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs
  - Part 382 – Controlled Substances and Alcohol Use and Testing
  - Part 383 – Commercial Driver’s License Standards; Requirements and Penalties
  - Part 385 – Safety Fitness Procedures
  - Part 387 – Minimum Levels of Financial Responsibility for Motor Carriers
  - Part 390 – Rulemaking Procedures, Federal Motor Carrier Safety Regulations
  - Part 391 – Qualifications of Drivers
  - Part 392 – Driving of Commercial Motor Vehicles
  - Part 393 – Parts and Accessories Necessary for Safe Operation
  - Part 395 – Hours of Service of Drivers
  - Part 396 – Inspection, Repair, and Maintenance
  - Part 397 – Transportation of Hazardous Materials; Driving and Parking Rules

- **US DOT Hazardous Materials Regulations (HMRs)**
  - Part 107 – Hazardous materials program procedures
  - Part 171 – General Information Regulations and Definitions
  - Part 173 – Shipper – General Requirements for Shipments and Packagings
  - Part 174 – Carriage by Rail
  - Part 175 – Carriage by Aircraft
Along with the state-adopted federal regulations, there are specific laws and rules that pertain to carriers operating only within Ohio (intrastate carriers). These rules are also found in the ORC and OAC and include safety, insurance, and carrier registration requirements. In addition, there are some specific state rules that pertain to interstate carriers that are not found in either the FMCSRs or the HMRs. Should there be any discrepancies between the Motor Carrier Handbook and the rules in the ORC or OAC the rules have precedence.

The safety rules referred to in this handbook do not include state of Ohio rules such as those that involve vehicle license registration, fuel taxes, driver moving violations, vehicle oversize and overweight, or special operating permits. The table below provides contacts for each of these areas. However, if you have questions regarding the application of the Safety Rules described in this manual, contact the PUCO Transportation Department’s Enforcement Division at (614) 466-0369.

The US DOT has jurisdiction over the interstate and intrastate offering (shipping) and transport of hazardous materials. Therefore, in some situations both the PUCO and the FMCSA may have jurisdiction over the intrastate offering and transport of hazardous materials. In situations where a PUCO exemption restricts state jurisdiction over an intrastate movement of hazardous materials, the US DOT may continue to have jurisdiction and can enforce the applicable FMCSRs and HMRs.

(Refer to 49 CFR §171.1(a)(1) and 49 CFR §171.2(a))

**Points of Contact**

The PUCO is available to assist motor carriers with information on the Ohio and US DOT rules and regulations. Carrier representatives, drivers, or others with questions, concerns, or complaints about motor carrier safety matters or requirements can contact the PUCO Transportation department at (800) 686-8277 or (614) 644-5218, or visit the PUCO Web site at www.PUCO.ohio.gov.

**PUCO Transportation Department – Divisions and Service Areas**

- Transportation Administrative Systems Division
  - Office Systems - Registration (614) 466-3392
  - Carrier Registrations/Permits/Fees
  - Intrastate For-Hire Carriers
  - Interstate For-Hire/FMCSA Exempt Carriers
  - Hazardous Materials and Hazardous Waste Carriers
  - Household Goods Carriers
  - Insurance Requirements
  - Data Management (614) 995-7086
  - Copies of Inspection Reports

- Enforcement Division (614) 466-0369
  - Safety and Hazardous Materials Regulations
  - New Entrant Carrier Safety Audits
  - Compliance Reviews
Other Involved Agencies

There are several other state and federal agencies involved with the regulation of intrastate and interstate motor carrier operations. Please contact the following agencies if you have questions about issues that fall outside of the PUCO’s jurisdiction.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Responsible Agency</th>
<th>Phone Number and Web site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fuel Taxes/IFTA</td>
<td>Ohio Department of Taxation</td>
<td>(614) 466-3921 <a href="http://www.tax.ohio.gov">www.tax.ohio.gov</a></td>
</tr>
<tr>
<td>Drivers Licensing</td>
<td>Ohio Bureau of Motor Vehicles</td>
<td>(614) 752-7500 <a href="http://www.ohiobmv.com">www.ohiobmv.com</a></td>
</tr>
<tr>
<td>Commercial Driver’s License Examinations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>International Registration Plan License Plates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Driver License</td>
<td>Ohio State Highway Patrol</td>
<td>(614) 466-4056 <a href="http://www.statepatrol.ohio.gov">www.statepatrol.ohio.gov</a></td>
</tr>
<tr>
<td>Commercial Vehicle Enforcement Driver Moving Violations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Over Size/Over Weight</td>
<td>Ohio Department of Transportation</td>
<td>(614) 351-2300 <a href="http://www.dot.state.oh.us">www.dot.state.oh.us</a></td>
</tr>
<tr>
<td>Federal Regulations</td>
<td>FMCSA, Ohio Division Office</td>
<td>(614) 280-5657 <a href="http://www.fmcsa.dot.gov">www.fmcsa.dot.gov</a></td>
</tr>
<tr>
<td>Federal Regulations</td>
<td>FMCSA, Midwest Resource Center</td>
<td>(708) 283-3577 <a href="http://www.fmcsa.dot.gov">www.fmcsa.dot.gov</a></td>
</tr>
</tbody>
</table>

Acronyms and Abbreviations Used in this Document

- **CFR**: Code of Federal Regulations
- **CMV**: Commercial Motor Vehicle
- **CR**: Compliance Review
- **Div.**: Hazard Division (hazardous materials)
- **FHWA**: Federal Highway Administration
- **FMCSA**: Federal Motor Carrier Safety Administration
- **FMCSR**: Federal Motor Carrier Safety Regulations
- **GCVW**: Gross Combination Vehicle Weight
- **GVCWWR**: Gross Vehicle Combination Weight Rating
- **GV**: Gross Vehicle Weight
- **GVWR**: Gross Vehicle Weight Rating
- **Hazmat**: Hazardous Materials
- **Haz. Sub.**: Hazardous Substance (hazardous materials)
- **HMR**: Hazardous Materials Regulations
- **OAC**: Ohio Administrative Code
- **ODOT**: Ohio Department of Transportation
- **Ohio DPS**: Ohio Department of Public Safety
- **ORC**: Ohio Revised Code
- **ORM**: Other Regulated Materials (hazardous materials)
- **OSHP**: Ohio State Highway Patrol
- **PHMSA**: Pipeline and Hazardous Materials Safety Administration
- **PIH**: Poison Inhalation Hazard (hazardous materials)
- **PMCP**: Private Motor Carrier of Passengers
Does Your Operation Fall Under the PUCO Regulations?

This section will help you determine if the PUCO regulations apply to your operations. To do this you need to look at the vehicles you use, the materials/property you haul, and the origin and destination of your load. Once you have done this, you will have a better idea of if and how your use of trucks fits into the PUCO regulations.

**Operating a truck for commercial or business purposes**

If you are or will be compensated (make money or benefit monetarily) for hauling something (property or passengers), the PUCO Safety Rules apply to you. This includes hauling something for someone else or your own business.

**Operating a Commercial Motor Vehicle**

If you are operating a commercial motor vehicle (CMV), the PUCO safety regulations may apply to your operation. The actual weight or manufacturer’s gross vehicle weight rating of a truck (or combination of truck/tractor and trailer) is used to determine if you are operating a commercial motor vehicle for business or commercial purposes. The regulations use the weight classifications below to describe trucks or truck trailer combinations for the regulations.

- **Gross Vehicle Weight Rating** (GVWR): The FMCSRs define gross vehicle weight rating (GVWR) as the value specified by the manufacturer as the loaded weight of a single motor vehicle.
- **Gross Combination Vehicle Weight Rating** (GCVWR): The FMCSRs define gross combination vehicle weight rating (GCVWR) as 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 Weight** (GW): The actual weight of a vehicle or the actual weight of a vehicle and its cargo.
- **Gross Combined Weight** (GCW): The actual loaded weight of a combination (articulated) motor vehicle. This includes truck/trailer and tractor/trailer combinations.

**Intrastate and Interstate Carriers**

The origin and destination of the freight you haul determines whether you are an intrastate or interstate carrier.

- When you operate a commercial motor vehicle hauling freight with the origin and destination entirely within the state of Ohio, you are an intrastate carrier.
- When you operate a commercial motor vehicle hauling freight with either the origin or destination outside the state of Ohio you are an interstate carrier.
- When you operate a commercial motor vehicle with the origin and destination of the freight entirely within the state of Ohio, but haul through another state, you are an interstate carrier.

Note that a company may operate as both an intrastate and an interstate carrier.
**Private Carriers and For-Hire Carriers**

- If you transport your own property, equipment, or personnel, you are a private carrier.
- If you transport property, equipment, or if you transport passengers and receive compensation, you are a for-hire carrier. A for-hire carrier is also referred to as a common motor carrier.

Based on business activities, a company may have both private and for-hire carrier operations.

**Transporting Hazardous Materials Requiring Placards**

In many cases, transport of hazardous materials in a quantity that requires placards adds additional state and federal regulatory requirements. If you transport any quantity of hazardous materials check these sections to determine if the regulations apply. If you are unsure, contact the PUCO Transportation Department Enforcement Division at (614) 466-0369 for assistance.

(Refer to 49 CFR Parts 100-185)

**Household Goods Carriers**

Household goods carriers are regulated in the same way as other for-hire carriers. A household goods carrier engages in the business of transporting household goods over a public highway in the state of Ohio.

(Refer to ORC 4921.36)

**Do the PUCO Safety Regulations Apply?**

Now, use Table 1 below to determine if the PUCO safety regulations apply to your use of trucks to transport property, materials, or equipment. Carriers of passengers are addressed in Table 2 on the next page.

<table>
<thead>
<tr>
<th>Inter or Intra State</th>
<th>Private or For-Hire</th>
<th>Vehicle Weight: GVWR, GCVR, GW, or GCW</th>
<th>Placards Required Under US DOT Hazmat Regulations (49 CFR 172.504)</th>
<th>Do PUCO Safety Regulations Apply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intrastate</td>
<td>Private and For-Hire</td>
<td>Less than 10,001 lbs.</td>
<td>No</td>
<td>No **</td>
</tr>
<tr>
<td>Intrastate</td>
<td>Private and For-Hire</td>
<td>10,001 lbs. or more</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Intrastate</td>
<td>Private and For-Hire</td>
<td>Any</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Intrastate Household Goods</td>
<td>For-Hire</td>
<td>Any</td>
<td>N/A</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>10,000 lbs. or less</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>10,001 lbs. or more</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>Any</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

** Limit safety rules in OAC 4901:2-5-03 applicable.
Table 2
Applicability of PUCO Safety Rules – Motor Carriers of Passengers

<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description</th>
<th>Private or For-Hire</th>
<th>Number of Passengers Vehicle is Designed or Used to Transport (Including Driver)</th>
<th>Do PUCO Regulations Apply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intrastate or Interstate For-Hire Carrier of Passengers</td>
<td>Transports passengers for compensation over regular routes or charter service within the state of Ohio.</td>
<td>For-Hire</td>
<td>Designed or used to transport 8 or fewer passengers (including the driver) for compensation</td>
<td>No</td>
</tr>
<tr>
<td>Intrastate or Interstate For-Hire Carrier of Passengers</td>
<td>Transports passengers for compensation over regular routes or charter service.</td>
<td>For-Hire</td>
<td>Designed or used to transport more than eight passengers (including the driver) for compensation.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
| Intrastate or Interstate Business PMCP | Provide private transportation of passengers in the furtherance of a commercial enterprise and is not available to the general public. Includes intrastate and interstate movements. **Examples:**
- Companies that use buses to transport their own employees
- Professional musicians who use buses for concert tours. | Private | Designed or used to transport more than eight passengers (including the driver) for compensation. | Yes |
| Intrastate or Interstate Non-Business PMCP | Provide private transportation of passengers that is not in the furtherance of a commercial enterprise. Includes intrastate and interstate movements. **Examples:**
Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups. | Private | Designed or used to transport 15 or fewer passengers (including the driver) and is not used to transport passengers for compensation, provided the vehicle does not otherwise meet the definition of a commercial motor vehicle (see 49 CFR 390.5). May be required to comply with 49 CFR 390.3(f)(6). | No |
| Intrastate or Interstate Non-Business PMCP | Provide private transportation of passengers that is not in the furtherance of a commercial enterprise. Includes intrastate and interstate movements. **Examples:**
Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups. | Private | Designed or used to transport more than 15 passengers (including the driver) and is not used to transport passengers for compensation. | Yes |
Applicability of the Ohio Safety Rules – Motor Carriers of Passengers

The state safety regulations apply to carriers using a commercial vehicle to transport passengers in the following operations:

- For-hire carriers of passengers
- Business private motor carriers of passengers (Business PMCPs) defined as 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.
- Non-business private motor carriers of passengers (Non-Business PMCPs) defined as 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).

Table 2 (below) describes passenger carrier activities and indicates whether the Ohio safety rules apply.

Private Motor Carriers of Passengers

Certain parts of the state-adopted FMCSRs do not apply or only partially apply to PMCPs. Table 3 below summarizes the applicability of the safety regulations to Business PMCPs and Non-Business PMCPs. Where partial applicability is indicated, refer to the “Applicability” section of the FMCSR sections cited.

Table 3
Applicability of Safety Regulations
Business Private Motor Carriers of Passengers and Non-Business Private Motor Carriers of Passengers

<table>
<thead>
<tr>
<th>FMCSRs</th>
<th>Topic</th>
<th>Business PMCPs</th>
<th>Non-Business PMCPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>382</td>
<td>Controlled Substances and Alcohol Use and Testing</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>383</td>
<td>Commercial Drivers License</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>387</td>
<td>Financial Responsibility (Insurance/Surety)</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>390</td>
<td>General Applicability and Definitions</td>
<td>Yes</td>
<td>Partial 49 CFR §390.3(f)</td>
</tr>
<tr>
<td>391</td>
<td>Qualification of Drivers</td>
<td>Partial 49 CFR §391.69</td>
<td>Partial 49 CFR §391.68</td>
</tr>
<tr>
<td>392</td>
<td>Driving of Commercial Motor Vehicles</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>393</td>
<td>Parts and Accessories</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>395</td>
<td>Driver’s Hours of Service</td>
<td>Yes</td>
<td>Partial 49 CFR §395.8</td>
</tr>
<tr>
<td>396</td>
<td>Inspection, Repair, and Maintenance</td>
<td>Yes</td>
<td>Partial 49 CFR §396.11(d) 49 CFR §396.3(b)</td>
</tr>
</tbody>
</table>

Intrastate Carriers Exempt from PUCO Regulations

In some situations, the use of a CMV is unregulated or exempt from the PUCO commercial vehicle safety and the hazardous materials requirements. These exemptions apply to intrastate operations only. PUCO regulations may not apply to your company’s intrastate use of a CMV if it
fits one of these situations. These exemptions are outlined below. Contact the PUCO Transportation Department at (614) 466-3392 for assistance in determining if you are operating or plan to operate in an exempt, intrastate situation.

(Refer to ORC 4921.02(A) and 4923.02(A))

**Intrastate For-Hire Carriers – Exempt Situations/Conditions**

- Operations entirely within the confines of a municipality or the directly contiguous borders of the city you operate within
- Taxicabs
- Transporting pupils in school buses
- Transport of farm supplies to the farm, or farm products to market or food processing plants
- Distributing newspapers
- Transport of crude petroleum, incidental to gathering from wells and delivery to destination pipeline
- Transport of injured, ill, or deceased persons by hearse or ambulance
- Transporting bulk shipments of compost or shredded bark mulch
- Ridesharing arrangements

(Refer to ORC 4921.02(A))

**Intrastate Private Carriers – Exempt Situations/Conditions**

- Intra-city not-for-hire transport of persons in church buses and/or intra-city not-for-hire transport of property
- Transporting pupils in school buses
- Transport of farm supplies to the farm or farm products from farm to market
- Operating motor vehicles for contractors on public road work
- Transport of newspapers
- Transport of crude petroleum incidental to gathering from wells and delivery to destination by pipeline
- Towing disabled or wrecked motor vehicles
- Transport of injured, ill, or deceased persons by hearse or ambulance
- Transporting bulk shipments of compost or shredded bark mulch
- Ridesharing arrangements

(Refer to ORC 4923.02(A))

**Intrastate Private Carriers of Certain Construction Materials and Equipment**

There are limited exemptions to the hours of service requirements for intrastate private carriers that transport construction materials and equipment. Transportation of construction materials and equipment is generally defined as “the transportation of construction and pavement materials, construction equipment, and construction maintenance vehicles, by a driver to or from an active construction site (a construction site between mobilization of equipment and materials to the site to the final completion of the construction project) within a 50 air mile radius of the normal work reporting location of the driver.”

