Commercial or Not?

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Commercial or Not?
Convention 2012

COMMERCIAL OR NOT?

Presented by:

Donna M. McKenna
MAIA Vice President of Communications
Commercial Registry Procedures

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Commercial of Not?

- There are both state and federal laws and regulations that define the term “commercial vehicle.” In addition, the insurance industry and the Registry of Motor Vehicles have their own rules and regulations that define commercial vehicles.
- This session will help you help your client determine which regulations apply to your client’s business operations.
The Federal Regulation

- The Federal Regulation:
  - The Federal Motor Carrier Safety Act defines Commercial Motor Vehicle (CMV) as follows:
  - Commercial Motor Vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle –

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

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

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Commercial Motor Vehicle (CMV) Definition

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

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

The State Regulation

- From the Registry of Motor Vehicles Point of View – Plate Definition
  - Commercial Vehicle, in connection with registration requirements, is any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, trailer, semi-trailer, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, bus, school bus, or school pupil transport vehicle. The following are examples of commercial vehicles requiring commercial registration plates:
The State Regulation

(a) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle;

(b) Any vehicle which has five or more wheels on the ground;

(c) Any pickup truck or cargo van, owned by a partnership, trust or corporation unless such vehicle meets the definition of private passenger motor vehicle, provided that transportation to or storage for use at a personal project for which no compensation is received shall not be considered in connection with a "job site";

(d) Any pickup truck or cargo van, if on the bed of the vehicle tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site; provided that transportation to or storage for use at a personal project for which no compensation is received shall not be considered in connection with the "job site";

(e) Any vehicle, if on the roof or sides of the vehicle, tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site; provided that transportation to or storage for use at a personal project for which no compensation is received shall not be deemed in connection with a "job site";
The State Regulation

(f) A vehicle which has business advertisements or business markings thereon; provided however that markings limited to the name, address, telephone number, and logo of any corporation whose personal property is exempt from taxation under G.L. Chapter 59, §5, Clause Third or Tenth shall not be considered business advertisements or business markings for purposes of 540 CMR 2.05;

(g) A vehicle used for hire to plow;

The State Regulation

(h) A vehicle used for hire to transport or store goods, wares or merchandise, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3)-commercial vehicle (h). “Part-time basis” shall mean that not more than 40% of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise;
The State Regulation

(i) A vehicle used to transport or store goods, wares or merchandise intended for sale in the ordinary course of the vehicle operator’s or owner’s business, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3)-commercial vehicle (i). “Part-time basis” shall mean that not more than forty percent of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise.

International Registration Plan “IRP”

- **Apportionable Vehicle**, is any motor vehicle which qualifies for registration under the International Registration Plan ["IRP"] authorized by M.G.L. c. 90, s.2, and which the Commonwealth joined effective January 1, 1994, as that Plan may be amended from time to time.
International Registration Plan “IRP”

- **What is the IRP?**
  - The International Registration Plan (IRP) is a registration reciprocity agreement among states of the United States, the District of Columbia and provinces of Canada. IRP is an optional program for licensing commercial vehicles traveling in two or more IRP jurisdictions. A jurisdiction may be a state or a Canadian province. There are more than fifty Current IRP Jurisdiction Members.
  - **Note:** Massachusetts has license plate reciprocity with all IRP jurisdictions.

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### International Registration Plan “IRP”

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<th>NV Nevada</th>
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<td>KS Kansas</td>
<td>NM New Mexico</td>
<td>WI Wisconsin</td>
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International Registration Plan “IRP”

- All member IRP jurisdictions are required to comply with the following three basic concepts of the Plan:
  1. Issuance of an *apportioned* license plate.
  2. Issuance of a single registration or cab card.
  3. Allow intrastate and interstate movement.

- Under the IRP, an interstate carrier files an application with the jurisdiction in which he/she is based. That jurisdiction is known as the *base jurisdiction*. The IRP agreement allows the base jurisdiction to collect the registration fees for the other IRP jurisdictions. These fees are based upon mileage and weight information submitted by the carrier.

International Registration Plan “IRP”

- The base jurisdiction issues a set of apportioned plates and cab card for each vehicle. The set of apportioned plates and cab card are the only license plate credentials necessary to operate a vehicle in member IRP jurisdictions. The cab card lists all the IRP jurisdictions and corresponding weights that the carrier has requested.
International Registration Plan “IRP”

- An IRP Apportioned Registration Does NOT:
  - Exempt a carrier from the payment of motor fuel taxes in any state.
  - Exempt a carrier from obtaining operating authority from a state where the apportioned vehicle operates.
  - Exempt a carrier from the payment of Federal Heavy Vehicle Use Tax (IRS Form No. 2290).
  - Permit a carrier to exceed maximum height, length, width, and axle limitations.
  - Permit the violation of “bridge laws”.

International Registration Plan “IRP”

- How Fees are Determined

  Note: The Processing Center cannot determine your licensing fees until your completed application has been received and it has been processed.

  The cost of your apportioned registration will depend upon the percentage of miles traveled in each IRP jurisdiction as well as the registered combined gross weight of the vehicle. The following is a simplified example of how the registration fee for a vehicle based in Massachusetts might be apportioned. The operator of this unit travels in Massachusetts, New York, Vermont, and Maine. He travels 25,000 miles in each state for a grand total of 100,000 miles at year end. The operator has a registered combined gross weight of 80,000 pounds in each state. The license fee would be computed as follows:
How Fees are Determined

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<td>MA</td>
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<tr>
<td>TOTALS</td>
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<td>100%</td>
<td>$1,219.00</td>
<td>$1,199.00</td>
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In this example, Massachusetts would collect a total of $1199.63 from the carrier. Of this total, Massachusetts would keep only $300.00. The remaining money would be sent to the other states.

Who Should Obtain IRP Registration?
You may proportionally register your vehicle(s) if you travel in Massachusetts and at least one other IRP jurisdiction and the vehicle is used, maintained, or designed primarily for the transportation of property, or used for the transportation of persons for hire, and is a power unit:

- With a gross weight in excess of 26,000 pounds; or
- With three or more axles regardless of weight; or
- That hauls another unit and the weight of such combination exceeds 26,000 pounds
International Registration Plan “IRP”

- **Note:** If you choose not to obtain IRP credentials and your vehicle(s) meet or exceed the criteria above, you will have to secure trip permits for each vehicle in other IRP jurisdictions that you enter.

- **Other Vehicles That Should Be Apportioned**
  Vehicles used for the transportation of persons for hire (i.e., buses, livery vehicles, etc.) Vehicles, or combination thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles and buses/livery vehicles used in transportation of chartered parties may be proportionally registered at the option of the registrant.

International Registration Plan “IRP”

- **IRP Exempt Vehicles**
  The following types of vehicles are exempt from IRP:
  - Government-owned vehicles
  - Buses/livery vehicles used exclusively for chartered parties (see the *Glossary* for a definition of Chartered Party)
  - Vehicles displaying a restricted plate - Dealer, Repair, Transporter, Farm, Owner Contractor
  - City pick-up and delivery vehicles
  - Recreational vehicles

International Registration Plan “IRP”

- Applications for Apportioned registrations can be processed at the IRP Processing Centers located in Quincy, Milford, Lawrence or Springfield.

- Mass DOT – RMV Division, IRP Section
  25 Newport Avenue Extension, Quincy, MA 02171
  **Office Location:** 4th Floor
  **Hours:** Monday – Friday – 9:00 AM to 5:00 PM
  **Telephone:** 857-368-8120 - Fax Number: 857-368-0824

- Lawrence Branch Office
  73 Winthrop Street, Lawrence, MA 01843
  **Hours:** Monday – Friday - 9:00 AM to 5:00 PM

- Milford Branch Office
  14 Beach Street, Milford, MA 01757
  **Hours:** Monday – Friday - 9:00 AM to 5:00 PM

- Springfield Branch Office
  165 Liberty Street, Springfield, MA 01103
  **Hours:** Monday – Friday - 8:30 AM to 5:00 PM
US DOT Number Requirement and Use

- Companies that operate commercial vehicles transporting passengers or hauling cargo in interstate commerce must be registered with the Federal Motor Carrier Safety Administration (FMCSA) and must have a USDOT Number. Also, commercial intrastate hazardous material carriers who haul quantities requiring a safety permit must register for a USDOT Number. The USDOT Number serves as a unique identifier when collecting and monitoring a company’s safety information acquired during audits, compliance reviews, crash investigations, and inspections.

