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Minnesota Commercial Truck and Passenger Regulations

2017

Quick Reference Phone List

Highway Emergencies **911**

Traffic and Road Conditions **511**

Minnesota Department of Transportation

General Information	651-296-3000
	Toll Free 800-657-3774
Office of Freight and Commercial Vehicle Operations	651-215-6330
Overdimension/Overweight Permits	651-296-6000
Seasonal Spring Road Restriction Information	651-366-5400
	Toll Free 800-723-6543

Minnesota Department of Public Safety

Minnesota State Patrol	
Annual Commercial Vehicle Inspection	651-405-6196
Commercial Vehicle Enforcement	651-405-6196
Driver and Vehicle Services (General Information)	651-297-2126
Driver's License (CDL)	651-297-5029
Hazardous Materials Spill (State Duty Officer)	651-649-5451
	Toll Free 800-422-0798
IRP/IFTA	651-205-4141
School Bus License	651-297-5029

Minnesota Department of Agriculture

Livestock Dealer Licensing	320-808-4424
Pesticide and Fertilizer Management Division	651-201-6540

Minnesota Department of Revenue

Petroleum Division	651-296-0889
	Toll Free 800-657-3596

U.S. Government

USDOT - Federal Motor Carrier Safety Administration - St. Paul	651-291-6150
USDOT - Licensing and Insurance - Washington D.C.	800-832-5660
Internal Revenue Service - Twin Cities	651-312-8082
	Toll Free 800-829-1040
U.S. Customs - Metro	612-725-3689
Canadian Customs	204-983-3500



Introduction

Introduction

Motor carrier regulations can be complex. Your responsibilities extend beyond your business operations to the condition of your vehicles and the actions of your drivers and employees. That's why we have developed this guide. It explains the basic requirements to operate as a motor carrier in Minnesota, as well as additional resources to assist you.

MnDOT Office of Freight and Commercial Vehicle Operations

The purpose of the Office of Freight and Commercial Vehicle Operations is to advance highway safety by working with providers of commercial transportation to improve and enhance the safety of their operations.

We accomplish this by focusing our resources primarily on at-risk carriers and shippers who pose the greatest threat to highway safety. We partner with other local and federal agencies and industry groups to meet our safety goals; we make safety performance the main criteria in issuing operating credentials to motor carriers; and we work to streamline regulations and to make our business functions more efficient.

OFCVO is responsible for implementing, administering, and enforcing Minnesota laws and federal regulations. These laws govern carriers of freight and passengers, private carriers hauling their own products, carriers transporting oversized and overweight loads, hazardous material and hazardous waste transporters, special transportation providers of service to the elderly and disabled, and for-hire limousine operators.

OFCVO works closely with the United States Department of Transportation's Federal Motor Carrier Safety Administration in administering and enforcing motor carrier laws and regulations. Under the auspices of FMCSA, OFCVO investigators conduct on-site investigations and reviews of interstate carrier and shipper records and determine whether the carrier or shipper has adequate safety controls in place. If not, a carrier or shipper can be considered unfit, which may lead to severe penalties up to and including a shutdown of its operations.

OFCVO works with the Minnesota Departments of Public Safety and Human Services when assessing the operational fitness of providers of special transportation to the elderly and disabled. Specific criteria on vehicle standards and driver qualifications help ensure these providers are offering the safest transport possible to this vulnerable segment of Minnesota citizens.

In cooperation with the Minnesota State Patrol's Commercial Vehicle Enforcement Section, OFCVO conducts safety inspections on intrastate passenger vehicles to ensure they comply with applicable vehicle safety standards, and monitors whether the carrier has made the necessary repairs when violations have been found.

OFCVO also works closely with State Patrol's Commercial Vehicle Enforcement section to provide training and technical assistance to motor carriers, drivers and shippers. This technical outreach helps operators better understand the regulations so that all highway users can benefit from a safer transportation environment.