Drivers that work for these carriers may not drive:

- For more than 12 hours after eight consecutive hours off duty; or
- For any period after being on duty 16 hours following eight consecutive hours off duty.
A motor carrier engaged in the intrastate transport of construction materials and equipment may not permit or require a driver to drive a commercial motor vehicle for any period after:

- 70 hours on duty in any seven consecutive days if the carrier does not operate commercial motor vehicles every day of the week; or
- 80 hours on duty in any eight consecutive days if the carrier operates commercial motor vehicle every day of the week.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Driving</td>
<td>11 Hours</td>
<td>12 Hours</td>
</tr>
<tr>
<td>On-Duty</td>
<td>14 Hours</td>
<td>16 Hours</td>
</tr>
<tr>
<td>7-Days</td>
<td>60 Hours</td>
<td>70 Hours</td>
</tr>
<tr>
<td>8-Days</td>
<td>70 Hours</td>
<td>80 Hours</td>
</tr>
</tbody>
</table>

(Refer to OAC 4901:2-5-02(E) and (F))
PUCO Carrier Registration and Proof of Insurance Requirements

Most of the for-hire and some private carriers regulated by the PUCO are required to register with the PUCO. As part of the registration requirements, these carriers must complete registration forms, pay registration fees, provide proof of insurance, and in some cases submit additional supporting documents to the PUCO. PUCO carrier registration functions are performed by the Transportation Department, Motor Carrier Registration Division.

(Refer to OAC 4901:2-1-02)

Carrier Registration Requirements

Carriers or their agents must complete and submit the required registration forms specific to the type of carrier registration sought. These forms are outlined in Table 4 below, and are included in this publication. Forms can also be obtained in person, by mail from the PUCO Transportation Department, or through the PUCO Web site at www.PUCO.ohio.gov. The Motor Carrier Registration staff at (614) 466-3392 is also available to address questions regarding the PUCO carrier registration. Keep in mind that a power of attorney must be provided if an agent is used to complete forms and file registration materials for a carrier.

Registration fees vary depending upon the carrier operation involved. See Table 4 for more info about the fees required for your operation.
### Table 4
Registration Forms, Fees, and Renewal Periods for Regulated Carriers

<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description of Operations</th>
<th>Forms Required</th>
<th>Fees</th>
<th>Renewal</th>
<th>Other PUCO Requirements</th>
</tr>
</thead>
</table>
| Intrastate For-Hire Carriers (No Passengers) | Operate solely within the state of Ohio.                                                  | PUCO Application for Registration of Motor Carriers Operating Intrastate For Hire in Ohio | Annual Tax Fees per Vehicle $30.00 each for:  
  - Tractor or truck tractor pulling a trailer  
  - Tow Truck  
  - Bus  
  $20.00 Each for:  
  - Straight truck, van, car, etc.           | Annual By July 1 |                                                                 |
| Intrastate Household Goods Carriers    | Transport someone else’s household goods (furniture, clothing, appliances, etc.) within, into, through, or out of the state of Ohio for compensation. | PUCO Application for Registration of Motor Carriers Operating Intrastate For Hire in Ohio | Annual Tax Fees per Vehicle $30.00 each for:  
  - Tractor or truck tractor pulling a trailer  
  - Tow Truck  
  - Bus  
  $20.00 Each for:  
  - Straight truck, van, car, etc.  
  Household Goods Carrier Fee based on carrier gross annual revenue:  
  $0 - $74,999 = $100.00  
  $75,000 - 149,999 = $200.00  
  $150,000 or more = $300.00 | Annual By July 1 | Must File Tariff:  
  Establish and maintain rates for the transport of household goods and associated services. |
| Intrastate For-Hire Motor Carriers of Passengers | For-hire motor carriers that transport passengers and operate solely within the state of Ohio. | PUCO Application for Registration of Motor Carriers Operating Intrastate For Hire in Ohio | Annual Tax Fees per Vehicle $30.00 each for:  
  - Tractor or truck tractor pulling a trailer  
  - Tow Truck  
  - Bus  
  $20.00 Each for:  
  - Straight truck, van, car, etc.           | Annual By July 1 |                                                                 |
<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description of Operations</th>
<th>Forms Required</th>
<th>Fees</th>
<th>Renewal</th>
<th>Other PU CO Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interstate</td>
<td>Interstate for-hire motor carriers regulated by FMCSA that operate in participating UCR states.</td>
<td>Unified Carrier Registration (UCR) Form</td>
<td>UCR fees depend on fleet size.</td>
<td>Annual: Sept. 1 to Dec. 31</td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>FMCSA Regulated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For-Hire</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FMCSA Regulated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interstate</td>
<td>Interstate private motor carriers regulated by FMCSA that operate in participating UCR states.</td>
<td>Unified Carrier Registration (UCR) Form</td>
<td>UCR fees depend on fleet size.</td>
<td>Annual: Sept. 1 to Dec. 31</td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>FMCSA Regulated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carriers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For-Hire</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FMCSA Regulated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interstate</td>
<td>Interstate for-hire motor carriers of passengers regulated by FMCSA that operate in participating UCR states.</td>
<td>Unified Carrier Registration (UCR) Form</td>
<td>UCR fees depend on fleet size.</td>
<td>Annual: Sept. 1 to Dec. 31</td>
<td></td>
</tr>
<tr>
<td>Carriers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FMCSA Regulated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Interstate private motor carriers of passengers are not required to register with the UCR.
Table 4  
Registration Forms, Fees, and Renewal Periods for Regulated Motor Carriers  
(Continued)

<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description</th>
<th>Forms Required *</th>
<th>Fees</th>
<th>Renewal</th>
<th>Other PUCO Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interstate and Intrastate:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- <strong>Hazardous Materials Carriers</strong></td>
<td>Interstate and Intrastate carriers that transport:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Hazardous materials of a type and amount that requires the vehicle (truck or trailer) to be placarded; or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Hazardous substances and/or marine pollutants transported in bulk packagings; or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Hazardous wastes subject to the Uniform Hazardous Waste Manifest; or</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Low-level radioactive waste.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- <strong>Hazardous Waste Transporters</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOTE:</td>
<td>This registration and permit is required in addition to:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Any other applicable PUCO interstate or intrastate carrier registration requirements; and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- The US DOT (PHMSA) hazardous materials permit.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Uniform Program Registration and Permit Application:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Parts I and Part II: All hazardous materials and hazardous waste carriers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Part III: Hazardous waste transporters only</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Fees</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- No. of carrier power units</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Carrier’s activity as hazardous materials or hazardous waste (by percent of total activity)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- International Registration Plan (IRP) activity in participating states</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Applicable per vehicle registration fee for hazardous waste transporters</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Applicable permit processing fee for Carrier’s Uniform Program “Base State”</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Renewal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Registration: Must be renewed annually</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Permit: Must be renewed every three years</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Carriers are notified 90 days before expiration of registration and permit.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Power of Attorney required if an agent is used to complete/file forms
Insurance Requirements

Levels of Insurance

Intrastate and interstate motor carriers regulated by the PUCO are required to maintain prescribed levels of bodily injury, cargo, and property damage liability insurance.

Proof of Insurance – Intrastate Carriers

Without recognized proof of insurance, intrastate for-hire carriers may not operate in the State of Ohio.

Intrastate carriers and their insurance carriers must provide the PUCO Transportation Department, Motor Carrier Registration Division with specific documents as proof of adequate insurance coverage. Depending on the type or carrier operation involved, a representative of the carrier’s insurance company is required to submit an ICC Form E, Form H, Form G, or Form J as proof of insurance (see Table 5).

The PUCO will recognize self-insurance for carriers who have a self-insurance plan approved by the FMCSA. Carriers must provide copies of the FMCSA Decision Order and the letter from the FMCSA establishing the date the company’s plan will be activated. In addition, self-insurance for interstate and intrastate for-hire carriers may be accepted if the PUCO has approved an order for self-insurance.

(Refer to OAC 4901:2-13-02 and 49CFR, Part 387)

Proof of Insurance – Interstate Carriers

Insurance requirements for carriers operating in interstate commerce (between states) are described in the FMCSRs. Requirements for proof of insurance for interstate carriers are indicated in Table 5.

(Refer 49CFR, Part 387)

Table 5

<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description</th>
<th>Minimum Insurance Required</th>
<th>Insurance Forms Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intrastate For-Hire Carriers</td>
<td>For-hire motor carriers that operate solely within the state of Ohio.</td>
<td>$750,000 insurance. for bodily injury or property damage and includes liability for environmental restoration (Refer to OAC 4901:2-13-02(B) and 49CFR 387.303(C))</td>
<td>Properly completed Form E (Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance) submitted by insurance provider</td>
</tr>
<tr>
<td>Household Goods Carriers</td>
<td>Movement of any residential household goods (furniture, clothing, appliances, etc.) beginning and ending within Ohio for compensation.</td>
<td>$750,000 bodily injury and property damage liability insurance. For loss or damage to property carried on any one vehicle - $5,000, for loss of or damage to or aggregate of losses or damage of or to occurring at any one time and place - $10,000 (Refer to OAC 4901:2-13-02(B) and 49CFR 387.303(C))</td>
<td>Properly executed Form H (Uniform Motor Carrier Cargo Certificate of Insurance) submitted by insurance provider</td>
</tr>
<tr>
<td>Type of Carrier</td>
<td>Description</td>
<td>Minimum Insurance Required</td>
<td>Insurance Forms Required</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
<td>----------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Intrastate For-Hire Motor Carriers of Passengers – Seating Capacity of 15 or less</td>
<td>For-hire motor carriers that transport passengers and operate solely within the state of Ohio.</td>
<td>$1,500,000 insurance for bodily injury or property damage and includes liability for environmental restoration. (Refer to 49 CFR §387.33)</td>
<td>Properly completed Form E. (Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance) submitted by insurance provider</td>
</tr>
<tr>
<td>Intrastate For-Hire Motor Carriers of Passengers – Seating Capacity of 16 Passengers or More</td>
<td>For-hire motor carriers that transport passengers and operate solely within the state of Ohio.</td>
<td>$5,000,000 insurance for bodily injury or property damage and includes liability for environmental restoration. (Refer to 49 CFR §387.33)</td>
<td>Properly completed Form E. (Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance) submitted by insurance provider</td>
</tr>
<tr>
<td>Interstate Property Carriers – Exempt from FMCSA Regulation</td>
<td>For-hire carriers exempt from the FMCSA operating authority requirements.</td>
<td>$750,000 insurance for bodily injury and property damage liability insurance. (Refer to 49 CFR §387.9)</td>
<td>Properly completed Form E. (Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance) submitted by insurance provider</td>
</tr>
<tr>
<td>Interstate Property Carriers – FMCSA Regulated</td>
<td>Interstate for-hire motor carriers covered by FMCSA operating authority requirements.</td>
<td>$750,000 – insurance for bodily injury and property damage liability insurance. (Refer to 49 CFR §387.9)</td>
<td>Properly completed Form BMC91, BMC-91X or PUCO order approving self-insurance submitted by insurance provider</td>
</tr>
<tr>
<td>Interstate Passenger Carriers – For-Hire Motor Carriers of Passengers – Seating Capacity of 15 or Less</td>
<td>Interstate for-hire motor carriers of passengers.</td>
<td>$1,500,000 insurance for bodily injury or property damage and includes liability for environmental restoration. (Refer to 49 CFR §387.33)</td>
<td>Properly completed Form BMC91, BMC-91X or PUCO order approving self-insurance submitted by insurance provider</td>
</tr>
<tr>
<td>Interstate Passenger Carriers – Seating Capacity of 16 passengers or more</td>
<td>Interstate for-hire motor carriers of passengers.</td>
<td>$5,000,000 insurance for bodily injury or property damage and includes liability for environmental restoration. (Refer to 49 CFR §387.33)</td>
<td>Properly completed Form BMC91, BMC-91X or PUCO order approving self-insurance submitted by insurance provider</td>
</tr>
<tr>
<td>Interstate and Intrastate Transporters of Hazardous Materials, Hazardous Substances, Hazardous Wastes and Radioactive materials in Highway Route Controlled Quantities</td>
<td>Motor Carriers: 1) Intrastate for-hire, 2) Intrastate private, 3) Interstate for-hire, or 4) Interstate private That transport: a. Hazardous materials, b. Hazardous substances, c. Hazardous wastes, or d. Radioactive materials in Highway Route Controlled Quantities as described in 49 CFR §387.9</td>
<td>$1,000,000 or $5,000,000 insurance for bodily injury, property damage and liability for environmental restoration. Amount Determined by: (1) Material transported (hazardous materials, hazardous substances, radioactive materials in Highway Route Controlled Quantities; (2) Packaging used; &amp; (3) GVWR of the vehicle (Refer to 49 CFR §387.9)</td>
<td>Properly completed US DOT Form MCS-90</td>
</tr>
</tbody>
</table>
Household Goods Carriers

The transportation of residential household goods, such as furniture, clothing, and appliances, in Ohio falls within the PUCO’s jurisdiction. You are considered a regulated household goods carrier if you use a motor vehicle to move someone’s household goods within, into, through or out of the state of Ohio and perform these services for compensation. As a regulated household goods carrier you must comply with PUCO regulations that address vehicle safety requirements, company registration, insurance, advertising, and pricing/estimates.

(Refer to ORC 4921.35; OAC 4901:2-21-08)

Marking of Vehicles – Intrastate Operations

Vehicles of for-hire and private carriers subject to PUCO regulations operating in intrastate commerce must display the following on both sides of the vehicle:

For-Hire

- Company name;
- The identification number issued by the PUCO preceded by the letters PUCO or the identification number issued by the US DOT preceded by the letters USDOT;

Private Carriers

- Company Name

The markings must appear on both sides of the vehicle and be:

- In letters that contrast sharply in color with their background;
- Legible from 50 feet (15.24 meters) while the vehicle is stationary; and
- Maintained so they are legible at all times.

(Refer to OAC 4901:2-5-10)

Vehicle Marking Exemptions – Intrastate Operations

In certain situations, intrastate carriers may not be required to comply with the vehicle marking requirements described above. These exemptions are described below.

The Director of the PUOC transportation Department may grant an exemption to the intrastate vehicle marking requirement if:

- Prior to January 1, 1987, the carrier marked it’s vehicles with an alternative system that adequately identified the owner and identity of the equipment; and
- Display of the required information would pose a security risk to the vehicle, its contents or occupants.

For additional information regarding this exemption, call the PUCO Transportation Department at (614) 466-3191.

The intrastate marking requirements do not apply to a leased vehicle if the vehicle has been leased without a driver and –

- The lease is for a period not in excess of 30 calendar days;
- The lessor remains responsible for routine maintenance of the vehicle;
- The vehicle is marked with the name of the lessor; and
• A signed copy or summary of the lease (showing name, city and state of lessee, duration of the lease, and party responsible for the lease) is carried aboard the vehicle.
(Refer to OAC 4901:2-5-10)

Marking of Vehicles – Interstate Operations

The requirements for marking of CMVs operating in interstate commerce cover both for-hire and private carrier operations. In general, these vehicles must be marked on both sides with:

• The legal name or single trade name of the motor carrier
• The US DOT motor carrier identification number issued by the FMCSA
• These markings must appear on both sides of the CMV power unit in letters that sharply contrast with their background, be legible from 50 feet (vehicle stationary), and be kept legible
(Refer to 49 CFR 390.21)

Enforcement by US DOT

As mentioned previously, the US DOT Federal Motor Carrier Safety Administration (FMCSA) has jurisdiction over the operation of many motor carriers operating in, out of, and through the state of Ohio. This includes for-hire and private carriers. To determine compliance with its regulations, the FMCSA conducts new entrant carrier safety audits, carrier compliance reviews, and commercial vehicle inspections in Ohio. Individuals and companies under FMCSA jurisdiction are subject to civil penalties (fines) for violations of the FMCSRs and the HMRs. In general, the federal safety rules apply and are enforced by the FMCSA when a trip’s origin or destination is out-of-state and the motor vehicle in question:

• 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 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 of Transportation under 49 CFR, Subtitle B, Chapter I, Subchapter C.