US DOT Number Requirement and Use

- During the 2010 renewal period, the Massachusetts RMV began collecting and validating USDOT numbers.
- **Beginning in the 2011 renewal period, the safety fitness of each carrier will be checked prior to issuing vehicle registrations.** Those motor carriers that have been prohibited from operating in interstate commerce by the Federal Motor Carrier Safety Administration may have their ability to register vehicles denied by the jurisdiction. This collection of updated information will improve the census and operational data on interstate motor carriers nationwide.
**What is PRISM?**

The Performance and Registration Information Systems Management (PRISM) program was developed to meet the challenge of reducing the number of commercial vehicle crashes of a rapidly expanding interstate carrier population. It has increased the efficiency and effectiveness of federal and state safety efforts through a more accurate process for targeting the highest-risk carriers, which allows for a more efficient allocation of scarce resources for compliance reviews and roadside inspections.
PRISM

Overview

The PRISM program includes two major processes - the Commercial Vehicle Registration Process and Enforcement, which work in parallel to identify motor carriers and hold them responsible for the safety of their operation. The performance of unsafe carriers is improved through a comprehensive system of identification, education, awareness, data gathering, safety monitoring and treatment.

PRISM

- Registration
  - The International Registration Plan (IRP) commercial vehicle registration process of the States provides the framework for the PRISM Program.
  - The vehicle registration process ensures that all carriers engaged in interstate commerce are uniquely identified through a United States Department of Transportation (USDOT) number when they register their vehicles. The safety fitness of each carrier can then be checked prior to issuing vehicle registrations. Those motor carriers that have been prohibited from operating in interstate commerce by the Federal Motor Carrier Safety Administration (FMCSA) may have their ability to register vehicles denied by the State. The use of registration sanctions also provides powerful incentive for unsafe carriers to improve their safety performance.
PRISM

- **Registration**
  - The Federal-State partnership of PRISM also provides an automated enforcement mechanism to ensure motor carriers meet biennial data updating requirements required by Section 217 of the Motor Carrier Safety Improvement Act of 1999 (Form MCS-150). Put simply, participating States deny renewal of IRP license plates if the MCS-150 data of the motor carrier responsible for the safety of a vehicle will expire (i.e. exceed 24 months) before the new license plate expires.

PRISM

- **Enforcement**
  - In addition to Registration, the other major component of PRISM is Enforcement. Enforcement is the means by which carrier safety is systematically tracked and improved. The process is designed to improve the safety performance of carriers with demonstrated poor safety performance through accurate identification, performance monitoring and treatment. When a carrier is identified as needing improvement in safety practices, the carrier enters the Motor Carrier Safety Improvement Process (MCSIP). The goal of MCSIP is to improve the level of safety on our nation's highways by helping carriers identify and correct safety problems. MCSIP carriers that do not improve their safety performance face penalties that are progressively more stringent. These penalties may culminate in a Federal Out-of-Service-Order and possible denial, suspension and/or revocation of vehicle registrations by the State.
  - In addition, PRISM provides for the deployment of roadside enforcement technologies that allow for more accurate identification of high-risk carriers and more efficient roadside inspections.
PRISM

- **Registration Requirements**
  - The following is a list of specific requirements for registration agencies to implement PRISM.
  1. Identify, collect and maintain the USDOT number and Taxpayer Identification Number (TIN) for the registrant and motor carrier responsible for the safe operation of each vehicle being registered.
  2. Print and barcode the motor carrier information on the cab card if the motor carrier responsible for the safety of the vehicle is not expected to change during the registration year.
  3. Validate the USDOT number before adding any USDOT number to the IRP registration files.
  4. Have the capacity to issue USDOT numbers by online access to the Motor Carrier Management Information System (MCMIS) database using standardized procedures.
  5. Incorporate PRISM requirements in temporary authority processes.
  6. Seek and implement authority to suspend, revoke or deny registration if the motor carrier responsible for safety of the vehicle is prohibited from
  7. Seek and implement authority to retrieve plates from carriers whose registration has been suspended, revoked or denied based on PRISM sanctions. (In some States this authority must be procured separately from the previous requirement)

Insurance Policy Eligibility

- **From the Insurance Industry Point of View**
  - **BAP Eligibility (AIB)**
    - This section applies to all trucks, including pickup, panel and van types, truck-tractors, trailers and semi-trailers except for the following:
      A. Autos used for public transportation. Refer to the public transportation section.
      B. Autos leased or rented to others by leasing or rental concerns. Refer to the leasing or rental concerns rule in the Special Types Section.
Insurance Policy Eligibility

C. Individually owned pickups, panel trucks or vans. Refer to the Private Passenger Automobile Insurance Manual.

D. Self-propelled vehicles with the following types of permanently attached equipment. Refer to the special or mobile equipment rule.
   1. Equipment designed primarily for:
      a. Snow removal
      b. Road maintenance, but not construction or resurfacing;
      c. Street cleaning;

2. Cherry pickers and similar devices mounted on automobile or truck chassis and used to raise or lower workers.

3. Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment.
Insurance Policy Eligibility

- So, from an insurance perspective, a commercial vehicle is anything that ISN’T a private passenger auto.
- This section of the Commercial Policy Eligibility tells us we must first determine if a vehicle meets the private passenger definition.
- C. Individually owned pickups, panel trucks or vans. Refer to the Private Passenger Automobile Insurance Manual.

**Note:** Any vehicle owned by a legal business entity (corporation, partnership, commercial trust) must be insured on a Business Auto Policy.

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Insurance Policy Eligibility

- Private Passenger Policy Eligibility (MAIP/AIB):
  A private passenger automobile for insurance purposes is:
  - A. A motor vehicle of the private passenger or station wagon type that is owned or leased under contract for a continuous period of at least twelve months by one or more individuals, excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and is not used as a public or livery conveyance nor rented to others.
Insurance Policy Eligibility

Private Passenger Policy Eligibility (MAIP/AIB Version):
A private passenger automobile for insurance purposes is:
  A. A vehicle which meets the conditions of Rule 31, regarding the transportation of fellow employees, students or others for consideration, is included in this definition, provided such vehicle is not registered for carrying passengers for hire.

Insurance Policy Eligibility

B. A motor vehicle that is a pick-up or van, that is owned or leased under contract for a continuous period of at least 12 months by one or more individuals excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and
Insurance Policy Eligibility

1. has a gross vehicle weight of less than 10,000 pounds or has a rating symbol assigned to it by the Insurance Services Office (ISO) or AIB; and
2. is not used for the delivery or transportation of goods or materials unless such use is incidental to the insured’s business of installing, maintaining or repairing furnishings or equipment.

Note: The only difference between the MAIP and AIB versions of the rule is that the AIB rule references AIB rating symbols, rather than ISO rating symbols.

Insurance Policy Eligibility

C. Gross Vehicle Weight Rating means the value specified by the manufacturer as the loaded weight of a single vehicle.

D. At the option of the company, an eligible vehicle under this rule whose title has been transferred to a trust may be written under the Massachusetts Automobile Insurance Policy, subject to the following requirements:
Insurance Policy Eligibility

The grantor of the trust must be an individual or lawfully married individuals residing in the same household, and must be the only insured(s) named in Item 1 of the Coverage Selections Page.

All vehicle(s) insured under the policy must be owned by the trust.

A vehicle owned by a trust in which the grantor is a partnership or corporation must be written under a commercial auto policy.

Insurance Policy Eligibility

Under managed competition, companies are permitted to file their own rules and rates. The following companies have filed their own MAP policy eligibility requirements. They include: Bankers Standard, GEICO, IDS Property, Occidental, and Progressive.
Personal v. Commercial Q&A

Now that we understand what a commercial vehicle is, let’s look at some sample questions and answers about commercial vehicles.

Question …

1. I have an insured who is a plumber. He recently traded in his Ford cargo van for a Chevy Cutaway Van. The cutaway van is under 10,000 pounds and is individually owned. But, my insured is my neighbor, and no way is it personal lines. I submitted it to my commercial CAR carrier, and they sent it back saying it was under 10,000 pounds and individually owned. Then, I sent it to my personal auto carrier, and they sent it back, too.
Personal v. Commercial Q&A

Question …

1. I already stamped it up with my commercial carrier’s stamp, and the vehicle is registered. Here is a picture of the vehicle. What do I do?

