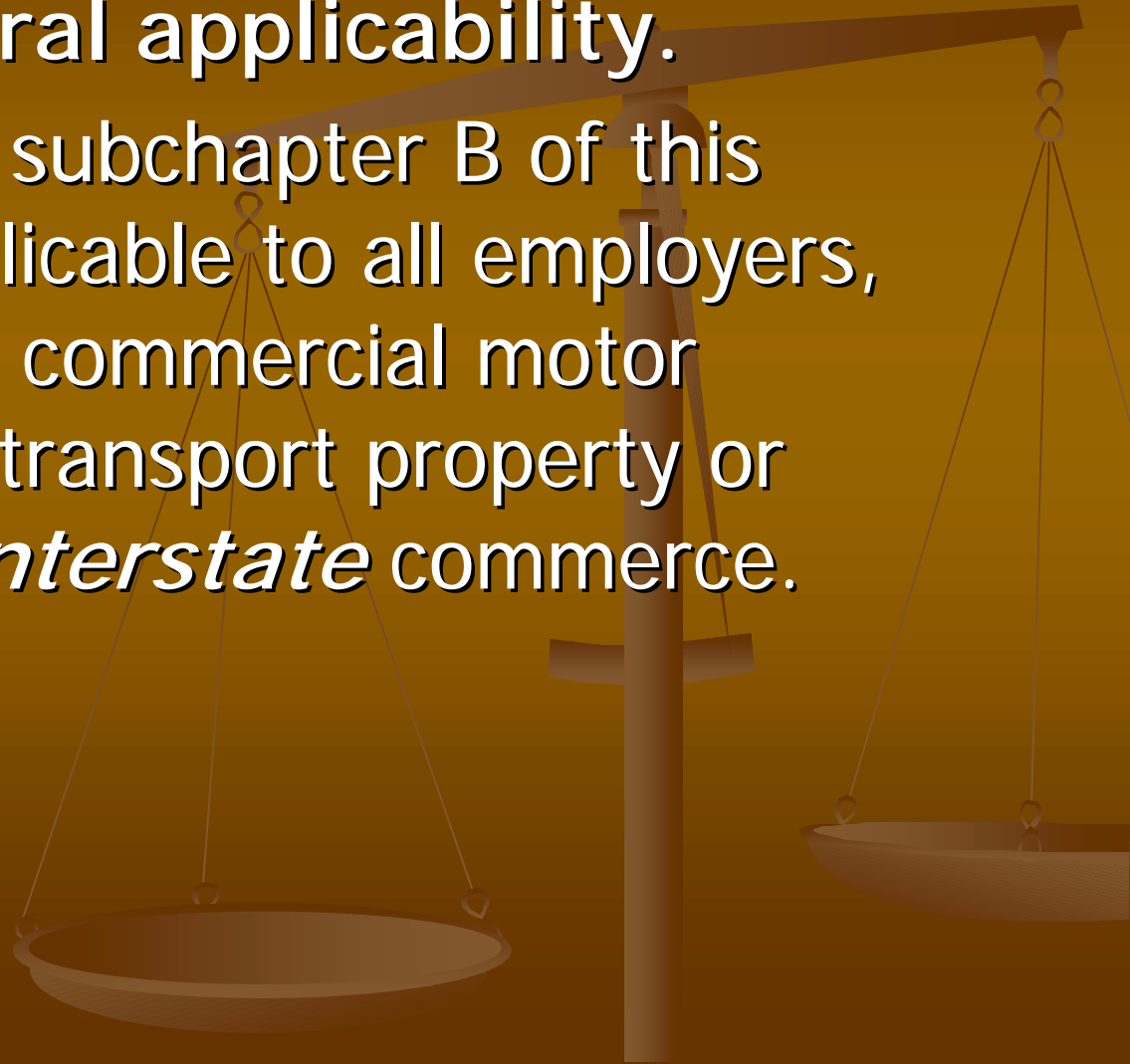


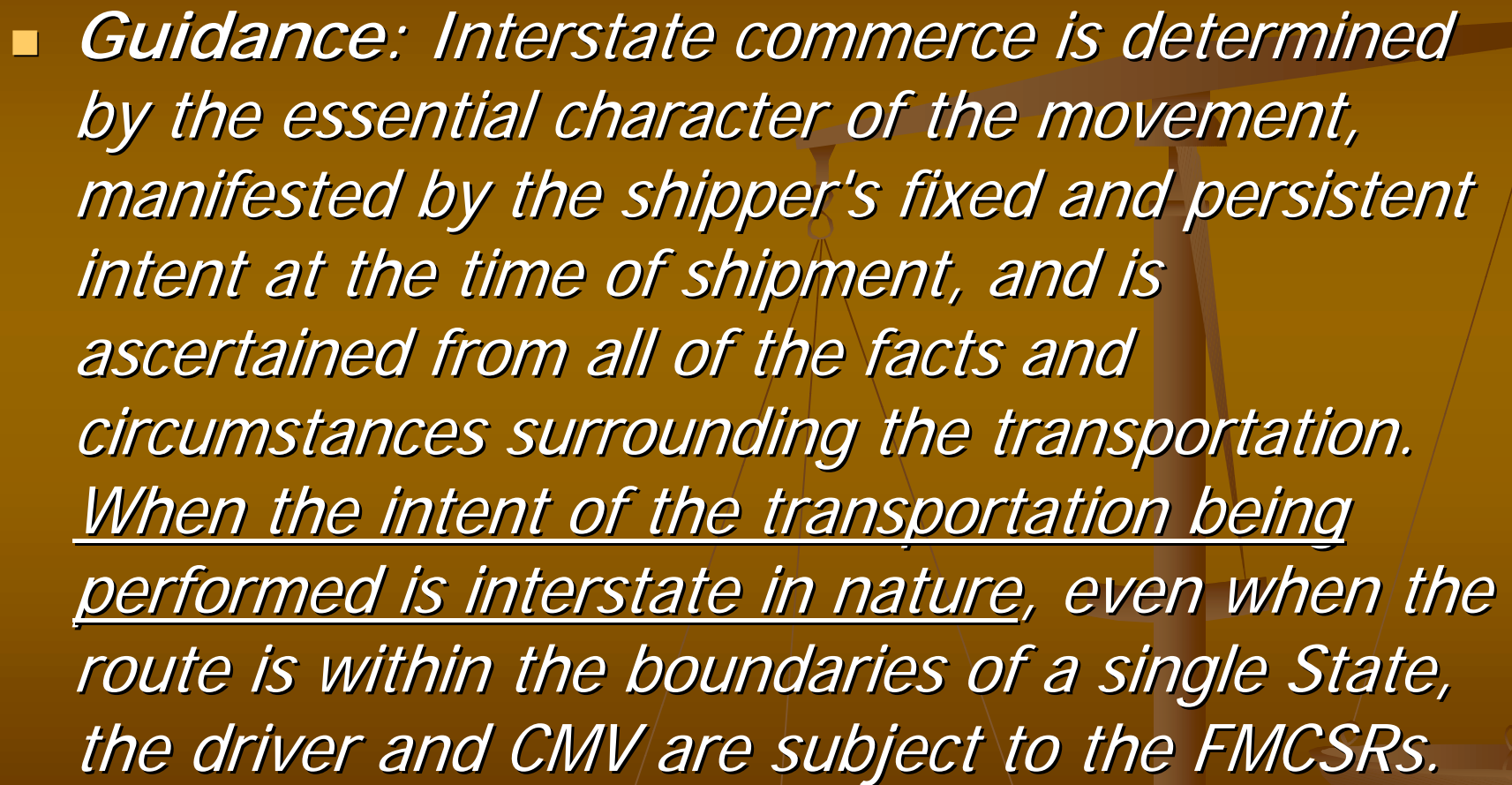
# Federal Motor Carrier Safety Regulations

Mastering the regulations by using  
the Interpretations

# What is “interstate”?

- §390.3 General applicability.
- (a) The rules in subchapter B of this chapter are applicable to all employers, employees, and commercial motor vehicles, which transport property or passengers in *interstate* commerce.