The next two tables (Table 7 and Table 8) indicate US DOT’s jurisdiction to over various types of motor carriers. Table 7 addresses carriers of property and Table 8 addresses motor carriers of passengers.
### Table 7
**US DOT Jurisdiction (Does Not Include Motor Carriers of Passengers)**

<table>
<thead>
<tr>
<th>Inter or Intra State</th>
<th>Private or For-Hire</th>
<th>Vehicle Weight: GVWR, GCVR, GW, or GCW</th>
<th>Placards Required Under US DOT Hazmat Regulations (see 49CFR 172.504)</th>
<th>Does US DOT Jurisdiction Apply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intrastate</td>
<td>Private</td>
<td>Any</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Intrastate</td>
<td>For-Hire</td>
<td>Any</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>10,000 lbs. or less</td>
<td>No</td>
<td>No *</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>10,001 lbs. or more</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate</td>
<td>Private and For-Hire</td>
<td>Any</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

* Registration applies to interstate vehicles hauling for-hire with a GVWR of less than 10,000 lbs.

### Table 8
**Applicability of US DOT Safety Rules – Motor Carriers of Passengers**

<table>
<thead>
<tr>
<th>Type of Carrier</th>
<th>Description</th>
<th>Private or For-Hire</th>
<th>Number of Passengers Vehicle is Designed or Used to Transport (Including Driver)</th>
<th>Do US DOT Regulations Apply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interstate Non-Business Private Motor Carrier of Passengers</td>
<td>Provide private interstate transportation of passengers that is not in the furtherance of a commercial enterprise. Examples: Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.</td>
<td>Private</td>
<td>Designed or used to transport 15 of fewer passengers (including the driver) for compensation.</td>
<td>No</td>
</tr>
<tr>
<td>Interstate Non-Business Private Motor Carrier of Passengers</td>
<td>Provide private interstate transportation of passengers that is not in the furtherance of a commercial enterprise. Examples: Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.</td>
<td>Private</td>
<td>Designed or used to transport more than 15 passengers (including the driver) for compensation.</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate Non-Business Private Motor Carrier of Passengers</td>
<td>Provide private interstate transportation of passengers that is not in the furtherance of a commercial enterprise. Examples: Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.</td>
<td>Private</td>
<td>Designed or used to transport more than 15 passengers (including the driver) for compensation.</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate Non-Business Private Motor Carrier of Passengers</td>
<td>Provide private interstate transportation of passengers that is not in the furtherance of a commercial enterprise. Examples: Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.</td>
<td>Private</td>
<td>Designed or used to transport more than 15 passengers (including the driver) for compensation.</td>
<td>Yes</td>
</tr>
<tr>
<td>Interstate Non-Business Private Motor Carrier of Passengers</td>
<td>Provide private interstate transportation of passengers that is not in the furtherance of a commercial enterprise. Examples: Churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.</td>
<td>Private</td>
<td>Designed or used to transport more than 15 passengers (including the driver) for compensation.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Table 9 indicates how the different parts of the FMCSRs (drug and alcohol testing, commercial driver’s license, driver qualifications, etc.) and the Ohio Administrative Code apply to intrastate motor carriers.

### Table 9

**Applicability of Truck Safety Rules to Intrastate Motor Carrier Operations**

<table>
<thead>
<tr>
<th>Safety Requirements</th>
<th>Intrastate For- Hire</th>
<th>Intrastate Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug and Alcohol Testing (Refer to 49 CFR Part 382)</td>
<td>Yes When operating CMV (Refer to 49 CFR §382.107)</td>
<td>Yes When operating CMV (Refer to 49 CFR §382.107)</td>
</tr>
<tr>
<td>Commercial Driver’s License (Refer to 49 CFR Part 383)</td>
<td>Yes When operating CMV (Refer to 49 CFR §383.5)</td>
<td>Yes When operating CMV (Refer to 49 CFR §383.5)</td>
</tr>
</tbody>
</table>
| Carrier Insurance (Refer to OAC §4901:2-13 and 49 CFR Part 387 as needed) | Yes When operating CMV (Refer to definition of CMV in 49 CFR §390.5) | Yes When hauling:  
  - Hazmat in quantities that require placarding as per the US DOT HMRs, 49 CFR; or  
  - Passengers as per OAC §4901:2-13  
(49 CFR Parts 391, 392, 393, 395, 396, and 397 only apply to vehicles with a GVWR or GCWR of 10,001 or more, 16 or more passengers, including the driver or hazardous in quantity requiring placards) |
| Driver Qualifications (Refer to 49 CRR Part 391) | Yes | |
| Safe Driving and Operation of CMVs (Refer to 49 CFR Part 392) | Yes When operating CMV (Refer to definition of CMV in 49 CFR §390.5) | |
| Required Vehicle Parts and Accessories (Refer to 49 CFR Part 393) | Yes | |
| Hours or Service and Logbooks (Refer to 49 CFR Part 395) | Yes | |
| Vehicle Maintenance and Repair (Refer to 49 CFR Part 396) | Yes | |
| Hazmat – Driving and Parking Rules (Refer to 49 CFR Part 397) | Yes When hauling hazmat in quantities that require placarding or marking as per US DOT HMRs | Yes When hauling hazmat in quantities that require placarding or marking as per US DOT HMRs |
Table 10 indicates how the different parts of the FMCSRs (drug and alcohol testing, commercial driver’s license, driver qualifications, etc.) and the Ohio Administrative Code apply to interstate motor carriers.

### Table 10

**Applicability of Truck Safety Rules to Interstate Motor Carrier Operations**

<table>
<thead>
<tr>
<th>Safety Requirements</th>
<th>Interstate For-Hire</th>
<th>Interstate Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug and Alcohol Testing (Refer to 49 CFR Part 382)</td>
<td>Yes When operating CMV (Refer to 49 CFR §382.107)</td>
<td>Yes When operating CMV (Refer to 49 CFR §382.107)</td>
</tr>
<tr>
<td>Commercial Driver’s License (Refer to 49 CFR Part 383)</td>
<td>Yes When operating CMV (Refer to 49 CFR §383.5)</td>
<td>Yes When operating CMV (Refer to 49 CFR §383.5)</td>
</tr>
<tr>
<td>Carrier Insurance (Refer to OAC §4901:2-13 and 49 CFR Part 387)</td>
<td>Yes When operating CMV (Refer to definition of CMV in 49 CFR §390.5)</td>
<td>Yes FMCSA requires proof of insurance (FMCSA Form MCS-90B) at motor carrier’s principal place of business</td>
</tr>
<tr>
<td>Driver Qualifications (Refer to 49 CRR Part 391)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safe Driving and Operation of CMVs (Refer to 49 CFR Part 392)</td>
<td>Yes When operating CMV (Refer to definition of CMV in 49 CFR §390.5)</td>
<td></td>
</tr>
<tr>
<td>Required Vehicle Parts and Accessories (49 CFR Part 393)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hours of Service and Logbooks (Refer to 49 CFR Part 395)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle Maintenance and Repair (Refer to 49 CFR Part 396)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hazmat – Driving and Parking Rules (Refer to 49 CFR Part 397)</td>
<td>Yes When hauling hazmat in quantities that require placarding or marking as per US DOT HMRs</td>
<td>Yes When hauling hazmat in quantities that require placarding or marking as per US DOT HMRs</td>
</tr>
</tbody>
</table>
The Regulations – Frequently Asked Questions

The following section outlines parts of the PUCO and US DOT regulations that affect motor carriers and generate the most questions by companies trying to comply. All of the federal and state regulations that apply to motor carriers operating in or through the state of Ohio are not covered below. Drivers and carriers are required to be aware of and comply with the US DOT and Ohio requirements applicable to their operations. The categories of rules covered include:

- Drug and Alcohol Use and Testing
- The Commercial Driver’s License (CDL)
- Qualifications of Drivers
- Driving of Commercial Motor Vehicles
- Vehicle Parts and Accessories
- Drivers Hours of Service
- Vehicle Inspection, Repair, and Maintenance
- Hazardous Materials Registration and Permit Requirements

In addition, the following section indicates the applicability of the regulations to PUCO regulated interstate private, interstate for-hire, intrastate for-hire, and intrastate private carriers. The boxes listed below are used to indicate when carriers regulated by the PUCO are required to comply.

- Requirement applies to PUCO regulated Interstate Private Motor Carriers
- Requirement applies to PUCO regulated Interstate For-Hire Motor Carriers
- Requirement applies to PUCO regulated Intrastate For-Hire Motor Carriers
- Requirement applies to PUCO regulated Intrastate Private Motor Carriers

At the end of each section, the applicable section or part of the US DOT and PUCO regulations that apply to the topic are listed.

Drug and Alcohol Use and Testing

As a regulated motor carrier, you and your drivers may be required to follow the US DOT requirements on the prohibition of, and testing for, controlled substances (drugs) and alcohol.

(Refer to 49 CFR Part 40, 49 CFR Part 382)
**Controlled Substances and Alcohol Use and Testing Regulations**

The drug and alcohol regulations in the FMCSRs apply to drivers that are required to have a CDL. In other words, if a driver operates a CMV that requires a CDL, the carrier and the driver must follow the controlled substances and alcohol regulations.

**Controlled Substances Tested For**

The drugs or classes of drugs tested for are marijuana, cocaine, amphetamines, opiates, and phencyclidine (PCP).

**Alcohol and Drug Use by Drivers**

In general, CMV drivers may not use controlled substances or alcohol. In particular the rules single out a CMV driver’s blood-alcohol concentration (BAC), on-duty use of alcohol, pre-duty use of alcohol, use of alcohol following an accident, and general use of controlled substances.

**Alcohol and Controlled Substance Testing**

The regulations specify five different types of alcohol and drug tests. Some are required for all drivers and others are limited to those who have been in an accident or are returning to work after drug or alcohol abuse treatment.

- Pre-Employment – required before a driver performs any “safety sensitive functions,” including driving a CMV. Pre-employment testing may not be required if a driver has been part of another carriers program and has been tested for drugs in the last six months or has participated in another employers random controlled substances testing program for the previous 30 days.
- Post-Accident – a carrier must test a CMV driver for alcohol “as soon as practicable” after an accident. An accident qualifies for the testing requirement if it involves a loss of human life, the driver receives a citation for a moving violation within eight hours of the accident, bodily injury to any person that requires medical treatment away from the accident scene, or one or more of the vehicles involved in the accident is towed or transported away from the accident scene.
- Random – carriers must randomly test drivers for alcohol and drugs. The company must randomly select and test 10 percent of its drivers for alcohol and 50 percent of its drivers for controlled substances each calendar year.
- Reasonable Suspicion – carriers must require the testing of drivers that it suspects of violating the drug and alcohol regulations. A supervisor or company official must have a “reasonable suspicion” that is backed up by observations of the driver’s behavior.
- Return-to-Duty and Follow-up – these tests are performed after a driver has completed a drug or alcohol abuse treatment program and a substance abuse professional has determined that the driver may return to work. A carrier is not required to provide abuse and rehabilitation programs for drivers that violate the controlled substance and alcohol regulations.
Record Retention – Alcohol and Controlled Substance Tests

Carriers must keep alcohol and controlled substance testing results for five years, two years, one year, or indefinitely. Below are the specific requirements.

- **Five Years**
  - Alcohol test results indicating a 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
- **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
- **Indefinitely**
  - Education and training records

Alcohol and Controlled Substance Testing Records

Testing records must be stored securely with limited access. Drivers, the FMCSA, the National Transportation Safety Board (NTSB), the PUCO, and subsequent employers may have access to these records. Carriers should consult the FMCSRs when determining if and how the records can be released.

Drug and Alcohol Information for Drivers

Motor carriers must provide CMV drivers with educational materials explaining the requirements of the regulations and the carrier’s policies on alcohol misuse and controlled substances abuse to each driver prior to the start of testing. At a minimum, the material should include information on:

- The identity of the company representative designated to answer drug and alcohol questions.
- Which drivers are subject to these requirements, what is prohibited, and a clarification of what is a “safety sensitive function” covered by these regulations.
- Circumstances when a driver will be tested and the procedures that will be used.
- Explanation of the requirement that a driver must submit to the testing and what constitutes a driver’s refusal to submit to testing.
- Consequences for drivers who violate the testing requirements.
- Information on the effects of alcohol misuse and controlled substances abuse on health, work, and personal life.

Supervisor Training

Supervisors must be trained to identify the physical, behavioral, speech, and performance indicators that point to probable abuse of controlled substances and alcohol.

(Refer To 49 CFR Part 40 and Part 382, OAC 4901:2-5-02)
The Commercial Driver’s License (CDL) have been adopted by the state of Ohio, and require many drivers who operate trucks to have a CDL.

A CDL is a state license issued under federal guidelines. A CDL is required in interstate and intrastate commerce and accepted anywhere in North America if there are no restrictions imposed by the issuing state. The type and size of a vehicle determines if a CDL is required and the appropriate class designation. The table below summarizes the types of vehicles and required CDL class designation:

<table>
<thead>
<tr>
<th>CDL Class</th>
<th>Vehicle Type/Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A</td>
<td>A combination vehicle with a combined gross vehicle weight rating of 26,001 pounds or more if the vehicle or trailer towed is in excess of 10,000 pounds.</td>
</tr>
<tr>
<td>Class B</td>
<td>A single unit vehicle with a gross vehicle weight rating of 26,001 or more pounds or any such vehicle towing a vehicle not in excess of 10,000 pounds.</td>
</tr>
<tr>
<td>Class C</td>
<td>Any single unit vehicle that is not a Class A or Class B vehicle but is either designed to transport 16 or more passengers including the driver, or hauling an amount of hazardous materials requiring the display of placards, or a school bus with a gross vehicle weight rating less than 26,001 pounds designed to transport fewer than 16 passengers, including the driver.</td>
</tr>
<tr>
<td>Class D</td>
<td>A vehicle other than a commercial motor vehicle.</td>
</tr>
</tbody>
</table>

Restrictions might also be noted on a CDL to indicate types of vehicles or equipment that the driver is not permitted to operate. The tables below summarize the Ohio CDL endorsements and restrictions.