Answer …

1. You’re right. No way is this personal lines. While I realize that GM refers to it as a (Cutaway) Van, the only remnants of a van are the cab and the chassis. Once a van has been substantially changed, it is no longer considered a van. The same is true of a truck. If you had a pickup truck which you had retrofitted with a dump body or a wrecker body, it is no longer a pickup truck and no longer eligible for a personal auto policy.
Personal v. Commercial Q&A

Answer …

1. So, as far as this vehicle is concerned:
   1. It is NOT a commercial motor vehicle under the provisions of the Federal Motor Carrier Safety Regulations – because it has a GVWR of 10,000 pounds or less.
   2. It IS a commercial motor vehicle under the Registry of Motor Vehicles plate definitions because it is:
      (b) Any vehicle which has five or more wheels on the ground; and
      (h) A vehicle used to transport or store goods, wares or merchandise intended for sale in the ordinary course of the vehicle operator's

2. It is NOT eligible for a personal auto policy because it is NOT a van. It IS a commercial vehicle and must be insured as such.
Personal v. Commercial Q&A

Answer …

I also feel that I must say that your commercial carrier should NOT have just returned the application and deposit. For the company to say that the law gives them the right to refuse to issue a policy in certain circumstances is ridiculous. You ARE the company by virtue of your contract to write insurance for them. You have binding authority, and you DID write the policy. Whether you were right or wrong in taking the application and stamping the registration is NOT the issue. The issue is that you bound the company in good faith, and the company has no choice but to issue legal notice of cancellation. And YOU were right!

Personal v. Commercial Q&A

Question …

2. What if you have an individual who uses an auto (truck) for personal use w/commercial plate but has a personal auto policy … with a weight of 9,500 pounds but, a couple times a year hooks on a trailer which puts him over 10,000 pounds … travels only in Mass for business purposes. Is he going to get fined for not having vehicle markings and medical cards? My next question … in looking at the Commercial Motor Vehicle chart it appears that if a
Personal v. Commercial Q&A

Question …
2. vehicle is over 10,001 pounds but, travels only w/in Mass, **DOT numbers are NOT required**-they are only required if traveling out of state … do I have this right? But, that vehicle markings, special safety equipment inspections, and medical cards are required in this case…? We’ve been back and forth over this and are really not sure here …

Personal v. Commercial Q&A

Answer …
2. You are correct. He would not need DOT numbers; but he would need medical cards for all drivers, he would be subject to the commercial vehicle inspection (more on this later), and he may need business markings if the truck has a carrying capacity of more than 2,000 lbs. When the trailer is attached, the combination weight makes it subject to the state’s version of the DOT requirements. When the trailer isn’t attached, the vehicle alone is not subject to state or federal DOT
Personal v. Commercial Q&A

Answer …
2. requirements. BUT, if it must be in compliance at some point, you have to treat it as if it has to be compliant at all the times.

Commercial or Not?

Questions …

4. One of our insureds, who is a landscaper driving a truck with a GVWR over 10,000 pounds, has been stopped and ticketed. It appears that if a vehicle is over this weight that there are DOT and signage regulations with which he must comply. Also, we have noticed several dealers completing the GVWR on the RMV-1 as 10,000 pounds, yet the actual Certificate of Origin indicates 11,200 pounds. Do you know of these regulations? How can we obtain a copy? Please advise.
Commercial or Not?

Answers ...

4. The Federal Motor Carrier Safety Act (FMCSA) requires that any vehicle over 10,000 pounds GVWR involved in **interstate commerce** is a “commercial vehicle.” Some of the provisions of the FMCSA require DOT numbers, signage, a commercial driver’s license (CDL), medical cards, random alcohol and substance testing, etc. depending on vehicle size, weight and usage. Unless you want to become an “expert” on the regulations, I would suggest that you not try to advise your client on these issues, since fines for non-compliance are HUGE. You might want to suggest that your client consult a specialist on compliance.

Commercial or Not?

Answers ...

4. There are two such companies in Massachusetts

**Fleet Safety Services, Inc.**
http://fleet-safety.com
12 Harvard Street - Worcester, MA 01609
Phone: 800-215-2490
Fax: 508-831-7611
Contact: Ken Haigh – 508-934-9088

**The Transportation Advisor, Inc.**
http://transportationadvisor.com
P.O. Box 558 - Palmer MA 01069
Local: 413-283-8385
Toll Free: 800-608-8890
Commercial or Not?

Answers …

That said, it looks like:

A. If these landscapers are operating in Massachusetts as well as any other state, it IS a commercial motor vehicle under the provisions of the Federal Motor Carrier Safety Regulations – because it has a GVWR of more than 10,000 pounds. This means that the vehicles must have DOT numbers, vehicle markings, and medical cards for all drivers – at the very least! In addition:

1. a CDL license and random alcohol and substance testing COULD be required if the landscaper is carrying any hazardous materials or substances; and

2. Driver logs COULD be required if the driver is traveling over a one (49 CFR 395) hundred (100) air mile radius from his/her base of operation crossing state lines.

You may find the Commercial Motor Vehicle chart contained in the Appendix helpful. It highlights the various compliance issues for vehicles with a GVWR of 10,001 pounds to 26,000 pounds and for vehicles weighing over 26,000 pounds.
Commercial or Not?

Answers …

It’s also important to note that Massachusetts has adopted the Federal Motor Carrier Safety Regulations. See Appendix A pages 81-83 for a copy of the complete regulation.

- Code of Massachusetts Regulations
  - 540 CMR Registry of Motor Vehicles
  - 14.00: Motor Safety and Hazardous Material Transportation

- **14.01: Purpose**

  540 CMR 14.00 is adopted by the Registrar of Motor Vehicles pursuant to M.G.L. c. 90, s. 31, to establish rules and regulations governing the use and operation of certain motor vehicles, trailers and commercial motor vehicles, and motor carrier safety and the transportation of hazardous materials by motor carriers in both intrastate and interstate commerce upon the public ways of the Commonwealth of Massachusetts. 540 CMR 14.00 is adopted to reduce the number and severity of accidents and hazardous materials incidents involving commercial vehicles, consistent with the Federal Motor Carrier Safety Regulations and the Federal Hazardous Materials Regulations issued by the United States Department of Transportation.

So … Most of the Federal Motor Carrier Safety Regulations also apply to commercial vehicles involved in intrastate commerce.
Commercial or Not?

Answers …

One last thing … the dealer may think he is doing your client a favor by “fibbing” on the GVWR of the vehicle. I assure you that it’s NO favor.

Since MA has adopted the Federal Motor Carrier Safety Regulations as its own, any vehicle with commercial plates would be subject to the periodic “weigh stations” set up on some of our highways.

He would be “bagged big-time” for not having the vehicle registered for the GVWR of the manufacturer and not complying with 540 CMR 14.00. And, if he’s involved in interstate commerce with that vehicle, he’d find out VERY quickly that the federal inspectors have NO sense of humor!

Commercial or Not?

Questions …

5. My client sells real estate on the weekends. During the week he works construction. He has a Dodge Ram 1500 Crew Cab pickup truck with a GVWR of 9,600 pounds (registered for 10,000 pounds). He uses his truck during the week to commute to the construction company office, and then he rides in a company truck to the job site. When he is showing houses on the weekends, he puts a magnetic real estate sign on both doors of his truck. He came into the office this morning, and he was really steamed because he was stopped while he had clients in his truck and ticketed for not having a commercial plate. What’s up with that???
Plate v. Policy Type

Answers …

5. Here’s the deal on this one:
   a. It is NOT a commercial motor vehicle under the provisions of the Federal Motor Carrier Safety Regulations or 540 CMR 14.00 – because it has a GVWR of 10,000 pounds or less.
   b. It IS a commercial motor vehicle under the Registry of Motor Vehicles plate definitions because it is:
      
      “(f) A vehicle which has business advertisements or business markings thereon …”

Plate v. Policy Type

Questions and Answers …

6. Your customer, an insurance consultant, wants to be able to park his car in loading zones in the City of Boston to make it easier to meet with inner city clients. He has a Mercedes 500 SL. Does he qualify for a commercial plate?

   a. Yes
   b. No
Plate v. Policy Type

Questions and Answers …

6. What could he do to his Mercedes to make it require commercial plates?
   a. Put a sign on it.
   b. Retrofit a dump body on the back of the Mercedes.
   c. Remove the back passenger seating.
   BUT, the City of Boston has specific requirements for signs. Check with the Boston Parking Clerk for complete details.

Plate v. Policy Type

Questions and Answers …

7. Your customer purchased a new crew cab pickup truck to tow a horse trailer to take his daughter’s horse to dressage events. The truck has dual rear wheels and a GVWR of 10,600 lbs. The pickup truck has symbol 18 assigned to it. What does he need?
   a. He needs a personal policy and personal plates.
   b. He needs a personal policy and commercial plates.
   c. He needs a commercial policy and commercial plates.
Questions and Answers …

8. Another neighbor, a carpenter, supplements his income in the winter by plowing driveways and parking lots. His truck is a Dodge Ram 2500 with a GVWR of 10,500 lbs. He currently has a personal auto policy, class 30, and a commercial plate on his pickup truck. He tells you he has just landed a contract with the city plowing city streets. All he needs is a Certificate of Insurance. What does he need?
   a. He can keep his personal auto policy and commercial plate.
   b. He needs a commercial policy and commercial plate.
   **BUT**, he would also need everything he would be required to have under the Federal Motor Carrier Safety Standards … except DOT numbers, assuming that he plows and works only in MA.