- 
- *Guidance: Interstate commerce is determined by the essential character of the movement, manifested by the shipper's fixed and persistent intent at the time of shipment, and is ascertained from all of the facts and circumstances surrounding the transportation. When the intent of the transportation being performed is interstate in nature, even when the route is within the boundaries of a single State, the driver and CMV are subject to the FMCSRs.*

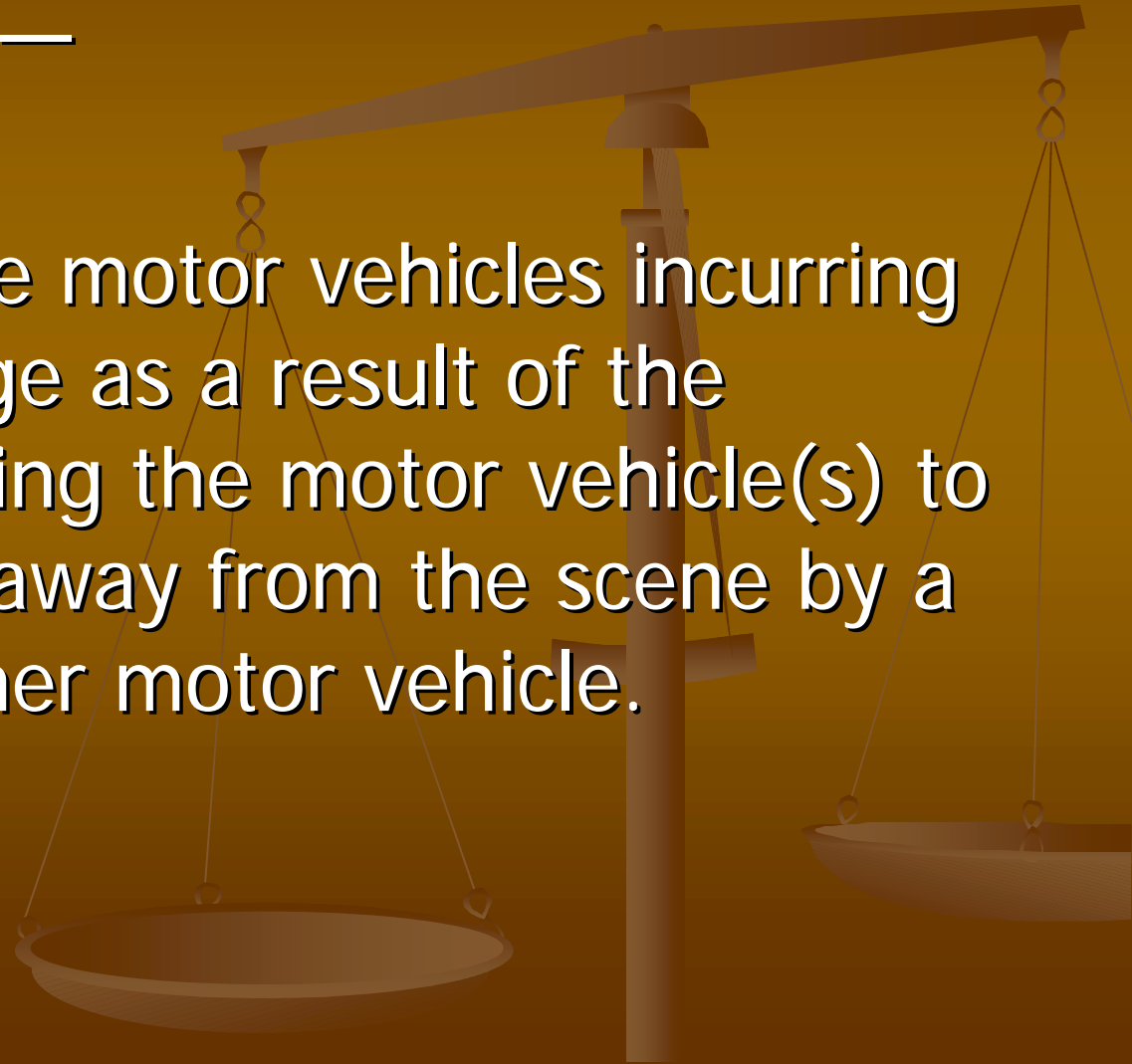
# How many miles may a driver record per day?

- **§392.6 Schedules to conform with speed limits.** No motor carrier shall schedule a run nor permit nor require the operation of any commercial motor vehicle between points in such period of time as would necessitate the commercial motor vehicle being operated at speeds greater than those prescribed by the jurisdictions in or through which the commercial motor vehicle is being operated.