<table>
<thead>
<tr>
<th>CDL Endorsements</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
<td>Authorizes the driver to drive a vehicle transporting hazardous materials.</td>
</tr>
<tr>
<td>L</td>
<td>Restricts the driver to vehicles not equipped with air brakes (If a driver fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, the CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes).</td>
</tr>
<tr>
<td>T</td>
<td>Authorizes the driver to drive double and triple trailers.</td>
</tr>
<tr>
<td>P</td>
<td>Authorizes the driver to drive vehicles carrying passengers.</td>
</tr>
<tr>
<td>P1</td>
<td>Authorizes the driver to drive class A vehicles with fewer than 15 passengers and all lesser classes of vehicles without restriction as to the number of passengers.</td>
</tr>
<tr>
<td>P2</td>
<td>Authorizes the driver to drive class A or B vehicles with fewer than 15 passengers and all lesser classes of vehicles without restriction as to the number of passengers.</td>
</tr>
<tr>
<td>N</td>
<td>Authorizes the driver to drive tank vehicles.</td>
</tr>
<tr>
<td>S</td>
<td>Authorizes the driver to drive school buses.</td>
</tr>
<tr>
<td>X</td>
<td>Authorizes the driver to drive tank vehicles transporting hazardous materials.</td>
</tr>
<tr>
<td>CDL Restrictions</td>
<td>Description</td>
</tr>
<tr>
<td>------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>K</td>
<td>Restricts the driver to only intrastate operation (Drivers between 18 and 21 years of age may drive a CMV in intrastate commerce with the “K” license restriction).</td>
</tr>
<tr>
<td>L</td>
<td>Restricts the driver to vehicles not equipped with air brakes (If a driver fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, the CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes).</td>
</tr>
<tr>
<td>P3</td>
<td>Restricts the driver to driving class B school buses.</td>
</tr>
<tr>
<td>P4</td>
<td>Restricts the driver to driving class C school buses designed to transport fewer than 16 passengers including the driver.</td>
</tr>
<tr>
<td>W</td>
<td>Restricts the driver to the operation of commercial motor vehicles in accordance with a waiver for farm related service industries as described in ORC 4506.24.</td>
</tr>
</tbody>
</table>

(Refer to 49 CFR Part 383, ORC 4506.24, & OAC 4901:2-5-04)

**Getting a CDL**

In the state of Ohio, the CDL program is administered by the Ohio Department of Public Safety, Bureau of Motor Vehicles (BMV). For more information on how to get or maintain a CDL please contact the BMV, a local BMV deputy registrar, or the Ohio State Highway Patrol, Office of Licensing and Commercial Standards (LCS).

- Ohio Bureau of Motor Vehicles (614) 752-7600  
  http://ohiobmv.com
- State Highway Patrol, LCS (614) 466-4056

**CDL Testing and Licensing Procedures**

The BMV administers the CDL testing and licensing program in Ohio. To obtain a CDL, drivers must pass general knowledge and skills tests.

A driver’s knowledge is tested in the following areas:

- Safe operation regulations
- Commercial motor vehicle safety control systems
- Safe vehicle control
- Relationship of cargo to vehicle control
- Vehicle inspections
- Hazardous materials
- Air brakes (air brake systems and combination vehicles)

A driver’s skills are tested for proficiency in the following areas:

- Basic vehicle control skills
- Safe driving skills
- Air brake skills
- Pre-trip inspection skills

**Security Requirements – CDL Hazardous Materials Endorsement**

Beginning in 2005, applicants for a new or renewal of a CDL hazardous materials endorsement will undergo additional security review before the endorsement is issued. The state may not “issue, renew, upgrade, or transfer a hazardous materials endorsement for a CDL to any individual authorizing that individual to operate a commercial motor vehicle transporting a
hazardous material in commerce unless the Transportation Security Administration (TSA) has determined that the individual does not pose a security risk warranting denial of the endorsement.”

Drivers that hold the hazardous materials endorsement will be notified 180 days prior to the expiration of a CDL or hazardous materials endorsement that they must pass a TSA security screening as part of the application process. Drivers should file a renewal application at least 90 days from the expiration of the endorsement.

**Notification Requirements – Driver Convictions for Traffic Violations**

If a driver holding a CDL is convicted of any state or local traffic violation (other than a parking violation) in any type of motor vehicle, the 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
- Driver’s signature

The driver must also notify the state that issued his or her CDL if the violation occurred in another state. This notification must also be made in writing within 30 days of the date of conviction and must include the information listed above. In Ohio drivers must notify the BMV CDL/Out of State Processing Unit, in writing, of all out-of-state traffic convictions within 30 days of the conviction.

In Ohio, the term “conviction” includes PUCO civil forfeiture cases where the driver has been found in violation and the case has not been dismissed or the violation has not been deleted from an inspection or compliance review.

**Notification Requirements – Drivers License Suspension**

A CMV driver who has his/her driver’s license suspended, revoked, or canceled by a state or other jurisdiction (city, county, etc.), or who loses the right to operate a CMV in a particular state or jurisdiction, for any period must notify his or her current employer of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification must be made before the end of the business day following the day the suspension, revocation, cancellation, lost privilege, or disqualification is effective or a ruling is made.

**Notifying Previous Employers – Driving Record**

When a driver applies for a job that includes driving a CMV, he or she must provide their prospective employer information on their employment history as a CMV driver. In addition, employers must also request this information from prospective employees at the time they apply for a position covered by this requirement. The applicant must certify that all information furnished is true and complete. This employment history information must include the 10 years preceding the date of application and must include:
A list of the names and addresses of the applicant’s previous employers for which the applicant was an operator of a commercial motor vehicle;

- The dates the applicant was employed by these employers; and
- The reason for leaving such employment.

An employer may require an applicant to provide additional information and may use the information to check the applicant’s employment history.

**Employer’s Responsibilities – Using Drivers with Invalid CDL**

An employer may not knowingly allow, permit, or authorize a driver with a CDL to operate a commercial motor vehicle:

- When the driver has had a CDL suspended, revoked, or canceled by a state;
- During any period in which the driver has a CMV driver’s license suspended, revoked, or canceled by a state, has lost the right to operate a CMV in a state, or has been disqualified from operating a CMV;
- During any period in which the driver has more than one CMV driver’s license;
- During any period in which the driver, the CMV he or she is driving, or the motor carrier operation is subject to an out-of-service order; or
- In violation of a federal, state, or local law or regulation pertaining to highway-rail grade crossings.

Employers and drivers who disregard these restrictions while operating in Ohio face serious penalties from the FMCSA and the PUCO.

**Implied Consent for Alcohol Testing**

The US DOT regulations specify that any driver holding a CDL is automatically considered to have consented to alcohol testing by any state or jurisdiction. So, if a law enforcement official requests that a CDL holder take an alcohol test, the driver must comply.

**Driver Disqualifications and Penalties**

When a CMV driver is convicted of violating certain sections of the FMCSRs, the driver will be disqualified from operating a commercial motor vehicle for a specified length of time. The state that issues the CDL will disqualify the driver. In Ohio, this task is handled by the Bureau of Motor Vehicles. Depending on the offense, the period of disqualification can extend from 60 days to life. The severity of the penalties is increased for repeated violations of the regulations. During a disqualification, the driver may not drive a CMV. Also, an employer may not knowingly allow, require, or authorize a driver to operate a CMV during a period of disqualification.

The offenses that require disqualification are categorized as: major offenses; serious traffic violations; railroad-highway grade crossing offenses; and violations of out-of-service orders. The specific offenses involved in each of these categories are listed below.

(Refer to 49 CFR Parts 383, Subpart D)
**Major Offenses**

The following are designated as “major” and may require a one year to life disqualification for CDL holders.

- Being under the influence of alcohol as prescribed by state law.
- Being under the influence of a controlled substance.
- Having BAC of 0.04 or greater while operating a CMV.
- Refusing to take an alcohol test as required by a state or jurisdiction under its implied consent laws or regulations.
- Leaving the scene of an accident.
- Using the vehicle to commit a felony, other than manufacturing, distributing, or dispensing a controlled substance.
- Driving a CMV when, as a result of prior violations committed operating a CMV, the driver’s CDL is revoked, suspended, or canceled or the driver is disqualified from operating a CMV.
- Causing a fatality through the negligent operation of a CMV, including but not limited to the crimes of motor vehicle manslaughter, homicide by motor vehicle, or negligent homicide.
- Using a CMV in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance.

**Serious Traffic Offenses**

The following are designated as “serious” and may require a 60 day or 120 day disqualification for CDL holders.

- Speeding excessively – any speed of 15 mph or more above the posted speed limit.
- Driving recklessly, as defined by state or local law or regulation, including, but not limited to, offenses of driving a motor vehicle in willful or wanton disregard for the safety of persons or property.
- Making improper or erratic traffic lane changes.
- Following the vehicle ahead too closely.
- Violating state or local law relating to motor vehicle traffic control (other than a parking violation) in connection with a fatal accident.
- Driving a CMV without obtaining a CDL.
- Driving a CMV without a CDL in the driver’s possession.
- Driving a CMV without the proper class of CDL and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.

**Highway-Rail Grade Crossing Offenses**

The following offenses occur at railroad grade crossings and may require a disqualification between 60 days and one year.

- The driver is not required to always stop, but fails to slow down and check that tracks are clear of an approaching train.
- The driver is not required to always stop, but fails to stop before reaching the crossing, if the tracks are not clear.
- The driver is always required to stop, but fails to stop before driving onto the crossing.
- The driver fails to have sufficient space to drive completely through the crossing without stopping.
- The driver fails to obey a traffic control device or the directions of an enforcement official at the crossing.
- The driver fails to negotiate a crossing because of insufficient undercarriage clearance.

**Violating Out-of-Service Orders**

A driver that violates an out-of-service order faces disqualification from 180 days to five years for the following offenses:

- Violating a driver or vehicle out-of-service order while transporting non-hazardous materials.
- Violating a driver or vehicle out-of-service order while transporting hazardous materials required to be placarded under the HMRs, or while operating a vehicle designed to transport 16 or more passengers, including the driver.

**US DOT Safety Fitness Procedures**

Interstate motor carriers are required to maintain adequate basic safety management controls. FMCSA uses a system to determine motor carrier safety ratings and what is required of carriers that are found to be unsatisfactory in the agency’s rating process. The FMCSA also contains regulations for new entrant motor carriers that intend to begin operations as an interstate carrier.

*(Refer to 49 CFR Parts 385, Subpart A)*

**Compliance Reviews**

To determine an interstate carrier’s compliance with the FMCSR, agents of the FMCSA go to the carrier’s offices and conduct a compliance review. The compliance review is an on-site examination of motor carrier operations, such as drivers’ hours of service, maintenance and inspection, driver qualification, CDL requirements, financial responsibility, accidents, hazardous materials, and other safety and transportation records to determine whether a motor carrier meets the safety fitness standard. A compliance review may be conducted in response to a request to change a safety rating, to investigate potential violations of safety regulations by motor carriers, or to investigate complaints or other evidence of safety violations. The compliance review may result in the initiation of an enforcement action.

*(Refer to 49 CFR §385.3)*

To determine a carrier’s safety rating, the following factors are considered:

- Adequacy of safety management controls. The adequacy of controls may be questioned if their degree of formalization, automation, etc., is found to be substantially below the norm for similar carriers. Violations, accidents or incidents substantially above the norm for similar carriers will be strong evidence that management controls are either inadequate or not functioning properly.
- Frequency and severity of regulatory violations.
- Frequency and severity of driver/vehicle violations identified in roadside inspections.
- Number and frequency of out-of-service driver/vehicle violations.
- Increase or decrease in similar types of regulatory violations discovered during safety or compliance reviews.
- Frequency of accidents, hazardous materials incidents, accident rate per million miles, preventable accident rate per million miles, and other accident indicators, and whether these accident and incident indicators have improved or deteriorated over time.
• The number and severity of violations of state safety rules, regulations, standards, and orders applicable to CMV and motor carrier safety that are compatible with federal rules, regulations, standards, and orders.

(Refer to 49 CFR §385.7)

**Safety Ratings**

A compliance review will result in a rating of satisfactory, conditional, or unsatisfactory.

Within 30 days of a compliance review, a motor carrier will be notified of the safety rating resulting from the review. This written notification will come from the FMCSA. If the rating is satisfactory, the rating becomes final on the date of the FMCSA notice. If the proposed safety rating is either conditional or unsatisfactory, the rating becomes final within:

• 45 days if the carrier is transporting hazardous materials that requires placards or if transporting passengers; or
• 60 days for other carriers (if the carrier is transporting other property or materials).

(Refer to 49 CFR §385.11)
Administrative Review

Carriers that receive either a conditional or an unsatisfactory rating may appeal the proposed safety rating through administrative review if the carrier believes that the FMCSA has “committed an error in assigning its proposed or final safety rating.” Decisions in motor carrier safety rating appeals are made are made by the FMCSA in Washington D.C.

(Refer to 49 CFR §385.15)

Corrective Actions

Carriers may also request a change to a safety rating based on corrective actions made as a result of the compliance review. The carrier must make this request in writing within a specified time frame. The FMCSA state director of the division in which the compliance review was conducted will determine if the rating will be changed as a result of the corrective actions made by the carrier. The FMCSA Ohio Division is located at 200 North High Street, Room 609 Columbus, OH 43215; Phone: (614) 280-5657 and Fax: (614) 280-6875.

(Refer to 49 CFR §385.17(b))

Carrier Shut-Down Requirements

An interstate motor carrier that receives a notice of an unsatisfactory safety rating that is not improved by either administrative review, corrective actions, or other appeal will be required to cease interstate operations:

- On day 46 after receiving a notice of proposed unsatisfactory safety rating if transporting HM that requires placards or if transporting passengers; or
- On day 61 after receiving a notice of proposed unsatisfactory safety rating for carriers transporting other property or materials.

(Refer to 49 CFR §385.13)

New Entrant Carriers

Before a motor carrier can transport property or passengers in interstate commerce, the carrier must register with the FMCSA and obtain a US DOT number. For-hire interstate carriers must also obtain operating authority from the FMCSA.

(Refer to 49 CFR 365, Subpart D)

To register with the US DOT, carriers must complete and submit an application package consisting of form MCS-150 and form MCS-150A to the FMCSA. The application may be completed online http://www.fmcsa.dot.gov/registration-licensing/registration-licensing.htm or by contacting the FMCSA headquarters office at (800) 832-5660 and requesting an application by mail. For-hire motor carriers must complete the US DOT form OP-1, form OP-1(P), form BOC-3, and pay a $300.00 filing fee. Private and exempt for-hire carriers are not required to pay this fee. Once the new entrant application package is completed, the carrier will be granted new entrant registration including a US DOT number.

For 18 months following registration with the FMSA, a new entrant motor carrier is subject to monitoring and a safety audit. The new entrant safety audit is intended to provide educational
and technical assistance to the carrier and gather information to determine if the new entrant has adequate safety management controls in place. During the audit, the following materials will be reviewed:

- Driver qualification
- Driver duty status
- Vehicle maintenance
- Accident register
- Controlled substance and alcohol use and testing requirements

In Ohio, new entrant safety audits may be conducted by personnel from the FMCSA or the PUCO.

The safety audit does not result in a safety rating like a compliance review. If the carrier passes the safety audit, it will receive written notice from the FMCSA no later than 45 days after the audit. If the FMCSA determines that the carrier’s safety management controls are not adequate, then it will notify the carrier that its new entrant registration will be revoked and its interstate operations placed out-of-service unless the carrier takes steps to remedy the problems raised by the safety audit. The out-of-service notice will take effect in 45 days if the carrier is transporting hazardous materials that require placards or transporting passengers or within 60 days if the carrier is transporting other property or materials.

If a new entrant carrier has received and passed a safety audit during the 18 month safety monitoring period, the carrier will receive written notification from the FMCSA that its new entrant designation will be removed and that its registration has become permanent. New entrant carriers that have remedied problems discovered during a safety audit will also receive a permanent motor carrier registration.

Carriers that have had a new entrant carrier revoked and their operations placed out-of-service may reapply for new entrant status after 30 days. New entrant motor carriers motor carriers that have had their US DOT number revoked and their operations placed out-of-service may reapply for new entrant status after 30 days.

(Refer to 49 CFR Part 383 & 49 CFR §385.333)
Qualifications of Drivers

Driver Requirements and Qualifications – Interstate Carriers

The FMCSA regulations specify that only qualified persons may operate a CMV in interstate commerce. In general, a driver is considered qualified if he or she:

- Is at least 21 years old;
- Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;
- Can, by reason of experience, training, or both, safely operate the type of CMV he/she drives;
- Is physically qualified to drive a CMV;
- Has a currently valid CMV operator’s license issued only by one state or jurisdiction;
- Has prepared and furnished the motor carrier that employs him/her with the list of violations or the certificate;
- Is not disqualified to drive a CMV under the rules in; and
- Has successfully completed a driver’s road test and has been issued a certificate of driver’s road test, or has presented an operator’s license or a certificate of road test which the motor carrier that employs him/her has accepted as equivalent to a road test.


Driver Requirements and Qualifications – Intrastate Carriers

The PUCO driver requirements/qualifications for intrastate carriers are the similar to those for interstate carriers (above) with the exception that intrastate CMV drivers must be at least 18 year old.