Questions and Answers …

8. Would your answer be different if he had a contract with the state that required him to provide a Certificate of Insurance and Additional Insured Endorsement naming the Commonwealth of Massachusetts?
   a. No, he’d be fine.
   b. Yes, there is no Additional Named Insured Endorsement for the Personal Auto Policy, other than for a leasing company. He would need a commercial policy.
Plate v. Policy Type

Questions and Answers …
NOTE: One of the effects of the change regarding pickup trucks and vans over 10,000 lbs. that have a symbol is that some vehicles that are subject to the Federal Motor Carrier Safety Regulations or the State EOT regulation will now be insured on a private passenger policy!!

Who Needs a Sign?

Question …
- Do all vehicles registered with commercial plates need signs or markings. Who needs markings and who doesn’t?
- We’ll take a look at the state and federal regulations that require signage on certain vehicles.
- We’ll also look at some questions and answers that may help your customer decide which, if any, regulation would apply.
Who Needs a Sign?

- When do I need lettering on my vehicle?
  - The State Regulation
  - The Federal Regulation

- Which applies to your client?

The State Regulation

- The State Regulation
  540 CMR 2.22 – Markings on Commercial Vehicles
  1. Marking. The owner of every motor truck used for the transportation of goods, wares or merchandise for hire, gain or reward, shall have the owner’s name marked on the truck, to be plainly visible from each side or from the front and rear of the vehicle, provided that motor trucks operated under a lease of more than 30 days shall display either the name of the owner or the lessee, and may display both.
The State Regulation

• The State Regulation
  - For the purpose of 540 CMR 2.22 (1), motor truck shall mean any motor vehicle specially designed or equipped to transport personal property over the ways of the Commonwealth and which has a maximum load carrying capacity of over 2,000 pounds, and which is not a Private Passenger Motor Vehicle under 540 CMR 2.05. To the extent there is any conflict between 540 CMR 2.22 and any federal regulation pertaining to markings on commercial motor vehicles, the federal regulation shall control.

The State Regulation

• The State Regulation
  540 CMR 2.22 -- the state regulation -- applies to a small number of vehicles that:
  - Have a gross vehicle weight rating of 10,000 pounds or less; and
  - Have a carrying capacity (payload only) of more than 2,000 pounds (one ton); or
  - Having a gross vehicle weight rating of over 10,000 pounds and a carrying capacity of more than 2,000 pounds, but used ONLY in intrastate commerce.
The State Regulation

• The State Regulation

IMPORTANT!!

The words “for hire, gain or reward” make it clear that the state regulation does not apply just to “for hire” carriers. It would also apply to any business carrying goods, wares or merchandise for its own purposes.

This is a Ford F-350 crew cab pickup with a GVWR of 9,400 pounds and a payload of 2,900 pounds, which, if used to carry “stuff” for hire, gain or reward, would need markings under the state regulation.

This type of vehicle could be owned by a plumber, electrician, carpenter or mason … and WOULD be subject to the state markings regulation.

State Required Signage Information:

Name of Registered Owner - only
The Federal Regulation

The Federal Regulation:
(b) Nature of marking. The marking must display the following information:
(b)(1) The legal name or a single trade name of the motor carrier operating the self-propelled CMV, as listed on the motor carrier identification report (Form MCS–150) and submitted in accordance with §390.19.
(b)(2) The identification number issued by the FMCSA, preceded by the letters "USDOT".
(b)(3) If the name of any person other than the operating carrier appears on the CMV, the name of the operating carrier must be followed by the information required by paragraphs (b)(1), and (2) of this section; and be preceded by the words "operated by."

(b)(4) Other identifying information may be displayed on the vehicle if it is not inconsistent with the information required by this paragraph.

The regulation goes on to explain how vehicles in a carrier’s fleet prior to the adoption of the markings regulation will comply and the impact of the regulation on leased CMVs.
The Federal Regulation

The Federal Regulation:

(c) **Size, shape, location, and color of marking.** The marking must –

(c)(1) Appear on both sides of the self-propelled CMV;
(c)(2) Be in letters that contrast sharply in color with the background on which the letters are placed;
(c)(3) Be readily legible, during daylight hours, from a distance of 50 feet (15.24 meters) while the CMV is stationary; and
(c)(4) Be kept and maintained in a manner that retains the legibility required by paragraph (c)(3) of this section.

(d) **Construction and durability.** The marking may be painted on the CMV or may consist of a removable device, if that device meets the identification and legibility requirements of paragraph (c) of this section, and such marking must be maintained as required by paragraph (c)(4) of this section.

The regulation continues with information regarding rented CMVs, driveaway services and intermodal equipment.

**FMCSR Required Signage:**

Legal Name or Single Trade Name of Operating Carrier; and
Motor Carrier ID Number Preceded by the Letters “USDOT”
Markings Q&A

Questions and Answers …

1. Ralph Cramden who does business as “Ralph the Roofer” has his dba name painted on either side of his 12,500 lbs. GVWR F-350 pickup truck that he uses for roofing jobs in MA and RI. Is that enough to meet the state and/or federal requirements?
   a. Yes
   b. No, he needs the Legal Name or Single Trade Name of Operating Carrier and his Motor Carrier ID Number Preceded by the Letters “USDOT” on the vehicle in accordance with the federal regulation.

Markings Q&A

Question …

2. I was driving down the street last week and noticed one of my clients driving a Dodge Caravan. The van had his company logo, website and phone # all over it. I write his personal and commercial insurance and didn't think we had a company van insured. I have the van insured on a personal auto policy with private passenger plates. I spoke to my client. He owns the van personally, has a passenger plate on it, but wanted to advertise his business. So he had the van detailed with his company info. Is that Ok to leave the personal auto policy and passenger plate?
Markings Q&A

Answer …

2. Ah, here’s one more dimension to markings … and that is for those who “CHOOSE” rather than are “REQUIRED” to have markings. There is another regulation that governs this issue. 540 CMR 2.05 requires a commercial plate to be attached for the following reason: A vehicle which has business advertisements or business markings thereon; provided, however, that markings limited to the name, address, telephone number, and logo of any corporation whose personal property is exempt from taxation under M.G.L. c. 59, s. 5, Clause Third or Tenth shall not be considered business advertisements or business markings for purposes of 540 CMR 2.05; The vehicle still meets the private passenger policy definition, so a personal auto policy is appropriate.

Markings Q&A

Question …

3. My client was stopped by a state trooper. He is a plumber and has a three-quarter ton F-250 pickup truck with a GVWR of 8,600 pounds (registered weight is 9,000 pounds) with a cap and specially-designed roof racks on the cap to carry pipes, etc. The pickup has a carrying capacity or payload of 1,750 pounds.

The trooper told him that MA law requires all vehicles with commercial plates to have signs. Is that true?
Markings Q&A

Answer ...

3. No, it’s not true. A state regulation (540 CMR 2.05) requires him to have commercial plates on

   a. Any pickup truck or cargo van, if on the bed of the vehicle tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site;
   b. Any vehicle, if on the roof or sides of the vehicle, tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site;

So, while he is required to have commercial plates because he’s carrying “stuff” on the bed or roof of the vehicle, he is not required to have markings because the pickup truck is not a CMV under the Federal Motor Carrier Safety Regulations or the Code of Massachusetts Regulations - 540 CMR 14.00. The vehicle does not require markings under 540 CMR 2.22 because, while it does carry goods, wares or merchandise for hire, gain or reward, it does not have a carrying capacity of more than 2,000 lbs. (one ton).
Markings Q&A

Question …

5. I had a commercial client advise me that he was pulled over by police and issued a warning for not having correct lettering on his van. At the same time, the officer advised he must have a "Federal Annual Inspection," and the driver of the vehicle has to have a medical certificate. I did find information at massrmv.com on the medical certificate, but I do not know what the Federal Annual Inspection is? Are you familiar with this? Any information you may have would be greatly appreciated. Vehicle is a Ford Cutvan E350 with a GVWR or 11,000 pounds -- not used for interstate travel, only in MA.