- ***Guidance:*** Drivers are required to conform to the posted speed limits prescribed by the jurisdictions in or through which the vehicle is being operated. Where the total trip is on highways with a speed limit of 65 mph, trips of 550-600 miles completed in 10 hours are considered questionable and the motor carrier may be asked to document that such trips can be made. Trips of 600 miles or more will be assumed to be incapable of being completed without violations of the speed limits and may be required to be documented

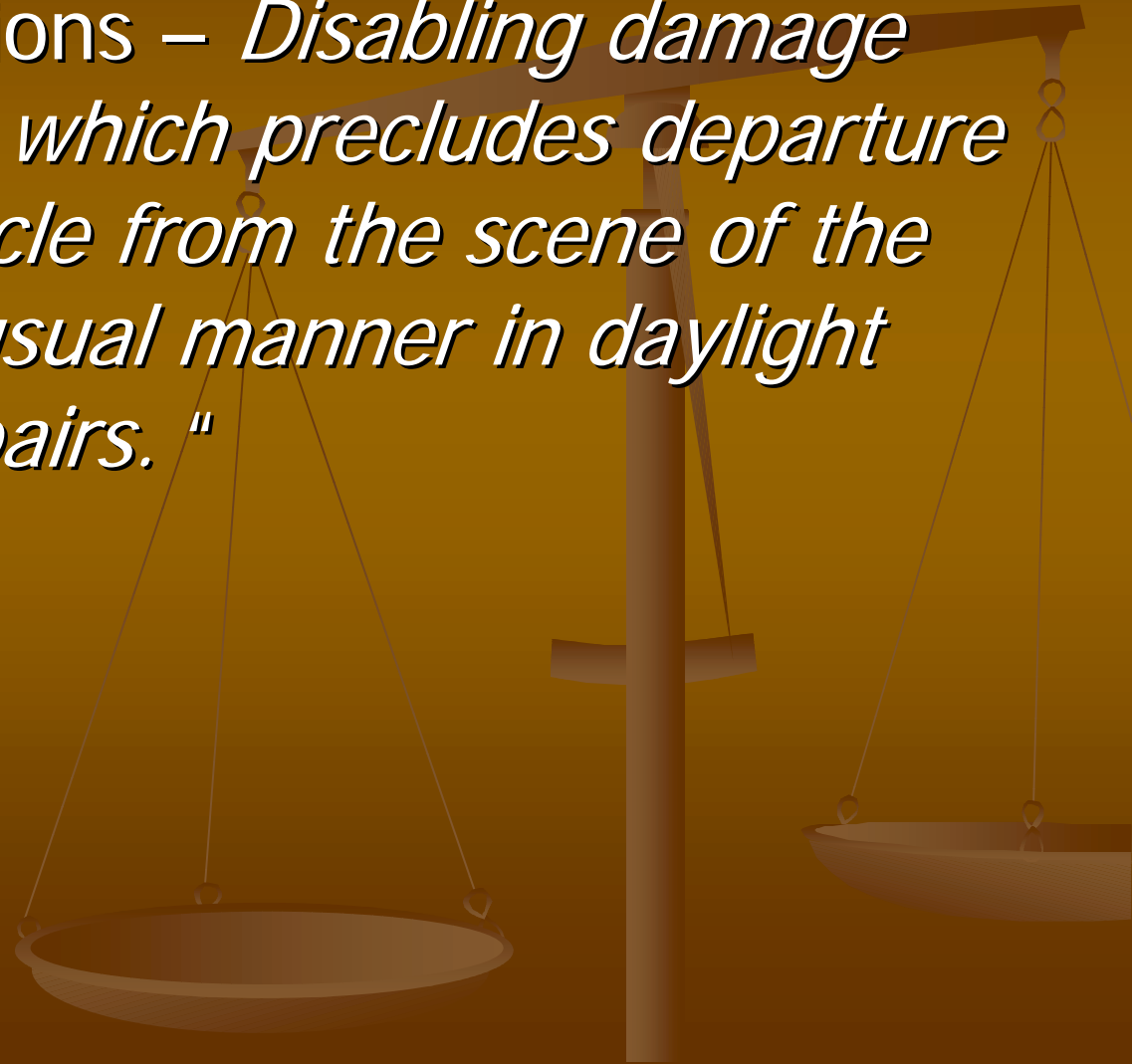
# What is “disabling damage”?