(Refer to OAC 4901:2-5-04(A))

Driver Disqualifications

In general, a driver that has been disqualified as the result of committing certain violations detailed in the FMCSRs may not operate a CMV in interstate commerce. In addition, a driver’s employer may not require or permit a disqualified driver to operate a CMV.

Drivers that are notified that their license, permit, or privileges have been revoked, suspended, withdrawn, or denied must notify the carrier they work for before the end of the business day following the action. The state that issues the CDL will disqualify the driver. In Ohio, this task is handled by the Bureau of Motor Vehicles.

(Refer to 49 CFR §383.33)
Disqualification for Criminal Offenses

A driver may be disqualified for criminal or other offenses. A driver convicted of a disqualifying criminal or other offense is disqualified if:

- The offense was committed during on-duty time; and
- The driver is employed by a motor carrier or is engaged in activities that are in furtherance of a commercial enterprise in interstate, intrastate, or foreign commerce.

The disqualifying offenses are:

- Driving a CMV while under the influence of alcohol, including:
  - Driving a CMV while the person’s alcohol concentration is 0.04 percent or more,
  - Driving under the influence of alcohol, as prescribed by state law, and/or
  - Refusal to undergo testing as is required by any state or jurisdiction.
- Driving a CMV under the influence of a Schedule I identified controlled substance, an amphetamine, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug;
- Transport, possession, or unlawful use of a Schedule I identified controlled substance, amphetamines, narcotic drugs, formulations of an amphetamine, or derivatives of narcotic drugs while the driver is on duty;
- Leaving the scene of an accident while operating a CMV; or
- Committing a felony involving the use of a CMV.

Penalties for first offenders:

- **One year** if the driver has not been convicted (or forfeited bond or collateral) of a disqualifying charge within the preceding three years.
- **Six months** if the conviction is for the transport or possession of substances found in 21 CFR 1308.11 Schedule I.
- **Three years** after the date of his/her conviction (or forfeiture of bond or collateral) if the individual has not been convicted of a disqualifying charge within the preceding three years.

(Refer to 49 CFR §383.51)

Disqualification for Violations of Out-of-Service Orders

The FMCSRs specify disqualification penalties for drivers that violate a US DOT out-of-service order. The duration of these disqualifications are specific to the number of times the driver has violated an out-of-service order:

- First Violation – 180 days to one year
- Second Violation – two years to five years
- Third Violation – three years to five years

Violations while transporting hazardous materials and passengers:

- First Violation – 180 days to two years
- Subsequent Violations – three to five years (during a 10 year period)

(Refer to 49 CFR §383.51)
Driver’s Applications for Employment

A CMV driver’s application for employment with a motor carrier is required to contain specific items of information. The application is to be provided by the potential carrier/employer and must be signed by the driver/applicant using the certification found in 49 CFR 391.21(b)(12) which includes:

- The name and address of the employing motor carrier;
- The applicant’s name, address, date of birth, and Social Security Number;
- The addresses at which the applicant has resided during the three years preceding the date on which the application is submitted;
- The date on which the application is submitted;
- The issuing state, number, and expiration date of each unexpired CMV operator’s license or permit that has been issued to the applicant;
- The nature and extent of the applicant’s experience in the operation of motor vehicles, including the type of equipment (such as buses, trucks, truck tractors, semitrailers, full trailers, and pole trailers) which he/she has operated;
- A list of all motor vehicle accidents in which the applicant was involved during the three years preceding the date the application is submitted, specifying the date and nature of each accident and any fatalities or personal injuries it caused;
- A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the three years preceding the date the application is submitted;
- A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation, or suspension has occurred;
- A list of the names and addresses of the applicant’s employers during the three years preceding the date the application is submitted, and the dates he/she was employed by that employer;
- The reason for leaving the employment of that employer;
- After October 29, 2004, whether the:
  - Applicant was subject to the FMCSR while employed by that previous employer;
  - Job was designated as a safety sensitive function in any DOT regulated mode subject to alcohol and controlled substances testing requirements; and
  - For those drivers applying to operate a CMV, a list of the names and addresses of the applicant’s employers during the seven year period preceding the three years contained in paragraph (b)(10) of this section for which the applicant was an operator of a CMV, together with the dates of employment and the reasons for leaving such employment.

(Refer to 49 CFR Part 40, 49 CF Part 383)

Carrier Investigation of Driver’s Application and Background

Motor carriers are required to investigate a driver applicant’s background and driving records. The investigation must include:

- An inquiry into the driver’s driving record during the preceding three years to appropriate agencies of every state in which the driver held a motor vehicle operator’s license or permit during those three years; and
An investigation of the driver’s employment record during the preceding three years. The investigation must take place within 30 days of when the driver’s employment begins. An investigation may consist of personal interviews, telephone interviews, letters, or any other method for investigating that the carrier deems appropriate.

The motor carrier must make a written record when it contacts a previous employer, or has made a good faith effort to do so. The record must include the previous employer’s name and address, the date the previous employer was contacted or the attempts made, and the information received about the driver from the previous employer. The carrier must document failures to contact a previous employer, or if they do not provide the required safety performance history information.

When a carrier receives a reply from a previous employer, the results of the must be filed in the driver’s investigation history file within 30 days of its receipt. If applicable, the file must also include a note that the driver doesn’t have a driving history for three years preceding the application.

**Inquiries to State Licensing Agencies**

A copy of the driver record(s) obtained in response to the inquiry or inquiries to each state driver record agency must be placed in the driver qualification file within 30 days of the date the driver’s employment begins and be retained. If inquiries determine that no driving record exists, the motor carrier must document a good faith effort to obtain the information, and certify that no record exists for that driver in that state.

(Refer to 49 CFR 391.23(b)(1))

**Annual Inquiry and Review of Driving Records**

Every 12 months a motor carrier must make an inquiry to the appropriate agency in every state in which the driver held a CMV operator’s license during the period under review. Motor carriers must also review each drivers driving record to determine whether a driver meets minimum requirements for safe driving or is disqualified to drive a CMV. In particular, the carrier must look out for violations of the FMCSRs, accident records, speeding, reckless operation, and operating while under the influence of alcohol or drugs.

Driver qualification files must contain the responses received from state licensing agencies described above. The file must also contain a note identifying who conducted the driver’s annual review and when it was done.

(Refer to 49 CFR §391.25)

**Driver’s Record of Violations**

At least every 12 months, carriers must require each of it’s drivers to provide a list of all violations of motor vehicle traffic laws and ordinances (other than parking violations) that the drivers has been convicted of during the preceding 12 months. The driver must certify by his/her signature that no convictions have occurred. The carrier must maintain the lists or certificates in the employee’s driver qualification files.

(Refer to 49 CFR §391.27)
Road Test

Driver’s must successfully complete a road test and be issued a certificate of driver’s road test before driving a CMV. The test must be conducted by the carrier or a party designated by the carrier. Owner/operators must be given the test by another party. The driver must use a vehicle of the type that will be assigned to them to take the test and must cover the following operations:

- The pre-trip inspection;
- Coupling and uncoupling of combination units if applicable;
- Placing the CMV in operation;
- Use of the CMV’s controls and emergency equipment;
- Operating the CMV in traffic and while passing other motor vehicles;
- Turning the CMV;
- Braking and slowing the CMV by means other than braking; and
- Backing and parking the CMV.

(Refer to 49 CFR §391.31)

Road Test Certificate

Drivers that successfully pass the road test will receive a copy of the certificate of driver’s road test. In the drivers qualification file, the carrier must maintain the original signed road test form and the original certificate of driver’s road test.

(Refer to 49 CFR §391.31)

Conditions Where A Road Test Is Not Required

A driver need not be given a road test if:

- The driver has a valid CDL, issued by a state that licenses drivers to operate specific types of motor vehicles.
- The driver has a valid certificate of driver’s road test for the types of vehicles to be operated which was issued within the three years preceding his/her most recent date of hire.

The carrier must retain a copy of a license or certificate that it accepts as the equivalent to a road test in the appropriate driver’s qualification file.

A motor carrier may require someone who presents a license or certificate as an equivalent to a road test to take a road test or any other skills test as a condition of employment.

(Refer to 49 CFR §391.33)
Driver Physical Qualifications and Exams

Medical Examination Requirements

Drivers of CMVs must undergo a medical examination at least once every two years by a licensed medical examiner. The examination is designed to uncover diseases or conditions which might hinder a driver’s ability to operate a vehicle safely. If a driver passes the examination, the health care professional must complete a medical examiner’s certificate and furnish one copy to the driver and one copy to the driver’s employer. The driver must carry his copy when operating a commercial vehicle.

(Refer to 49 CFR §391.41)

Who Must Be Examined

With a few exceptions, the following persons must be medically examined and certified:

- Any person who has not been medically examined and certified as physically qualified to operate a CMV;
- Any driver who has not been medically examined and certified as qualified to operate a CMV during the preceding 24 months;
- Any driver authorized to operate a CMV an exempt intra-city zone, or only by operation of the exemption in if such driver has not been medically examined and certified as qualified to drive in such zone during the preceding 12 months; or
- Any driver whose ability to perform his/her normal duties has been impaired by a physical or mental injury or disease.

(Refer to 49 CFR §391.62, 49 CFR §391.64)

General Physical Standards for Drivers

The FMCSRs consider a person to be qualified to drive a CMV if the person:

- Has no loss of a foot, a leg, a hand, or an arm, or has been granted a skill performance evaluation certificate;
- Has no impairment of:
  - A hand or finger which interferes with prehension or power grasping; or
  - An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a CMV, or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a CMV or has been granted a skill performance evaluation certificate;
- Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control;
- 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;
- Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his/her ability to control and drive a CMV safely;
- Has no current clinical diagnosis of high blood pressure likely to interfere with his/her ability to operate a CMV safely;
- Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his/her ability to control and operate a CMV safely;
- 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 CMV;
- 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° 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;
- First perceives a forced whispered voice in the better ear at not less than five 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 ASA Standard) Z24.5 – 1951;
- Does not use a controlled substance, an amphetamine, a narcotic, or any other habit-forming drug. 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;
  - Has advised the driver that the prescribed substance or drug will not adversely affect the drive’s ability to safely operate a CMV; and
  - Has no current clinical diagnosis of alcoholism.

(Refer to 49 CFR §341.49, 21 CFR 1308.11 Schedule I)

**Who Can Perform the Medical Exam**

A driver’s medical examination must be performed by a medical examiner. The FMCSRs define medical examiner as “a person who is licensed, certified, and/or registered, in accordance with applicable state laws and regulations, to perform physical examinations. This includes (but is not limited to) doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic.”

The medical examiner must also be “knowledgeable of the specific physical and mental demands associated with operating a CMV and the requirements of this subpart, including the medical regulatory criteria prepared by the FHWA as guidelines to aid the medical examiner in making the qualification determination; and be proficient in the use of and use the medical protocols necessary to adequately perform the medical examination” required by the FMCSRs.

**Intrastate Medical Waiver (Ohio only)**

Persons who, on or before December 7, 1988, were employed or self-employed in occupations requiring the operation of CMVs, and who cannot otherwise meet the medical requirements (except disqualification for drug or alcohol use), may be eligible for provisional medical certification. A provisional medical certification will not qualify a driver to operate in interstate commerce, to carry passengers for-hire, or carry hazardous materials which require placarding. It is valid only for intrastate transportation of non-hazardous property.

A provisional medical certification may be granted only by the examining doctor of medicine (M.D.) or osteopathy (D.O.), in light of the physical condition of the driver and information about
the driver’s job provided by the driver and his employer. The examining M.D. or D.O. may prescribe limits within which the driver can safely operate a vehicle. Provisional medical certification must be renewed once a year or more often if required by the examining M.D. or D.O. A doctor of chiropractic, physician assistant, or advanced practice nurse cannot grant a provisional medical certification.

A person desiring provisional medical certification should contact the PUCO Transportation Department, Enforcement Division at (614) 466-0369 for forms and instructions. The PUCO will also recognize a waiver granted by the US DOT.

(Refer to OAC §4901:2-5-04)

**Driver’s Qualifications Records**

Carriers must keep a driver qualification file for each driver they employ. The driver’s qualification file must contain the following documents:

- Employment application
- Notes of investigations and inquiries regarding employment history and driving record, including all responses by state agencies regarding driving records
- Annual list of driving violations supplied by the driver
- Notes of the annual review of the driver’s driving record
- Copy of the certificate of road test or equivalent
- Copy of the medical examiner’s certificate and medical examiner’s provisional certificate (medical waiver), if granted
- Information concerning drug and alcohol testing, if required
- Other documents or information relating to the driver’s safety

**Drivers Qualification Files – Records Retention**

In general, driver’s qualifications files must be kept as long as the driver is employed by the carrier and then for three years after the driver leaves the carrier.

The following records may be removed for driver qualifications files after three years:

- The response of each state agency to the annual driver record inquiry
- The note relating to the annual review of the driver’s driving record
- The list or certificate relating to violations of motor vehicle laws and ordinances

The PUCO Transportation Department, Enforcement Division is available to assist carriers in establishing efficient record-keeping systems which comply with the rules at (614) 466-0369.

**Exemptions from the Driver Qualification Regulations**

The FMCSRs include several limited exemptions from the driver qualification requirements described above. The exemptions cover a few very specific driver situations. These exemptions include:

- Drivers who were regularly employed before January 1, 1971
• Limited exemptions for intra-city zone drivers
• Multiple-employer drivers
• Grandfathering for certain drivers participating in vision and diabetes waiver study programs
• Drivers furnished by other motor carriers
• Farm vehicle drivers of articulated CMVs
• Non-business PMCP
• Business PMCP

(Refer to 49 CFR Part 391, OAC 4901:2-5-02, 4901:2-5-04)

Driving of CMVs

Forbidden Activities

The FMCSRs forbid drivers from several activities that impair their abilities to safely operate a CMV.

Illness or Fatigue
No CMV driver is permitted to operate a motor vehicle when his/her ability and/or alertness is impaired by:

• Fatigue
• Illness
• Any other cause that makes it unsafe to begin or to continue driving a CMV

Drugs
No CMV driver may be on duty and possess, be under the influence of, or use:

• Any drug or other substance listed in the CFR
• Any amphetamine or formulation of an amphetamine
• Narcotics or derivatives
• Any other substance that makes driving unsafe

(Refer to 49 CFR Part 392 Subpart A and 21 CFR §1308.11 Schedule I)

Alcohol
Drivers may not consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving. This includes any measured alcohol concentration or the detected presence of alcohol. Drivers may not possess alcoholic beverages while on duty, unless it is a manifested part of a shipment.

(Refer to 49 CFR §392.5)

Safe Operation

Loading Cargo
A driver may not drive a CMV unless the cargo is properly loaded and secured. Also, a motor carrier or other party cannot allow or require anyone to drive a CMV unless the cargo is properly loaded and secured.
Stopping at Railroad Crossings
Motor vehicles transporting hazardous materials, and most buses transporting passengers, may not cross railroad tracks without first stopping and looking both ways (the driver may not shift gears while crossing the track).

Seat Belts
If a CMV is equipped with seat belts, the driver must be properly restrained with the seat belt assembly.

(Refer to 49 CFR §392.16)

Emergency Signals
If a CMV is stopped on a highway or the highway shoulder, the driver must activate the vehicle’s hazard warning flashers immediately and leave them on until other warning devices are activated. Hazard flashers must also be used while the warning devices are being picked up before the vehicle moves on.

Warning devices, such as reflective triangles or flares, must be set as follows:

- One warning device must be placed on the traffic side of the vehicle, within ten feet, in the direction of approaching traffic.
- 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.
- A third device must be placed about 100 feet away from the stopped vehicle, in the direction away from approaching traffic.

Radar Detectors
Use of radar detectors in CMV is prohibited.

- CMV drivers may not use detectors in a CMV.
- Drivers may not operate a CMV equipped with a radar detector.
- Motor carriers may not require or permit drivers to violate the radar detector provisions.