Answer …

5. As far as I can see, your client does not meet the definition of commercial motor vehicle under the provisions of the Federal Motor Carrier Safety Regulations because it is not used in interstate commerce, but it is considered a CMV under 540 CMR 14.00. I surmise that your client will come under the provisions of the state markings regulation (540 CMR 2.22) because it is used to carry goods, wares or merchandise for hire, gain or reward, and it is not used in interstate commerce. The state regulation requires that the name of the registered owner be on the vehicle.
As far as the Federal Annual Inspection is concerned, there was a change that impacts commercial motor vehicles involved in both interstate and intrastate commerce.

On October 1, 2008, Massachusetts implemented a new inspection program for commercial vehicles, trailers and converter dollies.

This inspection will be the equivalent of the annual Federal Motor Carrier Safety Administration (FMCSA) "DOT" inspection, but it will be required of all vehicles classified as "commercial motor vehicles" under the MA inspection regulation.

The following is the criteria for vehicles which must have the state's new commercial motor vehicle inspection:

- Commercial Motor Vehicle shall mean any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, or school pupil transport vehicle. A commercial motor vehicle shall include the following vehicles:
  
  - The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
  
  - The vehicle is designed to transport more than 15 passengers, including the driver; or
Markings Q&A

Answer …

(c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the Hazardous Materials Regulations of the United States Department of Transportation. Any commercial motor vehicle that singularly has a gross vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall be submitted for an emissions inspection in addition to all applicable safety inspection requirements; or

(d) A single, full or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 3,000 lbs; or

Markings Q&A

Answers …

(e) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle; or

(f) Any vehicle which has five or more wheels on the ground.

See Appendix for more information regarding MA Commercial Vehicle Inspection.
Markings Q&A

Question …

6. A tile contractor’s vehicles are registered in his personal name with commercial plates and they display the company name on them. The company name happens to display the person’s name followed by Tile Co. Should they be insured on a private passenger policy or a commercial policy? And is it ok that the registration and truck lettering do not exactly match? If they remain on a personal policy, would the commercial umbrella respond? I’m pretty sure the answers to these questions are: Commercial policy, registration should match lettering and no to commercial umbrella, but would like to know for sure.

Markings Q&A

Answer …

6. Donna’s response: They should be insured on a personal auto policy, assuming that you are talking about pickup trucks and/or cargo vans that meet the private passenger insurance definition. If your insured’s tile company is a dba -- in essence an "alias" for your customer -- and it qualifies for a personal auto policy, it does not matter if the registration and sign match unless your insured is required to have markings by the state regulation. If the insured is required to have markings, the markings must follow the state regulation (name of registered owner – in this case the individual).
Markings Q&A

Answer ...
7. Irene’s response: I agree with Donna’s remarks. The Tile Co., if a dba, is "insured" under the contractor's personal auto policy as a dba is the same as a person. If, however, the Tile Co. is a Corporation or an LLC ... then it is not insured under the Tile contractor's personal auto policy as it is a separate and distinct entity. If the vehicle is registered to an individual and is a pickup or van under 10,000 GVWR and not used for delivery, it belongs under the personal auto policy. If the Tile Co. is a separate entity by virtue of being a corporation, a commercial umbrella in the name of the corporation will not respond to vehicles owned, registered and insured personally.

What’s New?
USDOT Self Certification Transaction Deployment

- Important Self-Certification Information for all Commercial Drivers:
- By January 30, 2014 all CDL drivers are required under Federal regulation to inform the RMV of the type of commerce they plan to operate within (interstate or intrastate) and whether or not they are required to hold a medical certificate. This notification is called self-certification. It is called self-certification because the driver alone needs to determine the self-certification category he/she falls into based on his/her driving information.
What’s New?
USDOT Self Certification Transaction Deployment

- **Important Self-Certification Information for all Commercial Drivers:**
  - Beginning August 15, 2012 customers who wish to obtain, or who currently hold a Commercial Driver’s License (CDL) that is being renewed, upgraded, or transferred from another State, will be required to complete their CDL Self-Certification. The CDL Self-Certification Form and a copy of the medical certificate, if applicable, must be presented at the time of the transaction.
  - If a driver’s medical examiner’s certificate is only valid with a vision, diabetes, or skills performance evaluation variance granted by the Federal Motor Carrier Safety Administration (FMCSA), the driver will also need to provide this documentation to the RMV.

- CDL drivers that will not be completing a transaction with the RMV between now and January 30, 2014, do not have to visit a RMV branch office at this time. Compliance information for these drivers will be available in early 2013.
- Click the following link to access the complete policy: https://secure.rmv.state.ma.us/PolicyBrowserPublic/PB/worddocuments/2012usdotmedicalselfcertificationpolicy.htm
- More information can be found on the FAQs: http://www.mass.gov/rmv/faq/cdl.htm
- The CDL Self-Certification Form can be found under the Forms & Manuals tab in the Licensing section on the RMV website at www.mass.gov/rmv, or by using the following link: http://www.mass.gov/rmv/forms/license.htm#cdlSelfCert.
What’s New?
MassDOT Permit Department Relocated

- As of July 16, 2012, The MASSDOT Permit Department located at Milford RMV Branch has been relocated to 668 South Avenue, Weston, MA (former MASS Turnpike Permit Office). This move will coincide with MHD’s taking over the processing, tracking, notification and issuance of truck permits for Loads in Excess of Legal limits - Non-Reducible (Over Weight Permits) from RMV. These changes are designed to improve the level of customer service and overall responsiveness for Non-Reducible permit services.
- New phone number is: 781-431-5148
- New fax number is: 781-431-5014
- New hours of operations are: Monday - Friday 7:00am - 4:00pm
- Payment method accepted at this location is "CHECKS ONLY"

What’s New?
Out-of-State Toll Violation Reciprocity

- The states of Maine, New Hampshire, and Massachusetts have signed an agreement that will enable each state to pursue out-of-state toll violators by marking their registration and/or license as Non-renewable.
- This reciprocity agreement is the first of its kind in the nation and will be an extremely effective measure in enforcing toll violation laws within each of these states.
- The Training Update in your book explains the timeline of how the process will work.
What’s New?
What’s Up with Maine Registered Trailers?

According to the Deputy General Counsel at the RMV:

1. If we are talking about plain vanilla utility or recreational vehicle trailers, owned by residents of Massachusetts the trailers must, I repeat must be registered in MA to those owners.

2. If we are talking about semi-trailers that are owned by a Massachusetts business and are being pulled by a commercially-plated tractor owned or leased by that business, those trailers must also be registered in MA. However, if the tractor is registered with an "apportioned" plate, the semi-trailer may be registered in Maine (even if owned by a Massachusetts business) or in any other state that is part of the International Registration Plan (IRP). The reason for the apparent waiver from the requirement of registration in MA is complicated and is rooted in the origin of the IRP.

3. The IRP is an agreement between the 48 contiguous states, the District of Columbia, and 10 Canadian provinces. To encourage the fullest use of the highway system, the IRP authorizes apportioned registration of commercial vehicles and requires member jurisdictions to grant vehicle registration reciprocity to any vehicle registered in a vehicle's home (base) jurisdiction. Apportioned registration allows commercial vehicle operators to pay a registration fee to a base jurisdiction, which then allocates and distributes portions of the fee to other jurisdictions in proportion to the miles driven by the vehicle in each jurisdiction. The IRP describes in detail the registration and apportionment rules to which IRP members have agreed to adhere with respect to trucks and other apportionable vehicles. The Plan is administered by a Board of Directors and a corporation known as the International Registration Plan, Inc. The Plan provides a dispute resolution process to resolve disputes among its members.
What’s New?
What’s Up with Maine Registered Trailers?

4. Massachusetts is used by numerous businesses as their “base registration.” The registration fee for each tractor (power unit they register is “apportioned” among the states/jurisdictions the company intends its vehicle to travel into based on the mileage it anticipates traveling in those states. Each of those jurisdictions is identified on a “cab card” maintained on the vehicle that law enforcement officers can examine. If an interstate carrier has to travel into a state not listed on its “cab card” it must buy a “Trip Permit” from that jurisdiction that allows it to travel in that jurisdiction for a limited period.

5. Semi-trailers are not “apportionable” vehicles. Nevertheless, a semi-trailer that is attached to a vehicle (tractor) with an “apportioned registration” cannot, under the current IRP agreement in effect in all jurisdictions (including Massachusetts) be required to be registered in the same state or jurisdiction where the tractor is registered as long as the semi-trailer is properly registered in a “member jurisdiction.” Maine is a “member jurisdiction.”

6. Any attempt to require a Massachusetts company to register its semi-trailers in Massachusetts that are currently registered in Maine and are pulled by tractors registered with “apportioned” plates would be in contravention of the terms of the IRP. At least two recent attempts have been made by other states to challenge the practice of registering semi-trailers in states where semi-trailer registration fees are less than in the states where the tractors are registered on an apportioned basis. Both of those efforts failed.
Thanks for Attending

Thank you …

for your attention.