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



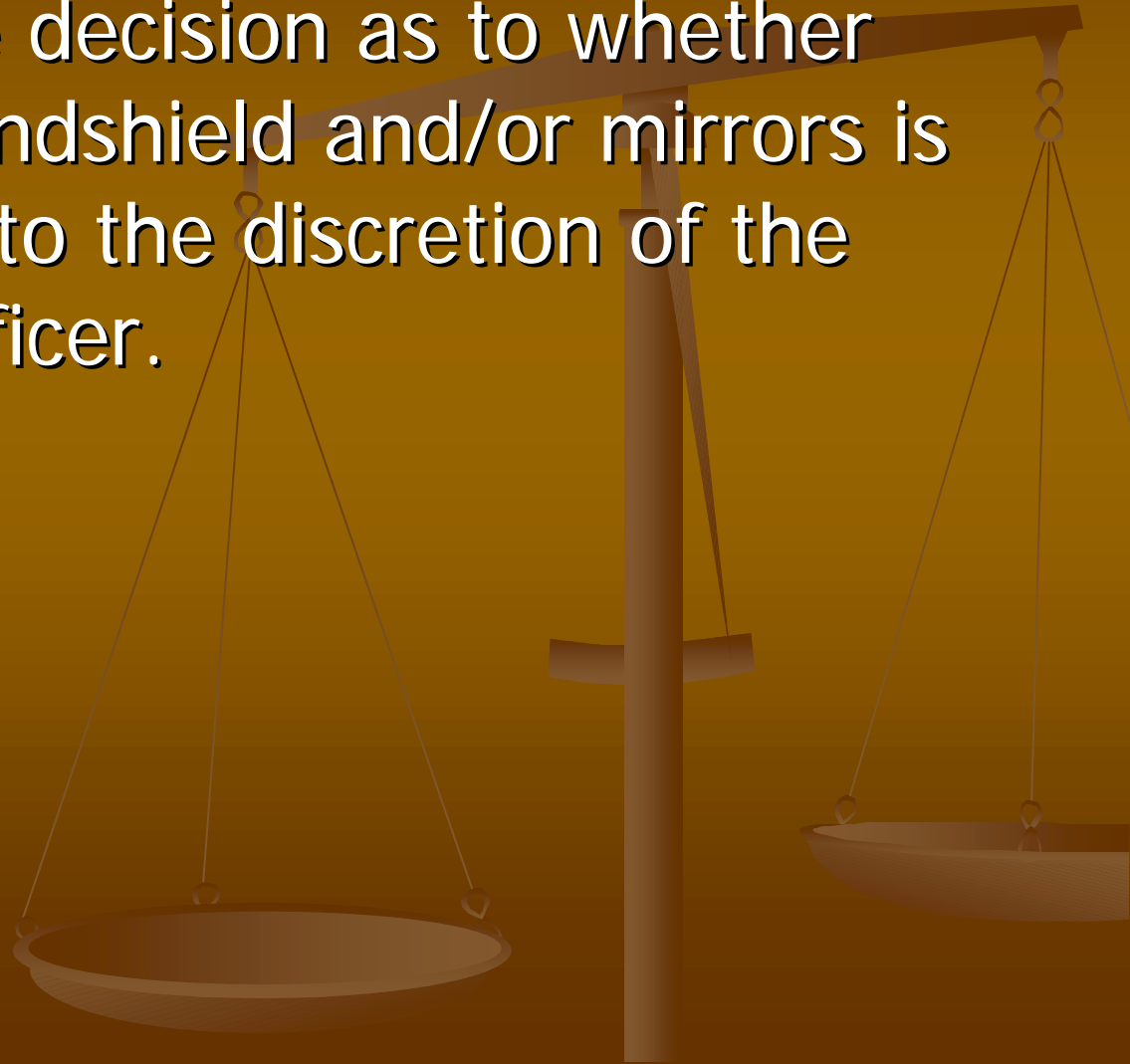
# Remember to cross reference

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



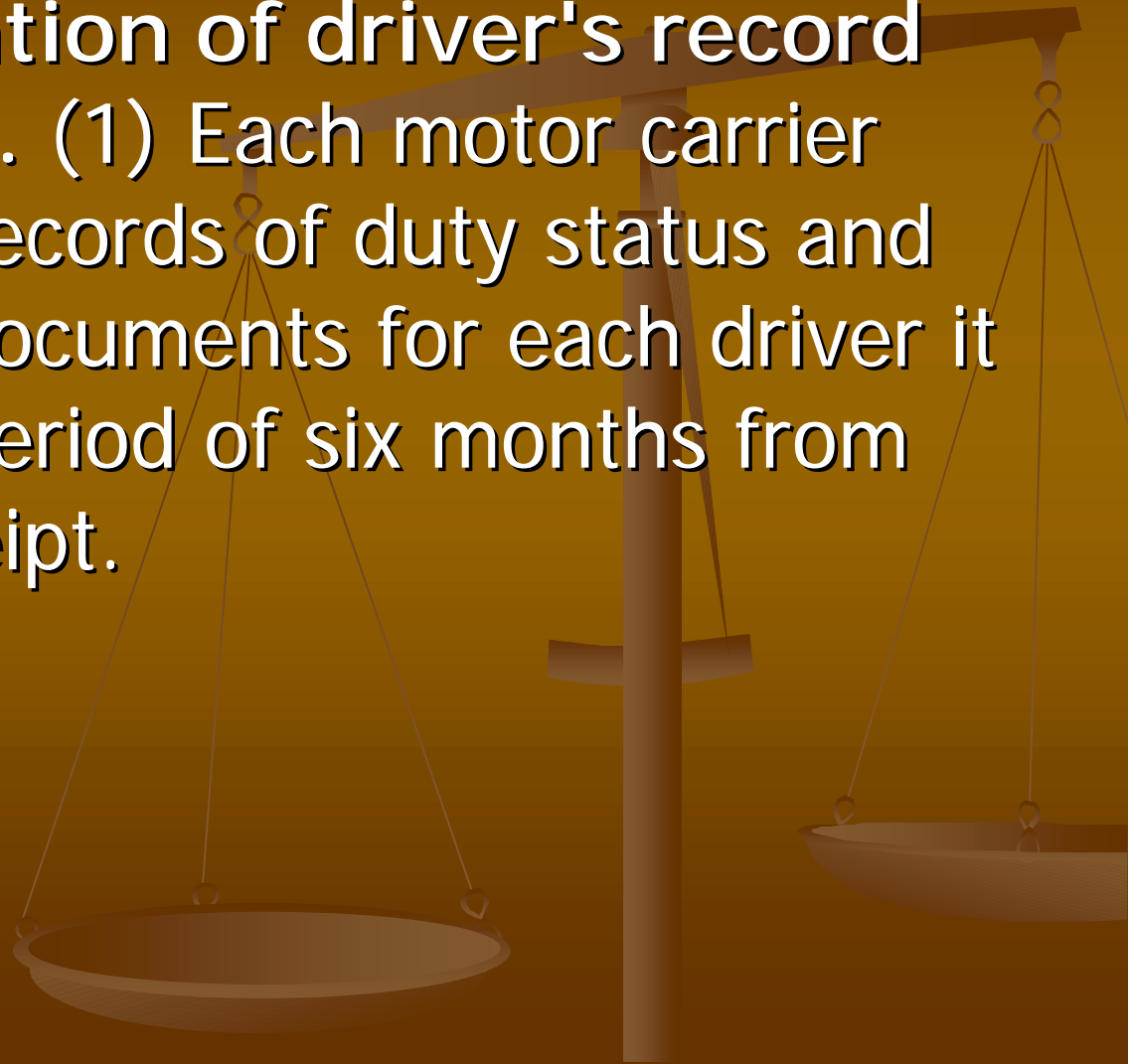
# What about windshield damage?

- ***Guidance:*** The decision as to whether damage to a windshield and/or mirrors is disabling is left to the discretion of the investigating officer.



# Supporting Documents

- 395.8(k) Retention of driver's record of duty status. (1) Each motor carrier shall maintain records of duty status and all supporting documents for each driver it employs for a period of six months from the date of receipt.