Unauthorized Passengers in a CMV
Drivers may not transport another person in a CMV unless authorized in writing by the motor carrier. The authorization must include the name of the person to be transported, origin and destination points, and the expiration date of the authorization. Written authorization is not required for:

- Employees or others assigned to a CMV by the motor carrier;
- Any person transported when aid is being rendered in case of an accident or other emergency; or
- An attendant delegated to care for livestock.

This does not include the operation of CMVs controlled and operated by a farmer and used to transport agricultural commodities or products from their farm or the transport of supplies to their farm.

(Refer to 49 CFR Part 392, OAC 4901:2-5-02)
Vehicle Parts and Accessories

CMV Mechanical Equipment and Lighting Devices

The FMCSRs specify the lighting devices and mechanical equipment required on CMVs. This includes details for:

- Lighting devices, reflectors, and electrical equipment
- Brakes
- Glazing and window construction
- Fuel systems
- Coupling devices and towing methods
- Miscellaneous parts and accessories:
  - Tires
  - Sleeper berths
  - Heaters
  - Windshield wipers
  - Defrosting device
  - Rear-vision mirrors
  - Horn
  - Speedometer
  - Exhaust systems
  - Floors
- Emergency equipment
- Protection against shifting or falling cargo
- Frames, cab and body components, wheels, steering, and suspension systems

Cargo Securement

The FMCSRs detail the requirements for loading and securing cargo so that it does not leak, spill, blow, or fall from the vehicle. In addition, cargo must be contained, immobilized or secured to prevent shifting on or in the vehicle. The regulations specify working load limits (WLL) for chain, synthetic webbing, wire rope, manila rope, polypropylene fiber rope, polyester fiber rope, nylon rope, double stranded nylon rope, and steel strapping. Specific securement requirements are provided for logs, dressed lumber, metal coils, paper rolls, concrete pipes, intermodal containers, automobiles, light trucks, vans, heavy vehicles, heavy equipment/machinery, flattened/crushed vehicles, roll-on/roll-off containers, hook lift containers, and large boulders.
**PUCO Equipment Requirements**

Mud Flaps

Mud flaps are required for the rearmost wheels of any commercial truck, truck tractor, or trailer having a GVW exceeding three tons, unless the vehicle’s fenders and body construction prevent, as much as possible, the throwing of dirt, water, and other materials on the windshields of following vehicles. The mud flaps must have a ground clearance of not more than 1/3 of the distance from the center of the rearmost axle to the center of the flaps under any conditions of loading of the vehicle, and they shall be at least as wide as the tires they are protecting.

(Refer to 49 CFR Part 393; OAC 4901:2-5-02)

**Driver Hours of Service**

The hours of service regulations specify the amount of time that drivers of CMVs can drive and perform other on-duty tasks associated with operating a CMV. In the state of Ohio, regulated interstate and intrastate for-hire carriers must comply with these regulations.

**Driver On-Duty Time**

The FMCSRs regulate a CMV driver’s on-duty time. On-duty time is known as all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. On-duty time includes:

- All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
- All time inspecting, servicing, or conditioning any CMV at any time;
- All driving time as defined in the term driving time;
- All time, other than driving time, in or upon any CMV except time spent resting in a sleeper berth;
- All time loading or unloading a CMV, supervising, or assisting in the loading or unloading, attending a CMV being loaded or unloaded, remaining in readiness to operate the CMV, or in giving or receiving receipts for shipments loaded or unloaded;
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV;
- All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing when directed by a motor carrier;
- Performing any other work in the capacity, employ, or service of a motor carrier; and
- Performing any compensated work for a person who is not a motor carrier.

(Refer to 49 CFR §395.2)
Note that as described above, on-duty time includes any compensated work, even if the work is not for a motor carrier. So, any time working for any employer (for pay) must be accounted for in the driver’s log book.

**Property-Carriers**

- **11-hour rule** – Motor carriers cannot permit or require a driver to drive, and drivers are not allowed to drive, for more than 11 cumulative hours following 10 consecutive hours off duty.
- **14-hour rule** – A motor carrier cannot permit or require a driver to drive, and drivers are not allowed to drive, after the 14th hour after coming on duty following 10 consecutive hours off duty, except when complying with 49 CFR §395.1(o) or §395.1(e)(2).
- CMV drivers using the sleeper berth provision in 49 CFR §395.1(o) must take at least 8 consecutive hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two.
- **16-hour exception in 49 CFR §395.1(o)** – A property-carrying CMV driver may extend the 14-hour on-duty period by two additional hours once every seven days if:
  - The driver has been released from duty at their normal work reporting location for the previous five duty tours;
  - The driver has returned to, and is released from duty at their normal work reporting location within 16 hours after coming on duty following 10 consecutive hours off duty; and
  - The driver has not taken this exemption within the previous six consecutive days, except following a 34-hour restart of a seven or eight-day period.
- **60 and 70-hour rules** – A motor carrier must not permit or require a driver to drive and a driver may not drive after a total of:
  - 60 hours on duty in seven consecutive days (carrier does not operate CMVs every day of the week), or
  - 70 hours on duty in eight 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 seven or eight consecutive day period.
- **Short Haul Provision** – Drivers of property-carrying CMVs which do not require a Commercial Driver’s License for operation and who operate within a 150 air-mile radius of their normal work reporting location:
  - May drive a maximum of 11 hours after coming on duty following 10 or more consecutive hours off duty.
  - Are not required to keep records-of-duty status (logbook).
  - May not drive after the 14th hour after coming on duty 5 days a week or after the 16th hour after coming on duty 2 days a week.
- **The employer must** maintain and retain accurate time records for a period of 6 months showing the time the duty period began, ended, and total hours on duty each day in place of logbook.

(Refer to 49 CFR §395.3)

**Passenger-Carriers**

- **10-hour rule** - Drivers are allowed to drive for 10 hours following eight 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 eight 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 seven consecutive days (carrier does not operate CMVs every day of the week); or
  - 70 hours on duty in eight consecutive days (carrier operates CMVs every day of the week).

  (Refer to 49 CFR §395.5)

**CMV Drivers with More Than One Job**

If a driver works more than one job of any kind while driving a CMV, all of that driver’s work hours must also be included in the driver’s record of duty states as “On-Duty Time.”

(Refer to 49 CFR §395.2)

**The 100 Air-Mile Driver Exception**

There are several exceptions to the requirement for drivers to maintain records of duty status but the one most commonly used is “100 air-mile radius driver.” If a carrier and its drivers intend to use the 100 air-mile radius driver exception, they must be sure to follow all of the conditions outlined in the regulations.

A 100 air-mile radius driver is excepted from the requirement to maintain records of duty status can be used 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:
  - 10 consecutive hours off duty for property-carrying drivers; or
  - Eight consecutive hours off duty for passenger-carrying drivers.
• The driver does not exceed a maximum of:
  - 11 hours driving time following 10 consecutive hours off duty for property-carrying drivers; or
  - 10 hours driving time following eight consecutive hours off duty for passenger-carrying drivers.
• The motor carrier that employs the driver must maintain and retain true and accurate time records for a period of six months that show:
  - The time the driver reports for duty each day;
  - The total number of hours the driver is on duty each day;
  - The time the driver is released from duty each day; and
  - The total time for the preceding seven days for first-time or intermittent drivers.

(Refer to 49 CFR 395.1(e))
**Filing the Drivers Record of Duty Status (Driver’s Logbook)**

Except as described above, the FMCSRs require that a motor carrier must require its drivers to keep a record of the driver’s “duty status” for each 24-hour period. The FMCSRs describe in detail when and how a driver is to fill out a log book.

The driver is responsible for filing records of duty status with the carrier or carriers they are working for. The driver must submit or forward (by mail) each record of duty status to the carrier within 13 days of completion. Drivers working for more than one carrier must submit records of duty status to each motor carrier by which they are employed.

*(Refer to 49 CFR §395.8)*

**Retention of Records of Duty Status**

Motor carriers are required to keep records of duty status and supporting documentation for six months from the date of receipt from the driver. Drivers must keep a copy of each records of duty status for the previous seven consecutive days. These log books must be available for inspection while the driver is on duty.

*(Refer to 49 CFR §395.8)*

**Automatic On-Board Recording Devices**

Drivers and carriers may use automatic on-board recording devices instead of a paper log books.

*(Refer to 49 CFR §395.8)*

**Vehicle Inspection, Repair, and Maintenance**

The FMCSA regulations require that vehicles be systematically inspected, repaired, and maintained so that all parts and accessories described in regulations are in safe and proper operating condition. Vehicles must be properly lubricated and free of oil and grease leaks.

**Required Vehicle Inspections – CMV Drivers**

At the end of each day’s work, drivers must inspect the CMV and complete a written report on the condition of his/her vehicle, and note any defect that would affect the vehicle’s safety. The inspection must include:

- Service brakes including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

The carrier must repair the vehicle defects noted by the driver or certify that repairs were unnecessary before the vehicle may be used again.

Before operating a CMV, the driver must inspect it to make sure that it is in safe operating condition. The driver must also review the most recent driver inspection report and sign it if the defects noted on the report were repaired.

(Refer to 49 CFR §396.11)

**Required Annual Vehicle Inspection**

An annual or “periodic” vehicle inspection is required for all vehicles base-plated in Ohio (and most other states) which are subject to these safety regulations. The “critical items” to be inspected are listed in Appendix G of 49 CFR 396. Items found to be deficient must be promptly repaired.

The annual inspection may be performed by the carrier’s own mechanics or those from a private garage, if the mechanic has at least one year related experience and is familiar with the regulations. An inspection conducted by an authorized state inspector will also meet the requirements for annual inspection. In those cases where the inspection is not conducted by an authorized state inspector, the carrier must retain a record of the mechanic’s qualifications.

A copy of the annual inspection must be retained where the vehicle is normally housed or maintained for 14 months following the inspection. A second copy of the annual inspection must be carried on the vehicle. Instead of a copy of the annual inspection, the carrier may affix a decal or sticker on the vehicle, with the date of inspection, name and address where the inspection is on file, vehicle identification information, and certification that the vehicle passed the annual inspection.

(Refer to 49 CFR §396.17)

**Maintenance and Repair Records**

A carrier must maintain the following records for all vehicles that it has controlled for 30 days or more:

- Maintenance Records –
  - Vehicle identification information (company ID number, make, serial number, year, and tire size), including lessor information, if applicable.
  - Schedule of vehicle inspections (type and date).
  - Inspection, repair, and maintenance receipts.
  - Tests on push out windows for buses.
  - Retention – The above records must be retained by the carrier for one year and then for six months after the vehicle leaves the carrier’s controls.
- Driver Post-Trip Vehicle Inspection Reports – All drivers’ post trip vehicle condition reports.
• Retention – The carrier must retain these records for three months.
• Annual Vehicle Inspection Reports – Carrier or other entity responsible for inspection.
  • Retention – The carrier must retain these records for 14 months.

(Refer to 49 CFR §396.3, §396.11, & §396.21)

Examples of the forms required by the FMCSA in Part 396 can be seen at www.fmcsa.dot.gov.
Transporting Hazardous Materials

Hazardous Materials

Hazardous materials include combustible, corrosive, explosive, flammable, oxidizing, poisonous, pressurized, radioactive, and hazardous substances listed in the US DOT HMRs. Carriers and their employees should be familiar with the US DOT HMRs in order to identify materials offered for shipment which may be subject to the rules for transportation of hazardous materials.

The HMRs are available online from the US DOT Pipeline and Hazardous Materials Safety Administration (PHMSA) www.phmsa.dot.gov/hazmat. Also, the FMCSA provides “How to Comply with the Federal Hazardous Materials Regulations” at: www.fmcsa.dot.gov/safetyprogs/hm/complyhmregs.htm.

Hazardous Waste

For the purposes of motor carrier transportation, “hazardous waste” means any material that is subject to the hazardous waste manifest requirements of the U.S. Environmental Protection Agency. Hazardous wastes are also regulated under the HMRs.

(Refer to 49 CFR §171.8)

The US DOT Hazardous Materials Regulations

In general, the regulations for hazardous materials and hazardous waste transportation cover the following basic areas:

- Identification of hazardous materials:
  - Shipping papers
  - Marking
  - Labeling of packages
  - Marking of packages
  - Placarding and marking of vehicles
- Preparation and packaging of hazardous materials
- Shipping container specifications
- Routing of hazardous materials shipment
- Special driving and parking rules for hazardous materials transportation
- Loading, unloading, and storage of hazardous materials
- Accidents and accident reports
- Training for employees involved in handling and transporting hazardous materials
- Security plans for shippers and carriers of hazardous materials

(Refer to 49 CFR Parts 171, 172, 173, 177, 178, & 180)
US DOT Transportation of Hazardous Materials: Driving and Parking Rules

The FMCSRs include regulations specific to the transport of hazardous materials. These requirements apply to vehicles transporting hazardous materials that are required to be marked or placarded by the HMRs. In particular, company supervisors and operators of commercial vehicles transporting marked or placarded vehicles are responsible for making sure that compliance with the HMRs is assured.

These regulations address:

- Compliance with the FMCSRs
- Compliance with state and local laws, ordinances, and regulations
- Attendance and surveillance of motor vehicles transporting certain HM
- Parking of vehicles transporting HM
- Fires near vehicles transporting HM
- Smoking prohibited in, on, or around vehicles transporting HM
- Fueling vehicles transporting HM
- Checking tires on vehicles transporting HM
- Instructions to drivers and required documents for vehicles transporting explosives
- Routing of vehicles transporting non-radioactive hazardous materials
- Routing of vehicles transporting radioactive (Class 7) materials

(Refer to 49 CFR Part 397)

Hazardous Materials Registration and Permit Requirements

Motor carriers transporting hazardous materials into, out of, or within the state of Ohio may be required to register or obtain permits from:

- US DOT, PHMSA
- US DOT, FMCSA
- PUCO Transportation Department

Many motor carriers transporting hazardous materials will be required to obtain and maintain one or more of these registrations/permits. Be sure to check the requirements for each of the registration and permit programs described below.

PHMSA – Hazardous Materials Registration

The US DOT HMRs require persons who transport certain quantities of hazardous materials, and persons who offer (ship) certain quantities hazardous materials for transportation in commerce, to register with PHMSA.

The PHMSA registration is required if you offer (ship) for transportation or transport (haul), in foreign, interstate or intrastate commerce any of the following:

- Highway route-controlled quantity of a Class 7 (radioactive) material;
- More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material in a motor vehicle, rail car or freight container;
- More than 1 L (1.06 quarts) per package of a material extremely toxic by inhalation (i.e., “material poisonous by inhalation,”) that meets the criteria for “hazard zone A;”
- A shipment of a quantity of hazardous materials in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases or more than 13.24 cubic meters (468 cubic feet) for solids;
- A shipment in other than a bulk packaging of 2,268 kg (5,000 pounds) gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required for that US DOT hazard class; or
- A quantity of hazardous material that requires placarding, under provisions of HMRs (does not apply to certain farm operations).

Contact PHMSA’s Office of Hazardous Materials Planning and Analysis at (800) 942-4109 or visit www.phmsa.dot.gov/hazmat/registration.

(Refer to 49 CFR Part 107 Subpart G)

**FMCSA Hazardous Materials Safety Permits**

As of January 1, 2005, carriers of certain hazardous materials must obtain a Hazardous Materials Safety Permit from the FMCSA. Note that this requirement includes intrastate and interstate motor carriers transporting the materials.