Remember, we are just an email or phone call away …

Email: dmckenna@massagent.com

Phone: 800.972.9312 or 508.634.2900
**Commercial Motor Vehicles**

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

1. Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
2. Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
3. Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
4. Is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C.

### Vehicles with a GVWR of 10,001—26,000 lbs

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOT Registration</td>
<td>Required</td>
</tr>
<tr>
<td>Commercial Driver License</td>
<td>Not Required*</td>
</tr>
<tr>
<td>Vehicle Markings</td>
<td>Required—In addition to legal name and USDOT #, there are new special markings requirements for trucks making deliveries and parking in public areas in NYC — the vehicle must have the owner’s name in addition to the lessee’s</td>
</tr>
<tr>
<td>Special Safety Equipment and Inspections</td>
<td>New MA Commercial Vehicle Inspection required in lieu of Federal Annual Inspection with copy of inspection report in vehicle</td>
</tr>
<tr>
<td>Medical Certificate &amp; Valid Driver’s License</td>
<td>Required to be carried by driver</td>
</tr>
<tr>
<td>Substance &amp; Alcohol Testing</td>
<td>Not Required*</td>
</tr>
<tr>
<td>Financial Responsibility</td>
<td>Required of for-hire motor carriers transporting property interstate—See 49 CFR 387</td>
</tr>
</tbody>
</table>

### Vehicles with a GVWR of 26,001 lbs or higher

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOT Registration</td>
<td>Required</td>
</tr>
<tr>
<td>Commercial Driver License</td>
<td>Required with appropriate license class for vehicle size and weight</td>
</tr>
<tr>
<td>Vehicle Markings</td>
<td>Required—In addition to legal name and USDOT #, there are new special markings requirements for trucks making deliveries and parking in public areas in NYC — the vehicle must have the owner’s name in addition to the lessee’s</td>
</tr>
<tr>
<td>Special Safety Equipment and Inspections</td>
<td>New MA Commercial Vehicle Inspection required in lieu of Federal Annual Inspection with copy of inspection report in vehicle</td>
</tr>
<tr>
<td>Medical Certificate &amp; Valid Driver’s License</td>
<td>Required to be carried by driver</td>
</tr>
<tr>
<td>Substance &amp; Alcohol Testing</td>
<td>Required—including scientifically-based random testing plus testing for pre-employment, post-accident and other situations See 49 CFR 382 and 40</td>
</tr>
<tr>
<td>Financial Responsibility</td>
<td>Required of for-hire motor carriers transporting property interstate See 49 CFR 387</td>
</tr>
</tbody>
</table>

*Exceptions: Vehicles carrying placardable amounts of hazardous materials and vehicles carrying 16 passengers (including driver)
 Applies to All Commercial Motor Vehicles

11-Hour Driving Rule §395.3(a)
All time spent at the driving controls of a commercial motor vehicle in operation is considered driving time. A driver operating in interstate commerce cannot drive a property-carrying commercial motor vehicle for more than 11 hours following 10 consecutive hours off duty. Exceptions exist for: Adverse driving conditions (395.1(b))

14-Hour On-Duty Rule 395.3(a)
The purpose of this hours-of-service rule, as with the 11-hour driving rule, is to keep fatigued drivers off the highways. The 14-hour rule prohibits the driver of a property-carrying commercial motor vehicle, operating in interstate commerce, from driving after the 14th consecutive hour after first coming on duty following 10 consecutive hours off duty.

The 14-hour period is consecutive — it includes all on-duty and off-duty time accrued after coming on duty. Of those 14 hours, 11 may be spent driving.

The 14-hour rule is often misunderstood to mean that a driver must be released from duty after 14 hours. However, the hours-of-service rules only regulate driving, not working. A driver can do non-driving work beyond the 14-hour limit, just no more driving.

10 Consecutive Hours Off Duty
Ten (10) consecutive hours off duty, in a sleeper berth, or any combination of the two equaling 10 consecutive hours will re-set a driver's 11-hour driving and 14-hour on duty clocks. The key word to remember is CONSECUTIVE.

60-Hour/7-Day Limit or 70-Hour/8-Day Limit §395.3(b) & §395.5(b)
Under the federal hours-of-service rules, the driver of a commercial motor vehicle may not drive after having been on duty for 60 hours in any 7 consecutive days or for 70 hours in any 8 consecutive days. A driver who has reached this limit must take time off before getting back behind the wheel. A driver can do non-driving work after reaching the limit and not be in violation, but those hours must be added to the total.
A company that does not operate commercial motor vehicles every day of the week must use the 60-hour/7-day schedule. A company that operates vehicles every day of the week may use the 60-hour/7-day schedule or 70-hour/8-day schedule.

100 Air-Mile Radius Driver §395.1(e)
A driver is not required to create a standard log if the following criteria are met:
1. The driver operates within a 100 air-mile radius of the normal work reporting location;
2. The driver returns to the work reporting location and is released from work within 12 consecutive hours. If the driver exceeds the 12 consecutive hour limit on any given day, a driver record of duty status (log) is required for that day;
3. A property-carrying commercial motor vehicle driver has at least 10 consecutive hours off duty separating each 12 hours on duty, and does not exceed 11 hours maximum driving time following 10 consecutive hours off duty;
4. A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off duty separating each 12 hours on duty, and does not exceed 10 hours maximum driving time following 8 consecutive hours off duty;
5. The motor carrier maintains time records for 6 months showing:
   • The time the driver reports for duty each day;
   • The time the driver is released from duty each day;
   • Total number of hours on duty each day;

Apples to All Commercial Motor Vehicles

The 7 consecutive days does not mean a week (Sunday through Saturday), it means any 7-consecutive-day period. Thus, a driver doesn't ever really "start over" counting total hours (unless the driver can take advantage of the "restart" option described below). The oldest day's hours just drop out of consideration as each new day's hours are added.

34-Hour Restart For Property Carriers (§395.3(c))
Drivers of property-carrying commercial motor vehicles involved in interstate commerce have an option that allows them to reset their accumulated on-duty time. This option, known as the 34-hour restart provision, says that once a driver has 34 consecutive hours off duty, he/she may "restart" the 7-consecutive-day (or 8-consecutive-day) period. After the 34-hour period, the on-duty hours worked before that 34-hour period started no longer have to be considered when calculating the driver's 60-hour (or 70-hour) limit.

Effective October 1, 2005, a driver can use the 34-hour restart option no matter how many hours have been accumulated against the 60 or 70-hour limits. Prior to that date, drivers had to be under the 60 or 70-hour limits before starting the 34-hour off-duty period.
Applies to All Commercial Motor Vehicles

- Total time on duty for the preceding 7 days for drivers used for the first time or intermittently.
- Time records are not required for days on which the driver does not work. Drivers are not required to have copies of the time records in their possession.

A driver can cross a state line and still come under the 100 air-mile radius exemption, if the five criteria listed above are met.

A 100 air-mile radius driver is not exempt from the 60-hour/7-day or 70-hour/8-day limit. 100 air miles are equivalent to 115.08 statute miles.

16-Hour Short-Haul Exception §395.1(o)

For drivers of property-carrying commercial motor vehicles (CMVs) who drive locally, there is an exception to the 14-hour rule (which requires that drivers of property-carrying CMVs stop driving upon reaching the 14th consecutive hour after first coming on duty). The so-called “short-haul” exception allows these drivers to extend the 14-hour period by two hours once per week, under certain conditions. A driver can drive a CMV after the 14th hour after coming on duty, but not after the 16th hour, if he or she:
- Was released from duty at the normal work reporting location for the previous 5 duty tours, and
- Returns to the normal work reporting location and is released from duty within 16 hours, and
- Has not used this exception in the previous 6 consecutive days, except following a 34-hour restart.

Drivers claiming this exception remain subject to the 11-hour driving limit, but they essentially have an extra two hours in which to complete that driving.

Note that a 34-hour restart will allow a driver to use this exception more than once every 7 days, but a restart will not affect the requirement that the driver must have returned to the normal work reporting location for the previous 5 duty tours.

Short-haul drivers who normally use the 100-air-mile exception and do not complete a standard grid log will have to complete a log on days when they use the short-haul exception, because they are working beyond the 12-hour limit (see the 100-air-mile-radius driver topic for more information).

Non-CDL- Driver Short-Haul Exception (150-Air-Mile Radius §395.1(e)(2)

For drivers of property-carrying commercial motor vehicles who stay within a 150-air-mile radius and are not required to carry a commercial driver’s license (CDL), there is an exception to the record of duty status (log) and 14-hour rules, effective October 1, 2005.