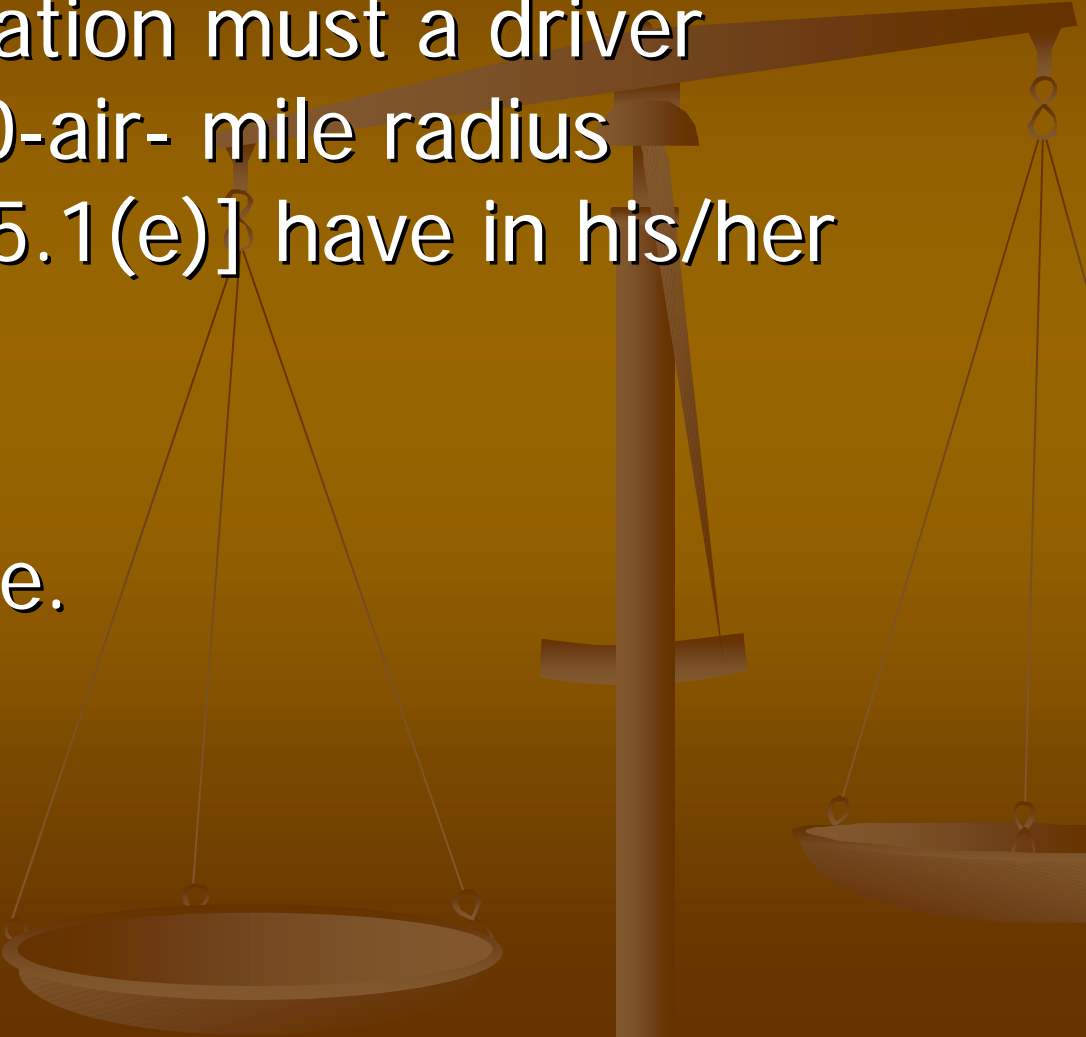
# What's included in "supporting documents"?

- *Supporting documents are the records of the motor carrier which are maintained in the ordinary course of business and used by the motor carrier to verify the information recorded on the driver's record of duty status. Examples are: Bills of lading, carrier pros, freight bills, dispatch records, driver call-in records, gate record receipts, weight/scale tickets, ....*

# Short-haul exemption



- (1) *100 air-mile radius driver*. A driver is exempt from the requirements of §395.8 if:
  - 100 air-mile radius of reporting location
  - Begins / ends at same location
  - Released within 12 consecutive hours
  - Specific time records

- 
- What documentation must a driver claiming the 100-air-mile radius exemption [§395.1(e)] have in his/her possession?
  - *Guidance:* None.