Motor carriers required to file a Motor Carrier Identification Report Form (MCS-150) with the FMCSA may not transport any of the specified categories of hazardous materials unless they hold an FMCSA HM Safety Permit. Transport of the following categories of HM will require the motor carrier to obtain the FMCSA HM Safety Permit:

- Radioactive Materials (Class 7)
  - A highway route-controlled quantity of a Class 7 (radioactive) material
- Explosives (Class 1)
  - More than 25 kg (55 pounds) of a Division 1.1, 1.2, or 1.3 (explosive) material or an amount of a Division 1.5 (explosive) material requiring placarding under the HMRs
- Materials Poisonous By Inhalation
  - More than 1 liter (1.08 quarts) per package of a “material poisonous by inhalation,” as defined in §171.8 of this title, that meets the criteria for “hazard zone A”
  - A “material poisonous by inhalation” that meets the criteria for “hazard zone B,” in a bulk packaging (a capacity greater than 450 L or 119 gallons)
  - A “material poisonous by inhalation” that meets the criteria for “hazard zone C” or “hazard zone D” in a packaging having a capacity equal to or greater than 13,248 L (3,500) gallons
- Methane
  - A shipment of compressed or refrigerated liquefied methane or liquefied natural gas or other liquefied gas with a methane content of at least 85 percent in a bulk packaging having a capacity equal to or greater than 13,248 L (3,500 gallons) for liquids or gases

(Refer to 49 CFR 385.403, 49 CFR 390.19)
To apply for an FMCSA HM Safety Permit, a carrier submits an FMCSA form MCS-150B. Carriers that have previously submitted an MCS-150 must complete and submit the MCS-150B. Carriers that have not already submitted an MCS-150, will submit only a completed form MCS-150B. These forms are available at the FMCSA Web site at www.fmcsa.dot.gov, the FMCSA Service Centers and Division offices nationwide, or by calling (800) 832-5660. Completed forms may be submitted electronically according to instructions found at the FMCSA Web site or to Federal Motor Carrier Safety Administration, Data Analysis and Information Systems, MC-RIS, 400 Seventh Street, SW, Washington, D.C., 20590.

To obtain and keep an FMCSA HM Safety Permit, motor carriers will be required to:

- Maintain a “satisfactory” safety rating in order to obtain and hold a safety permit;
- Maintain a crash rating, and driver, vehicle, hazardous materials or out-of-service rating so they are not in the worst 30 percent of the national average as indicated in FMCSA’s Motor Carrier Management Information System;
- As specified in the HMRs, have a satisfactory security program and associated training in place;
- Maintain registration with PHMSA;
- Develop a system of communication that will enable the vehicle operator to contact the motor carrier during the course of transportation and maintain records of these communications;
- Have written route plan required for radioactive materials as currently required by the FMCSR; and
- Perform a pre-trip inspection (North American Standard Level VI Inspection Program for Radioactive Shipments) for shipments containing highway route controlled Class 7 (radioactive) materials.

(Refer to 49 CFR §385.407)

**State of Ohio Hazardous Materials and Hazardous Waste Registration Requirements**

<table>
<thead>
<tr>
<th>Inter Private</th>
<th>Inter For-Hire</th>
<th>Intra For-Hire</th>
<th>Intra Private</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

Ohio regulations require for-hire and private carriers to register with PUCO if the carrier’s “base state” is Ohio and if the carrier hauls:

- Hazardous materials of a type or in an amount that requires the vehicle to be placarded;
- Hazardous substances or marine pollutants in bulk packages; or
- Hazardous waste of a type or in an amount requiring a hazardous waste manifest.

Contact the PUCO Motor Carrier Registration Division at (614) 466-3392 for registration information or visit www.PUCO.ohio.gov.

(Refer to 49 CFR Part 171, 172, 173, 177, 397; ORC 4905.80; OAC 4901:2-5-02, OAC 4901:2-6, OAC 4901:2-6-01, OAC 4901:2-6-03)
PUCO Registration Forms

Table 4 of this document specifies the forms that carriers must complete to register with the PUCO and the state of Ohio. The form identification numbers are located in the bottom-left corner of the printed forms.

The carrier registration forms are listed below by carrier/movement type. Printed examples of the form are found on the pages 56 - 65. PUCO motor carrier registration forms are available from the PUCO Web site at www.PUCO.ohio.gov in the transportation section.

**Intrastate For-Hire Carriers**

- Public Utilities Commission of Ohio, Application for Registration of Motor Carriers Operating Intrastate For-Hire In Ohio
- Instructions for Registration of Motor Carriers Operating Intrastate For-Hire In Ohio
- Supplemental Application for Registration of Motor Carriers Operating Intrastate For-Hire in Ohio
- Instructions for Supplemental Application for Registration of Motor Carriers Operating Intrastate For-Hire in Ohio

**Interstate Carriers Brokers, Freight Forwarders, and Leasing Companies**

- Unified Carrier Registration Form
- Instruction Sheet for Unified Carrier Registration
# Application for Registration of Motor Carriers Operating Intrastate For Hire in Ohio

For registration period July 16th current year through July 15th the following year
Permits expire each year on July 15th

**Year:________________**

## A. Carrier Information

1. **Application Type:** (Check one box)
   - [ ] New Applicant with Equipment and Drivers
   - [ ] New Applicant without Equipment and Drivers
   - [ ] Amended Application
   - [ ] Renewal

2. **Name of Motor Carrier**

3. **Trade or D.B.A. (Doing Business As) Name**

### PRINCIPLE ADDRESS

4. **Street Address/ Route Number**
5. **City**
6. **County**
7. **State**
8. **Zip + 4**
9. **Country**

**MAILING ADDRESS** (Check here if same as above. [ ])

10. **Street Address/ Route Number**
11. **City**
12. **County**
13. **State**
14. **Zip + 4**
15. **Country**

16. **Principal Phone Number**
17. **Principal Fax Number**

18. **E-Mail Address**

19. **Contact Name**
20. **Contact Phone Number**

21. **PUCO No.**
22. **USDOT NO.**
23. **MC or MX No.**

24. **IRS/Tax ID# (Provide one)**
   - FEIN#
   - SSN#

25. **Type of Business:** (Check one box)
   - [ ] Individual
   - [ ] Partnership
   - [ ] Corporation (including LLC)

26. **U.S. DOT Rating** (Check one box)
   - [ ] Satisfactory
   - [ ] Conditional
   - [ ] Unsatisfactory
   - [ ] Unrated
   - **Date Last Rated:** __________________________

27. **Operation Classification** (Check all that apply)
   - [ ] Authorized For Hire
   - [ ] Exempt For Hire

28. **Intrastate Carrier Operation** (Check all that apply)
   - [ ] Non-Hazardous Materials
   - [ ] Hazardous Materials
   - [ ] Household Goods
   - [ ] Passengers
   - [ ] Towing

29. **CARGO CLASSIFICATIONS** (Check all that apply)
   - [ ] General Freight
   - [ ] Logs, Poles, Beams, Lumber
   - [ ] Liquids/ Gases
   - [ ] Grain, Feed, Hay
   - [ ] Chemicals
   - [ ] Utility
   - [ ] Household Goods
   - [ ] Building materials
   - [ ] Intermodal Containers
   - [ ] Coal/ Coke
   - [ ] Commodities Dry Bulk
   - [ ] Farm Supplies
   - [ ] Metal: Sheets, Coils, Rolls
   - [ ] Mobile Homes
   - [ ] Passengers
   - [ ] Meat
   - [ ] Refrigerated Foods
   - [ ] Sand and Gravel
   - [ ] Motor Vehicles
   - [ ] Machinery, large Objects
   - [ ] Oil Field Equipment
   - [ ] Garbage, Refuse and Trash
   - [ ] Beverages
   - [ ] Water Well
   - [ ] Livestock
   - [ ] Fresh Produce
   - [ ] U.S. Mail
   - [ ] Paper Products
   - [ ] Other:

30. **Carrier Mileage (to nearest 10,000 miles for Last Calendar Year)**
31. **Number of years Applicant has operated as a motor carrier**

## 32. DRIVER INFORMATION

### INTERSTATE DRIVERS

<table>
<thead>
<tr>
<th>Total All Drivers</th>
<th>100 Mile Radius</th>
<th>Beyond 100 Mile Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>________</td>
<td>________</td>
<td>________</td>
</tr>
</tbody>
</table>

### INTRASTATE DRIVERS

<table>
<thead>
<tr>
<th>Total CDL Drivers</th>
<th>100 Mile Radius</th>
<th>Beyond 100 Mile Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>________</td>
<td>________</td>
<td>________</td>
</tr>
</tbody>
</table>

33. **LIST OF TERMINALS:**
   - Does the applicant have terminals located in Ohio? [ ] YES [ ] NO (If yes, please list below. Add attachment if necessary.)

---

55
**B. Proof of Public Liability Security**

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Has the applicant’s insurance company filed a copy of its proof of public liability security with the Public Utilities Commission of Ohio, and does the insurance coverage as stated on that form remain in effect?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Does the applicant have an approved self-insurance plan with the FMCSA and wishes to self-insure for Ohio? <em>(If yes, please attach copies of the FMCSA order approving the plan and the letter establishing the company’s activation date.)</em></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Operations may not begin until required proof of insurance has been filed with the Commission and you have received the “Letter of Acknowledgement”.

If you have any questions, please call (614)995-4354

---

**C. Hazardous Materials**

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the applicant haul hazardous materials in any quantity?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Will the applicant haul hazardous materials in less than placardable quantities in vehicles with a gross vehicle weight rating of less than 10,001 pounds GVWR and maintain liability insurance in accordance with 49 CFR 387.9?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Will the applicant haul hazardous materials in placardable quantities in vehicles with a gross vehicle weight rating of less than 10,001 pounds GVWR and maintain liability insurance in accordance with 49 CFR 387.9?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Will the applicant haul hazardous materials requiring $1 million in Public Liability and Property Damage Insurance in accordance with 49 CFR 387.9?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Will the applicant haul hazardous materials requiring $5 million in Public Liability and Property Damage Insurance in accordance with 49 CFR 387.9?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If applicant intends to haul hazardous materials in placardable quantities, additional hazardous materials registration is required.

If you have any questions, please call (614)995-4354

---

**D. Household Goods**

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Will the applicant be transporting household goods?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Has the applicant filed a TARIFF as prescribed by the Public Utilities Commission of Ohio?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Has the applicant’s insurance company filed a copy of its proof of cargo insurance with the Public Utilities Commission of Ohio, and does the insurance coverage as stated on that form remain in effect?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Customer Service Representative: __________________________ Telephone Number: __________________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If applicant intends to haul household goods, additional insurance coverage is required.

If you have any questions, please call (614)995-4354
E. CERTIFICATIONS

Each certification must be separately initialed in the box to the right of the certification by the appropriate official of the applicant company. All information in the permit, including the certifications, is subject to a background check and future audits. If all information is not found to be true and accurate, this will be grounds for withholding, suspending, or revoking the permit.

If the applicant is a new start-up company without drivers and equipment, please skip to certification #11.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. “I certify that, to the best of my knowledge, all of the applicant’s drivers subject to 49 CFR 383 have a current, valid commercial driver’s license, including endorsements for hazardous materials, cargo tankers if carrier is hauling hazardous materials.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>2. “I certify that, to the best of my knowledge, all of the applicant’s drivers subject to 49 CFR 391 have completed medical examinations and meet the medical requirements contained in 49 CFR 391.41, or have a provisional medical certificate issued in accordance with OAC 4901:2-5-04.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>3. “I certify that, to the best of my knowledge, the applicant is in compliance with the drug and alcohol testing and employee assistance program requirements as required by 49 CFR 382 and 391.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>4. “I certify that, to the best of my knowledge, all applicant-owned and operated vehicles have passed a periodic inspection within the past year with the requirements contained in 49 CFR 397.17.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>5. “I certify that, to the best of my knowledge, all hours of service records required by 49 CFR 395.8 are maintained by the applicant, and are in compliance with the hours of service regulations in 49 CFR 395.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>6. “I certify that, to the best of my knowledge, the applicant properly maintains driver qualification files in accordance with 49 CFR 391.51 for all drivers to which this section applies.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>7. “I certify that, to the best of my knowledge, the applicant maintains required vehicle maintenance and inspection records in accordance with 49 CFR 396.3, 396.11, and 396.17.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>8. “I certify that, to the best of my knowledge, the applicant is knowledgeable of, and complies with, all other applicable requirements of the federal motor carrier safety regulations (49 CFR 390-399) and federal hazardous materials regulations (49 CFR 171-180) if hauling hazmat.”</td>
<td>Initial Here</td>
<td></td>
</tr>
</tbody>
</table>

HOUSEHOLD GOODS MOVER ONLY

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9. “I certify that, to the best of my knowledge, the applicant maintains Worker’s Compensation coverage pursuant to Chapter 4123 of the Ohio Revised Code.”</td>
<td>Initial Here</td>
<td></td>
</tr>
<tr>
<td>10. “I certify that, to the best of my knowledge, the applicant maintains Unemployment Compensation coverage pursuant to Chapter 4141 of the Ohio Revised Code.”</td>
<td>Initial Here</td>
<td></td>
</tr>
</tbody>
</table>

NEW START-UP COMPANY
(without drivers and equipment)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>11. “I certify that I am aware of the foregoing CFR regulations, and will comply with all applicable regulations when operations commence.”</td>
<td>Initial Here</td>
<td></td>
</tr>
</tbody>
</table>

CERTIFICATION OF STATEMENT
(to be completed by an authorized official)

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>12. 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.</td>
<td>Signature: ____________________________</td>
<td>Date: ____________________________</td>
</tr>
<tr>
<td></td>
<td>Title: ____________________________</td>
<td>Phone: (_____) ______________</td>
</tr>
</tbody>
</table>

**False statements may violate 18 U.S.C. 1001, may incur state penalties, and may violate the registration form**
F. INTRASTATE EQUIPMENT

1. Please use the table below to list the quantity of vehicles that are used by the applicant for Ohio intrastate commerce:

<table>
<thead>
<tr>
<th></th>
<th>Qty. Straight Trucks</th>
<th>Qty. Truck Tractors</th>
<th>Qty. Trailers</th>
<th>Qty. HazMat Cargo Tank Trailers</th>
<th>Qty. HazMat Cargo Tank Trucks</th>
<th>PASSENGER VEHICLES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OWNED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TERM LEASED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRIP LEASED</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Will applicant be using freight vehicles with a gross vehicle rating of 10,000 pounds or more? □ Yes □ No

G. FEES SCHEDULE

The following fees apply to ALL CARRIERS. Please do not submit applications for lower rates until beginning of that quarter. Applications received before a new quarter begins must be for the rate in effect at that time. You may pay tax and receive receipts for as many vehicles as you wish. However, no refunds or credits will be made for unused receipts.

<table>
<thead>
<tr>
<th>FEE PRORATED QUARTERLY</th>
<th>Vehicles in Service on:</th>
<th>Jul 1 (Full year)</th>
<th>Oct 1 (3/4 year)</th>
<th>Jan 1 (1/2 year)</th>
<th>Apr 1 (1/4 year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Tractor or Truck pulling trailer, Tow truck (including rollback with towbar) or Bus (any size vehicle used to transport passengers)</td>
<td>30.00</td>
<td>22.50</td>
<td>15.00</td>
<td>7.50</td>
<td></td>
</tr>
<tr>
<td>Each Straight Truck, Van, Car, etc.</td>
<td>20.00</td>
<td>15.00</td>
<td>10.00</td>
<td>5.00</td>
<td></td>
</tr>
</tbody>
</table>

The following annual fees apply to HOUSEHOLD GOODS MOVERS only:

<table>
<thead>
<tr>
<th>GROSS ANNUAL REVENUE</th>
<th>ANNUAL FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - 74,999</td>
<td>$100.00</td>
</tr>
<tr>
<td>$75,000 - 149,999</td>
<td>$200.00</td>
</tr>
<tr>
<td>$150,000. or more</td>
<td>$300.00</td>
</tr>
</tbody>
</table>

H. PERMITS

Permits must be displayed for all vehicles used for Ohio intrastate for-hire transportation. Please indicate the quantity of permits that you require. Use the tables above to determine the appropriate fees, then enter the totals in the boxes provided.

<table>
<thead>
<tr>
<th>QTY</th>
<th>FEE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Each Tractor or Truck pulling trailer, Tow truck (including rollback with towbar) or Bus (any size vehicle used to transport passengers)</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>2. Each Straight Truck, Van, Car, etc.</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>3. Household Goods Mover Annual Registration Fee</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

MAKE CHECK PAYABLE TO: TREASURER, STATE OF OHIO

TOTAL FEE DUE $
Instructions for Registration of Motor Carriers Operating Intrastate for Hire in Ohio

A. CARRIER INFORMATION

Items

1. Indicate the type of application being filed. If this is the first registration the applicant is filing in Ohio, mark “New Application”. If the applicant is filing a registration to indicate changes in information filed in an original application, mark “Amended Application”. If the registration is being completed with tax receipts renewal, mark “RENEWAL”.