Under this exception, drivers are allowed to extend the 14-hour period by 2 hours twice per week, and are allowed to maintain time records instead of logs.

Non-CDL drivers include those who operate property-carrying commercial motor vehicles that weigh more than 10,001 pounds but less than 26,000 pounds, including many box trucks and delivery vehicles.

Specific Requirements

A driver who operates a property-carrying commercial motor vehicle for which a CDL is not required under Part 383 is exempt from the log requirements in §395.8 and the 14-hour rule in §395.3(a)(2) if:
- The driver operates within a 150 air-mile radius (172.6 statute miles) of the location where the driver reports to and is released from work, i.e., the normal work reporting location; and
- The driver returns to the normal work reporting location at the end of each duty tour; and
- The driver does not drive after the 14th hour after coming on duty on 5 days of any period of 7 consecutive days, or after the 16th hour after coming on duty on 2 days of any period of 7 consecutive days; and
- The motor carrier that employs the driver maintains for 6 months accurate records showing the time the driver reports for duty each day, the total number of hours the driver is on duty each day, and the time the driver is released from duty each day (and the total time for the preceding 7 days for drivers used for the first time or intermittently, per §395.8(j)(2)).

Drivers using this exception remain subject, in effect, to the 10-hour off-duty rule, the 11-hour driving rule, and the 60/70-hour limits in §395.3. A violation of those rules will negate the driver’s ability to claim the exception.

Any 7-consecutive-day period may be reset with 34 consecutive hours off duty.
**Private Passenger Plate Definition**

A private passenger motor vehicle for registration purposes is any vehicle:

(a) which has a vehicle weight rating or curb weight of six thousand pounds or less as per manufacturer’s description of said vehicle or is a sport utility vehicle or passenger van; or which is a pickup truck or cargo van of the 1/2 TON, 3/4 TON or 1 TON class as per manufacturer’s description of said vehicle; or which is a vehicle used solely for official business by any college or university police department whose officers are appointed as special police officers by the commissioner of public safety pursuant to G.L. c. 147, §10G; and,

(b) which, if a pickup truck or cargo van, is registered to an individual, or is leased at ordinary market place rates to an individual, and is used exclusively for personal, recreational, or commuting purposes; and

(c) which is not described elsewhere in 540 CMR 2.05.

The terms pleasure vehicle, passenger vehicle, passenger car, automobile and pleasure passenger vehicle are synonymous with Private Passenger Motor Vehicle as defined herein.

Source: 540 CMR 2.05

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**Private Passenger Insurance Definition**

A private passenger automobile for insurance purposes is:

A. A motor vehicle of the private passenger or station wagon type that is owned or leased under contract for a continuous period of at least twelve months by one or more individuals, excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and is not used as a public or livery conveyance or rented to others. A vehicle which meets the conditions of Rule 31, regarding the transportation of fellow employees, students or others for consideration, is included in this definition, provided such vehicle is not registered for carrying passengers for hire.

B. A motor vehicle that is a pick-up or van, that is owned or leased under contract for a continuous period of at least 12 months by one or more individuals, excluding (1) partnerships, (2) corporations, (3) unincorporated business associations, and (4) other legal business entities with a federal employer identification number, and

1. has a gross vehicle weight rating of less than 10,000 pounds or has a vehicle rating group assigned to it by the Automobile Insurers Bureau of MA (AIB), and

2. is not used for the delivery or transportation of goods or materials unless such use is incidental to the insured’s business of installing, maintaining or repairing furnishings or equipment.

Gross Vehicle Weight Rating means the value specified by the manufacturer as the loaded weight of a single vehicle.

At the option of the company, an eligible vehicle under this rule whose title has been transferred to a trust may be written under the Massachusetts Automobile Insurance Policy, subject to the following requirements: the grantor of the trust must be an individual or lawfully married individuals residing in the same household, and must be the only insured(s) named in Item 1 of the Coverage Selections Page. All vehicle(s) insured under the policy must be owned by the trust. A vehicle owned by a trust in which the grantor is a partnership or corporation must be written under a commercial auto policy.

If a motor vehicle is leased as described in the foregoing paragraphs, and the lessee is obtaining the insurance, the policy must be issued to the lessee as named insured and Endorsement M-0070-S, “Coverage For Anyone Renting An Auto To You,” must be attached to the policy.

Source: 2011 MA Private Passenger Automobile Insurance Rules
**Commercial Plate Definition**

Commercial Vehicle, in connection with registration requirements, is any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, trailer, semi-trailer, auto home, house trailer, taxi cab, ambulance, hearse, livery vehicle, bus, school bus, or school pupil transport vehicle. The following are examples of commercial vehicles requiring commercial registration plates:

(a) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle;

(b) Any vehicle which has five or more wheels on the ground;

(c) Any pickup truck or cargo van, owned by a partnership, trust or corporation unless such vehicle meets the definition of private passenger motor vehicle;

(d) Any pickup truck or cargo van, if on the bed of the vehicle tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site; provided that transportation to or storage for use at a personal project for which no compensation is received shall not be considered in connection with the “job site”;

(e) Any vehicle, if on the roof or sides of the vehicle, tools, supplies, materials or equipment are transported to or from a job site, or are stored for use at a job site; provided that transportation to or storage for use at a personal project for which no compensation is received shall not be deemed in connection with a “job site”;

(f) A vehicle which has business advertisements or business markings thereon; provided however that markings limited to the name, address, telephone number, and logo of any corporation whose personal property is exempt from taxation under G.L. Chapter 59, §5, Clause Third or Tenth shall not be considered business advertisements or business markings for purposes of 540 CMR 2.05;

(g) A vehicle used for hire to plow;

(h) A vehicle used for hire to transport or store goods, wares or merchandise, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3)-commercial vehicle (h). “Part-time basis” shall mean that more than 40% of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise.

(i) A vehicle used to transport or store goods, wares or merchandise intended for sale in the ordinary course of the vehicle operator's or owner's business, provided that if the vehicle is owned by an individual, has a maximum load carrying capacity of 1,000 pounds or less, and is so used on only a part-time basis, such vehicle shall not be deemed a commercial vehicle under 540 CMR 2.05(3)-commercial vehicle (i). “Part-time basis” shall mean that more than forty percent of the total usage of the vehicle is devoted to the transporting or storing of goods, wares or merchandise.

Source: 540 CMR 2.05

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**Commercial Policy Eligibility**

This section applies to all trucks, including pickup, panel and van types, truck-tractors, trailers and semitrailers except for the following:

A. Autos used for public transportation. Refer to the public transportation section.

B. Autos leased or rented to others by leasing or rental concerns. Refer to the leasing or rental concerns rule in the Special Types Section.

C. Individually owned pickups, panel trucks or vans. Refer to the Private Passenger Automobile Insurance Manual.

D. Self-propelled vehicles with the following types of permanently attached equipment. Refer to the special or mobile equipment rule.

1. Equipment designed primarily for:
   a. Snow removal
   b. Road maintenance, but not construction or resurfacing;
   c. Street cleaning;

2. Cherry pickers and similar devices mounted on automobile or truck chassis and used to raise of lower workers.

3. Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment.

Source: Massachusetts Commercial Automobile Insurance Manual
New Vehicle Inspection Requirements

What vehicles need to be inspected:

- All vehicles that are registered in Massachusetts must receive a safety inspection each year. Vehicles listed below must also receive an on-board diagnostic (OBD) emissions test each year:
  - Model year 1996 and newer passenger cars, trucks and SUVs, as well as 2008 and newer medium-duty vehicles
  - Model year 1997 and newer light-duty diesel vehicles (weighing 8,500 pounds or less)
  - Model year 2007 and newer medium-duty diesel vehicles (weighing 8,501 to 14,000 pounds)

- Beginning in April 2009, opacity tests for visible smoke from heavy-duty diesel vehicles (weighing more than 10,000 pounds Gross Vehicle Weight Rating or “GVWR”) will resume. This test started in 2002, but was suspended in August 2008 to allow for transition to the new Massachusetts Vehicle Check Program.