Training Resources

Online Learning. This type of training allows you to learn from the comfort of your home or place of work, where you can learn at your own pace, and it is available 24 hours a day from your computer. This training saves on time, travel and lodging. There is no cost for online training.

Request a Trainer/Presenter. The State can also bring training to you. If you have a targeted audience with specific DOT safety subjects that you would like addressed, please complete a "Request for Trainer" form. There is no fee for this service.

Please visit OFCVO's Web site for additional training information at www.mndot.gov/cvo/training.

Additional Information Sources

State and federal statutes and rules govern your operations. For specific regulatory details, consult these references:

- Minnesota Motor Vehicle and Traffic Laws, including Motor Carrier Laws, (Minn. Stat. Chapters 168, 169, 170, 171, 174, 221, and 296).
- Minnesota Department of Transportation Motor Bus and Truck Rules (Minnesota Rules Chapters 7800, 7805, 8840, 8850, 8855, 8860, 8870, and 8880).
- Federal Motor Carrier Safety Regulations, Code of Federal Regulations, Title 49 Parts 382, 383, 387, 390-397, and 40.
- Hazardous Material Transportation Regulations, Code of Federal Regulations, Title 49 Parts 100-185.

The resources listed above are available at Minnesota's Bookstore 651-297-3000 or 800-657-3757, and from private sources. They are also available on the Internet at www.mndot.gov/cvo.

The information published in this handbook does not change or override any current statute, rule, regulation or policy of the State of Minnesota, or of any department or agency. Nor does it relieve carriers of complying with current law.

Many sources were consulted in preparing this Minnesota Commercial Truck and Passenger Regulations handbook, and every effort has been made to present the information accurately. It is intended only as a helpful guide to the applicable laws and rules, not as a substitute for them. For specific questions, please refer to the laws and rules themselves. If you need an explanation or clarification of any law or rule, you should contact the appropriate agency.

This handbook has been prepared and published by the Minnesota Department of Transportation's Office of Freight and Commercial Vehicle Operations. Any comments or corrections to its content should be forwarded to the OFCVO at 651-215-6330 or e-mail at motorcarrier.dot@state.mn.us.



Fellow Highway User:

The Minnesota Department of Transportation's Office of Freight and Commercial Vehicle Operations has prepared a handy reference guide to help you in your travels across the state. This book was prepared for the professional driver and carrier who transport property, passengers, or hazardous materials on Minnesota highways.

Over the past few years there have been many changes in state and federal regulations that apply to you and to others who deliver goods and provide transportation services in Minnesota. We understand that changing technologies, vehicle standards, and regulations make it difficult to stay up-to-date. This updated, comprehensive guide should help answer your questions and concerns – we hope you find it helpful. It also contains telephone numbers, addresses and website addresses of different agencies if you have more specific questions. For an electronic version of this guide, use the following web address: www.mndot.gov/cvo/mcr/toc.html.

By working together we can make our roads safe for everyone. Enjoy your travels through our beautiful state!

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Section 01: Driver's Checklist

Section 01

Driver's Checklist

As a driver of a commercial motor vehicle, do you have:

- ✓ **A current, valid driver's license for the vehicle being driven?**
See page 63 for information on driver's license classifications and endorsements.
- ✓ **Your medical examiner's certificate?** See page 44 for information on driver qualification issues.
- ✓ **A copy of the vehicle's registration?** See page 11 for information about vehicle registration and fuel permits.
- ✓ **A copy of the previous day's daily vehicle inspection report?**
See page 79 for information about inspection reports.
- ✓ **Proof of vehicle insurance?** See page 114 for information on insurance requirements.
- ✓ **Driver's daily log book?** See page 72 for information about hours of service regulations.
- ✓ **Proof of proper operating authority, if operating for-hire?** See page 98 for information about operating authority for for-hire carriers.
- ✓ **Do you have your U.S. DOT number displayed on your vehicle?** See page 94 for information about U.S. DOT numbers and vehicle markings.
- ✓ **A copy of your U.S. DOT Hazardous Materials Certificate of Registration or other document showing your Registration number?**
See page 116 for information about the Federal Hazardous Materials Registration program.