2-3. Provide the applicant’s full legal name. If the applicant is using a DBA, provide this in Item 2.

4-15. Provide the complete street, city and state for the mailing address where the company wishes to receive all mailings having to do with registration. If the mailing address is something other than a street address, provide the actual location of the company where the mail is being processed in Items 10-15. If the main office of the company is different from this street address, please indicate the principal place of business in Item 4-9.

16-20. Provide the telephone number, fax number and email address of the business. Also provide the name and telephone number of the individual who can be contacted about the information on this registration.

21. Provide the applicant’s lowest PUCO authority number.

22. Provide the applicant’s U.S. DOT number. All carriers operating in interstate trucking should have a number from the U.S. Department of Transportation. If the applicant has applied for a number from the U.S. DOT but not received it, mark “Applied For” and give the date the application was filed. Carriers operating on a strictly intrastate basis will not have a number from the U.S. DOT. These applicants should mark “Not Applicable”.

23. Provide the applicant’s MC number issued by the ICC/Federal Highway Administration, IF APPLICABLE.

24. Provide the applicant’s Federal tax I.D. number. If the company is a single proprietorship, without a FEIN, provide the individual’s Social Security number.

25. Indicate the legal entity of the applicant: Individual ownership, Partnership ownership, or a Corporation.

26. Interstate carriers should indicate the carrier’s safety rating with the U.S. Department of Transportation (U.S. DOT). Indicate the date the applicant received the rating. Carriers operating only in Ohio should mark “Not Applicable”.

27. Indicate operation classifications. Check all that apply.

28. Indicate the type of operation or property transported. Please check all that apply.

29. Indicate cargo classifications. Check all that apply.

30-31. If the applicant has been operating as a motor carrier, indicate last year’s mileage. If the applicant has not been operating as a motor carrier, show “0” in items 30 and 31.

32. The applicant should provide the average number of drivers dispatched by the company which meet each type of driver classification.

33. Provide a complete listing of the addresses, county of location, and phone numbers for each terminal location in Ohio. A terminal is defined as:

   A facility owned, leased, or operated by the applicant where:
   Applicant’s motor vehicles are loaded, unloaded, or dispatched incidental to transportation;
   Applicant’s motor vehicles are cleaned, maintained, or inspected;
   Applicant’s motor vehicles are fueled or repowered;
   Applicant stores goods incidental to transportation;
   Applicant maintains records related to transportation including vehicle maintenance files and hours-of-service records.
   Applicant’s motor vehicles are parked when not in use.
B. PROOF OF PUBLIC LIABILITY SECURITY

Ohio intrastate motor carriers are required to have a minimum of $750,000 bodily injury and property damage liability insurance. Indicate whether the applicant’s insurance company has already filed, or will file, the Form E, Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance as evidence of this insurance.

The PUCO will consider a self-insurance program for applicants who have an approved self-insurance plan with the Federal Highway Administration. Attach copies of the FHWA Decision Order and the letter from the FHWA establishing the date the company’s plan will be activated.

C. HAZARDOUS MATERIALS

The applicant should indicate whether it will or will not haul hazardous materials in the course of doing business. If the applicant has checked Items 3, 4, or 5 under this section, the company needs to contact the PUCO’s Hazardous materials Division to secure the additional Hazardous Materials Registration. Applicants expecting to haul hazardous materials must arrange for the appropriate level of liability insurance.

D. HOUSEHOLD GOODS

2 Ohio intrastate household goods carriers are required to establish and maintain rates for the transportation of household goods and associated services related to the transportation of household goods. Indicate whether the applicant has already filed or will file the required tariff.

3 Ohio intrastate household goods carriers are required to have a minimum of $10,000 and $5,000 cargo coverage. Indicate whether the applicant’s insurance company has already filed or will file the Form H, Uniform Motor Carrier Cargo Certificate of Insurance as evidence of this insurance.

4 Provide the name and phone number of the person to be contacted to handle any questions or problems relative to a household goods move by the carrier.

E. CERTIFICATIONS

Ohio has adopted and enforces the Federal Motor Carrier Safety Regulations (FMCSR) for motor carriers operating intrastate in this state. Applicants may be subject to the various safety requirements from the FMCSR noted in the certifications section. Each certification MUST be separately initialed by the appropriate official of the applicant company to indicate understanding of, and compliance with, that portion of the FMCSR. If a specific certification does not apply to the applicant’s operations, note “N.A.”.

If the applicant is a new start-up company without drivers and equipment, please skip to certification #11.

The certifications regarding the requirement that the carrier maintains Worker’s Compensation and Unemployment Compensation coverage must each be separately initialed by the appropriate official of the applicant company to indicate compliance with the requirement.

The registration must be signed by the owner, a partner, or a primary officer of the company.

Please note: false statements may violate 18 U.S.C. 1001, may incur state penalties, and may invalidate the registration form.

F. INTRASTATE EQUIPMENT

The applicant must provide the average number of each type of equipment used by the company.

H. PERMITS

Permits must be displayed for all vehicles used for Ohio intrastate for-hire transportation. Please indicate the quantity of permits that you require. Use the tables in Section G to determine the appropriate fees, then enter the totals in the boxes provided.

The annual registration fee for Household Goods Movers is based on the Gross Annual Revenue of the previous year. Please check the appropriate annual fee amount and enter this fee in Section H – line 3.
Supplemental Application for Registration of
Motor Carriers Operating Intrastate for Hire in Ohio

For registration period July 16th current year through July 15th the following year.
Permits expire each year on July 15th

YEAR: __________

A. Carrier Information

1. Name of Motor Carrier
2. Trade or D.B.A. (Doing Business As) Name

PRINCIPLE ADDRESS

3. Street Address/ Route Number
4. City
5. County
6. State
7. Zip + 4
8. Country

MAILING ADDRESS (Check here if same as above. □)

9. Street Address/ Route Number
10. City
11. County
12. State
13. Zip + 4
14. Country
15. PUCO No.
16. USDOT NO.
17. MC or MX No.
18. IRS/Tax ID# (Provide one) FEIN# SSN#

B. FEES SCHEDULE

The following fees apply to ALL CARRIERS. Please do not submit applications for lower rates until beginning of that quarter. Applications received before a new quarter begins must be for the rate in effect at that time. You may pay tax and receive receipts for as many vehicles as you wish. However, no refunds or credits will be made for unused receipts.

<table>
<thead>
<tr>
<th>FEE</th>
<th>Jul 1 (Full year)</th>
<th>Oct 1 (3/4 year)</th>
<th>Jan 1 (1/2 year)</th>
<th>Apr 1 (1/4 year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Tractor or Truck pulling trailer, Tow truck (including rollback with towbar) or Bus (any size vehicle used to transport passengers)</td>
<td>30.00</td>
<td>22.50</td>
<td>15.00</td>
<td>7.50</td>
</tr>
<tr>
<td>Each Straight Truck, Van, Car, etc.</td>
<td>20.00</td>
<td>15.00</td>
<td>10.00</td>
<td>5.00</td>
</tr>
</tbody>
</table>

C. PERMITS

Permits must be displayed for all vehicles used for Ohio intrastate for-hire transportation. Please indicate the quantity of permits that you require. Use the tables above to determine the appropriate fees, then enter the totals in the boxes provided.

<table>
<thead>
<tr>
<th>QTY</th>
<th>FEE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Each Tractor or Truck pulling trailer, Tow truck (including rollback with towbar) or Bus (any size vehicle used to transport passengers)</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>2. Each Straight Truck, Van, Car, etc.</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

MAKE CHECK PAYABLE TO: TREASURER, STATE OF OHIO

MAIL PAYMENT AND APPLICATION TO:
PUBLIC UTILITIES COMMISSION OF OHIO
MOTOR CARRIER REGISTRATION DIVISION
180 EAST BROAD STREET, 14TH FLOOR
COLUMBUS OH 43215-3793

$
Instruction for Supplemental Registration of Motor Carriers Operating Intrastate for Hire in Ohio

A. CARRIER INFORMATION

Items
1-2 Provide the applicant’s full legal name. If the applicant is using a DBA, provide this in Item 2.

3-14 Provide the complete street, city and state for the mailing address where the company wishes to receive all mailings having to do with registration. If the mailing address is something other than a street address, provide the actual location of the company where the mail is being processed in Items 10-15. If the main office of the company is different from this street address, please indicate the principal place of business in Item 4-9.

15 Provide the applicant’s lowest PUCO authority number.

16 Provide the applicant’s U.S. DOT number. All carriers operating in interstate trucking should have a number from the U.S. Department of Transportation. If the applicant has applied for a number from the U.S. DOT but not received it, mark “Applied For” and give the date the application was filed. Carriers operating on a strictly intrastate basis will not have a number from the U.S. DOT. These applicants should mark “Not Applicable”.

17 Provide the applicant’s MC number issued by the ICC/Federal Highway Administration, IF APPLICABLE.

18 Provide the applicant’s Federal tax I.D. number. If the company is a single proprietorship, without a FEIN, provide the individual’s Social Security number.

C. PERMITS

Permits must be displayed for all vehicles used for Ohio intrastate for-hire transportation. Please indicate the quantity of permits that you require. Use the tables in Section B to determine the appropriate fees, then enter the totals in the boxes provided.

The annual registration fee for Household Goods Movers is based on the Gross Annual Revenue of the previous year. Please check the appropriate annual fee amount and enter this fee in Section C – line 3.
SECTION 1. GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>USDOT Number</td>
<td></td>
</tr>
<tr>
<td>MC or MX Number</td>
<td></td>
</tr>
<tr>
<td>FF Number</td>
<td></td>
</tr>
<tr>
<td>Telephone Number</td>
<td></td>
</tr>
<tr>
<td>Fax Number</td>
<td></td>
</tr>
<tr>
<td>Legal Name</td>
<td></td>
</tr>
<tr>
<td>E-Mail Address</td>
<td></td>
</tr>
</tbody>
</table>

Doing Business Under The Following Name (DBA)

Principal Place of Business Street Address (See Instructions)

Principal Business City | Principal Business State | Zip Code

Mailing Street Address

<table>
<thead>
<tr>
<th>Field</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing City</td>
<td></td>
</tr>
<tr>
<td>Mailing State</td>
<td></td>
</tr>
<tr>
<td>Mailing Zip Code</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 2. CLASSIFICATION – Check All That Apply

- Motor Carrier
- Motor Private Carrier
- Broker
- Leasing Company
- Freight Forwarder

SECTION 3. FEES DUE–BROKERS, FREIGHT FORWARDERS AND LEASING COMPANIES ONLY

Note: If your company is also a motor carrier or motor private carrier, skip this section and go to section 4.

Brokers, freight forwarders and leasing companies (not combined with a motor carrier entity), please submit the amount due of $76 in the form of a Check or Money Order payable to Ohio Treasurer of State and go to Section 7.

SECTION 4. NO. OF MOTOR VEHICLES– MOTOR CARRIER & MOTOR PRIVATE CARRIER

Check only one box:
- The number of vehicles shown below has been taken from section 26 of your last reported MCS-150 form.
- The number of vehicles shown below is the total number owned and operated for the 12-month period ending June 30, 2009.

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Number of Straight Trucks and Tractors (Column A)</th>
<th>Number of Motor Coaches, School Buses, Mini-Buses, Vans and Limousines (Column C)</th>
<th>TOTAL (Column D)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. Subtract:
- The number of vehicles on Line 1 in Column C above that has a vehicle capacity of 10 or less passengers, including the driver.
- (Optional) The number of vehicles on Line 1 in Column A above that is used only in intrastate commerce.

3. (Optional) Add a number of vehicles not shown on Line 1 above that are:
- Commercial motor vehicles operating solely in intrastate commerce. (See instructions for definition of commercial motor vehicle.)
- Used in commerce to transport passengers or property for compensation and have a GVWR or GVW of 10,000 lbs or less, or a passenger capacity of 10 or less, including the driver.

4. Total Number of Vehicles (Line 1 minus Line 2 plus Line 3)

SECTION 5. FEE TABLE

<table>
<thead>
<tr>
<th>Number of Vehicles</th>
<th>Amount Due</th>
<th>Number of Vehicles</th>
<th>Amount Due</th>
<th>Number of Vehicles</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2</td>
<td>$76</td>
<td>6-20</td>
<td>$452</td>
<td>101-1,000</td>
<td>$7,511</td>
</tr>
<tr>
<td>3-5</td>
<td>$227</td>
<td>21-100</td>
<td>$1,576</td>
<td>1,001 or more</td>
<td>$73,346</td>
</tr>
</tbody>
</table>

SECTION 6. FEES DUE – MOTOR CARRIER & MOTOR PRIVATE CARRIER

Using the number of vehicles in Section 4, Line 4 above, enter the Amount Due from the table above. Payment of fees may be made by check or money order made payable to Ohio Treasurer of State.

Mail application and payment to: Public Utilities Commission of Ohio 180 East Broad St – MCR 4th Floor Columbus, OH 43215

SECTION 7. CERTIFICATION

I, the undersigned, under penalty for false statement, certify that the above information is true and correct and that I am authorized to execute and file this document on behalf of the applicant. (Penalty provisions subject to the laws of the registration state.)

Name of Owner or Authorized Representative (Printed) | Date

Signature | Title

63
Section 1. – General Information

- Enter all identifying information for your company. The owner and DBA name should be identical to what is on file for your USDOT number (See http://safer.fmcsa.dot.gov/CompanySnapshot.aspx). Enter the principal place of business address that serves as your headquarters and where your operational records are maintained or can be made available.

Section 2. – Classification (Definitions)

- “Motor carrier” means a person providing commercial motor vehicle (as defined in section 31132 of 49 USC) transportation for compensation.
- “Motor private carrier” means a person, other than a motor carrier, transporting property by commercial motor vehicle (as defined in section 31132 of 49 USC) when - (A) the transportation is as provided in section 13501 of 49 USC; (B) the person is the owner, lessee, or bailee of the property being transported; and (C) the property is being transported for sale, lease, rent, or bailment or to further a commercial enterprise.
- “Broker” means a person, other than a motor carrier, who sells or arranges for transportation by a motor carrier for compensation.
- “Freight forwarder” means a person who arranges for truck transportation of cargo belonging to others, utilizing for-hire carriers to provide the actual truck transportation, and also performs or provides for assembling, consolidating, break-bulk and distribution of shipments and assumes responsibility for transportation from place of receipt to destination.
- “Leasing company” means a person or company engaged in the business of leasing or renting for compensation motor vehicles they own without drivers to a motor carrier, motor private carrier, or freight forwarder.

Section 3. – Fees Due-Brokers, Freight Forwarders and Leasing Companies

- Brokers, freight forwarders and leasing companies pay the lowest fee tier. If your company is also a motor carrier (whether private or for-hire) you will skip this section of the application.

Section 4. – No. Of Motor Vehicles – Motor Carrier & Motor Private Carrier

- Check the appropriate box indicating where you obtained the vehicle count for the numbers you entered into the table in this section.

Section 5. – Fee Table for Motor Carrier & Motor Private Carrier

- This table is the approved UCR fees you will pay dependent upon the number of vehicles reported in Section 4. This fee may change from year to year. Contact your base state if you do not have the fee table for the correct registration period.

Section 6. – Fee Due for Motor Carrier & Motor Private Carrier

Enter the amount due for the total number of vehicles calculated in Section 4. Payment of fees may be made by check or money order made payable to Ohio Treasurer of State.

Mail application and payment to: Motor Carrier Registration Section
Public Utilities Commission of Ohio
180 East Broad St – 4th Floor
Columbus, OH 43215

Section 7. – Certification

- The owner or an individual who has a power of attorney to sign on behalf of the owner or owners must sign this form. This certification indicates that the information is correct under penalty of perjury.