What vehicles are exempt from emissions testing:

- The following types of motor vehicles are exempt from the emissions inspection:
  - Cars, trucks and SUVs manufactured before model year 1996 no longer receive tailpipe emissions tests but fail their safety inspections if they produce visible smoke.
  - Light duty diesel vehicles (weighing less than 8,500 pounds Gross Vehicle Weight Rating, or “GVWR”) that were either manufactured before model year 1997 or are 15 or more model years old
  - Medium duty diesel vehicles (up to 10,000 pounds GVWR) that were either manufactured before model year 2007 or are 15 or more model years old
  - Medium duty non-diesel vehicles either manufactured before model year 2008 or 15 or more model years old
  - New vehicles delivered to Massachusetts owners
  - Motorcycles and mopeds
  - Tactical military vehicles
  - Vehicle operated exclusively by electric power
  - Vehicles that are registered but designed primarily for off-road use do not receive emissions tests. Examples of this type of vehicle include:
    - All "tracked" vehicles
    - All-terrain vehicles (ATVs)
    - Articulated loaders/haulers
    - Backhoes
    - Bulldozers
    - Cranes
    - Excavators
    - Loaders
    - Mobile hydraulic platform lifters
    - Motor graders
    - Pavers
    - Self-contained street-sweepers, maximum capable-speed of 20 mph, such as a three-wheeled vehicle (does not include on-road vehicles with street sweeping equipment installed as cargo; such vehicles are subject to emissions inspections)
    - Skid-steer loaders
    - Tractors and off-road equipment used for farming (does not include pickup trucks, state trucks, tractor trailers and other vehicles designed for road use with farm registration plates; such vehicles are subject to emissions inspections)

What are the inspection fees:

Non-Commercial Inspection $29.00
Commercial Inspection $29.00 plus the market hourly shop rated charged by the station for the time spent performing the inspection.
New Vehicle Inspection Requirements

The following is the criteria for vehicles which must have the state’s new commercial motor vehicle inspection:

**Commercial Motor Vehicle** shall mean any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, or school pupil transport vehicle. A commercial motor vehicle shall include the following vehicles:

(a) The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or

(b) The vehicle is designed to transport more than 15 passengers, including the driver; or

(c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the Hazardous Materials Regulations of the United States Department of Transportation. Any commercial motor vehicle that singularly has a gross vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall be submitted for an emissions inspection in addition to all applicable safety inspection requirements; or

(d) A single, full or semi-trailer, used in commerce, with a manufacturer’s gross vehicle weight rating over 3,000 lbs; or

(e) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand pounds, as per the manufacturer’s description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle; or

(f) Any vehicle which has five or more wheels on the ground.

The following explains the various inspection station classes and the vehicles those stations will inspect:

Station Class License types indicate what type of vehicle the station can inspect. Be sure and check to make sure the inspection station you choose is equipped to inspect your type of vehicle.

**Class A.** Conducts non-commercial light duty gas and diesel inspections of vehicles 10,000 lbs (GVWR) or less.

**Class B.** Conducts commercial and non-commercial light and medium duty gas and diesel inspections of vehicles 26,000 lbs. (GVWR) or less, including light-duty pole or pull trailers only.

**Class C.** Conducts all commercial medium and heavy duty inspections of vehicles over 10,000 lbs. (GVWR), including all trailers, semi-trailers and converter dollies.

**Class D.** Conducts all commercial and non-commercial light, medium and heavy duty inspections of all vehicles including all trailers, semi-trailers and converter dollies.

**Class E.** Conducts heavy duty commercial inspection of vehicles over 26,000 lbs. (GVWR), including all trailers, semi-trailers and converter dollies.

**Class F.** Conducts mobile inspections for commercial vehicles of all fuel types and weights, including all trailers, semi-trailers and converter dollies, owned or leased by a fleet.
<table>
<thead>
<tr>
<th>Plate Type</th>
<th>Safety &lt;=10,000 GVWR</th>
<th>Safety &gt;10,000 GVWR</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHN - Auto Home/ Camper</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>AHR - Auto Home/Camper</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>AHV - Auto Home/Camper</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>APN - Apportioned/IRP</td>
<td>Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>APR - Apportioned/IRP</td>
<td>Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>AMN - Ambulance</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>AMR - Ambulance</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>ARN - Transit Authority¹</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>AXN - Transit Authority</td>
<td>Motorcycle (Authority)</td>
<td>NA</td>
</tr>
<tr>
<td>BDN - Boat Dealer</td>
<td>&gt;3,000 lbs. GVWR, Commercial inspection. &gt;10,000 lbs. GCVWR, Commercial inspection</td>
<td>&gt;3,000 lbs. GVWR, Commercial inspection. &gt;10,000 lbs. GCVWR, Commercial inspection</td>
</tr>
<tr>
<td>BUN - Bus</td>
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<td>Commercial</td>
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<tr>
<td>BUR - Bus</td>
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<td>Commercial</td>
</tr>
<tr>
<td>BUV - Bus</td>
<td>Commercial</td>
<td>Commercial</td>
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<tr>
<td>CON - Commercial</td>
<td>Non-Commercial²</td>
<td>Commercial</td>
</tr>
<tr>
<td>COR - Commercial</td>
<td>Non-Commercial²</td>
<td>Commercial</td>
</tr>
<tr>
<td>COV - Commercial</td>
<td>Non-Commercial²</td>
<td>Commercial</td>
</tr>
<tr>
<td>FAN - Farm</td>
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</tr>
<tr>
<td>LVN - Livery</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>LVR - Livery</td>
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</tr>
<tr>
<td>LVV - Livery</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>MCN - Motorcycle</td>
<td>Motorcycle</td>
<td>NA</td>
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<tr>
<td>MCR - Motorcycle</td>
<td>Motorcycle</td>
<td>NA</td>
</tr>
<tr>
<td>MCS - Motorcycle</td>
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<tr>
<td>MCV - Motorcycle</td>
<td>Motorcycle</td>
<td>NA</td>
</tr>
<tr>
<td>MVN - Municipal⁰</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>MXN - Municipal⁰</td>
<td>Motorcycle</td>
<td>NA</td>
</tr>
<tr>
<td>OCN - Owner-Contractor</td>
<td>Non-Commercial²</td>
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</tr>
<tr>
<td>PAN - Passenger</td>
<td>Non-Commercial</td>
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</tr>
<tr>
<td>PAR - Passenger</td>
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</tr>
<tr>
<td>PAS - Passenger</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

¹ If vehicle type is trailer, and GVWR is <=3,000 lbs, trailer exempt from inspection. If >3,000 lbs. GVWR, Commercial inspection.
² If a placarded vehicle, Commercial inspection. If GCVWR will exceed 10,000 lbs., Commercial inspection.
⁰ If body type is pickup, SUV, or van, non-commercial inspection.
<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Non-Commercial</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAV (Passenger)</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>PAY (Year of Manufacture) Non-Commercial</td>
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<td></td>
</tr>
<tr>
<td>RPV (Repair)</td>
<td>Non-Commercial</td>
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</tr>
<tr>
<td>RPY (Repair)</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>SBN (School Bus)</td>
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<td>Commercial</td>
</tr>
<tr>
<td>SBR (School Bus)</td>
<td>Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>SMN (Semi-TRailer)</td>
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</tr>
<tr>
<td>SMR (Semi-TRailer)</td>
<td>Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>SPN (School Pupil)</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>STN (State)</td>
<td>Non-Commercial</td>
<td>Commercial</td>
</tr>
<tr>
<td>SXN (State)</td>
<td>Motorcycle (State)</td>
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</tr>
<tr>
<td>TAN (Taxi)</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>TAR (Taxi)</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
<tr>
<td>TPN (Transporter)</td>
<td>&gt;3,000 lbs. GVWR, Commercial inspection, &gt;10,000 lbs. GCVWR, Commercial inspection</td>
<td>&gt;3,000 lbs. GVWR, Commercial inspection, &gt;10,000 lbs. GCVWR, Commercial inspection</td>
</tr>
<tr>
<td>TRN (Trailer)</td>
<td>&gt;3,000 lbs. GVWR, used in commerce, Commercial inspection, &gt;10,000 lbs. GCVWR used in commerce, Commercial inspection</td>
<td>&gt;3,000 lbs. GVWR, used in commerce, Commercial inspection, &gt;10,000 lbs. GCVWR used in commerce, Commercial inspection</td>
</tr>
<tr>
<td>TRR (Trailer)</td>
<td>&gt;3,000 lbs. GVWR, used in commerce, Commercial inspection, &gt;10,000 lbs. GCVWR used in commerce, Commercial inspection</td>
<td>&gt;3,000 lbs. GVWR, used in commerce, Commercial inspection, &gt;10,000 lbs. GCVWR used in commerce, Commercial inspection</td>
</tr>
<tr>
<td>VPN (Vanpool)</td>
<td>Non-Commercial</td>
<td>Non-Commercial</td>
</tr>
</tbody>
</table>

2 If vehicle type is trailer, and GVWR is <=3,000 lbs, trailer exempt from inspection. If > 3,000 lbs. GVWR, Commercial inspection.
3 If a placarded vehicle, Commercial inspection. If GCVWR will exceed 10,000 lbs., Commercial inspection.
4 If body type is pickup, SUV, or van, non-commercial inspection.