Does your vehicle have:

- ✓ **Proper vehicle identification?** See page 94 for information about display of company name and USDOT number.
- ✓ **Proof of an annual inspection?** See page 81 for information about annual inspections.
- ✓ **A fire extinguisher, extra fuses, and warning triangles?** See page 78 for information about emergency equipment.
- ✓ **A properly secured load?** See page 82 for load securement information.



Section 02: Vehicle Registration and Licensing

Section 02

Vehicle Registration and Licensing Minn. Stat. § 168.013, 168.187

Intrastate Registration Requirements. Vehicles traveling exclusively within Minnesota are required to display Minnesota-based license plates. Intrastate vehicles may be registered and plates obtained at any deputy registrar's office located throughout the state. Registration fees are determined by the gross vehicle weight and model year of the vehicle. A USDOT number is required. For more information contact Driver and Vehicle Services at 651-297-2126 or visit the website at <https://dps.mn.gov/divisions/dvs/>.



Intrastate Bus Plate



Intrastate Truck Plate

One-Ton Pickup Trucks for Non-commercial use (Minn. Stat. § 168.002)

Effective August 1, 2011, legislation established a distinction in registration and license plate display between commercial and non-commercial full size one-ton pickup trucks. Person declaring "personal/non-commercial use only" can register in the "Y" non-commercial truck class for registered weights of 10,000, 12,000 and 15,000 pounds. There is no difference in the registration tax amount; it is merely a plate designed to allow the owner to declare non-commercial use and exemption from the USDOT number requirement. The plate identifies the vehicle a non-commercial truck.



Non CMV Plate

Heavy Vehicle Use Tax All vehicles or combination of vehicles having a registered gross weight over 54,999 pounds and traveling more than 5,000 miles on public highways (7,500 miles for agricultural vehicles) are subject to federal HVUT (IRS Form 2290, Schedule 1). Vehicles that travel less than 5,000 miles on public highways (7,500 miles for agricultural vehicles) are still required to file IRS Form 2290, but do not have to pay the tax. Proof of payment of HVUT (electronic verification or stamped copy 2290 schedule) must be submitted when a vehicle registration is renewed. When a vehicle is newly purchased, payment of HVUT is due the last day of the month following first use of the vehicle. For additional information, contact the Minnesota Internal Revenue Service-HVUT office at 866-699-4096.

International Registration Plan Qualified registrants based in Minnesota who travel in Minnesota and another IRP state or province must display IRP license plates and IRP cab card, or obtain valid trip permits for the state or province in which they wish to travel. Registrants based in another IRP jurisdiction must have IRP plates and their IRP registration cab card with the correct weight, or display a valid Minnesota trip permit. The program allows the display of the base state-apportioned license plate. The base state collects and distributes the appropriate registration taxes for the respective states.

Each IRP registrant is required to file an annual application with the base jurisdiction. The application lists the vehicles to be apportioned, the fleet mileage, and the declared gross weight for each jurisdiction. Mileage is reported from the previous July 1 through June 30. When all fees are paid, the registrant is issued a cab card and validation stickers for each vehicle. The cab card lists all IRP jurisdictions and the vehicles gross weight for each jurisdiction.

IRP Participating States and Provinces:

- All U.S. states except Alaska and Hawaii
- All Canadian Provinces except Yukon, Northwest Territories, and Nunavut

Qualified Vehicles A qualified motor vehicle means any power unit that is used or intended for use in two or more member jurisdictions and that is used for the transportation of persons for-hire, or designed, used, or maintained primarily for the transportation of property and:

- Has two axles and a gross vehicle weight or a registered gross vehicle weight over 26,000 pounds;
- Has three or more axles regardless of weight;
- Is used in combination when the gross vehicle weight of the combination exceeds 26,000 pounds; or
- A power unit involved in intrastate transportation outside the State of Minnesota regardless of gross vehicle weight or axles.

Exempt Vehicles The following vehicles are exempt from registering under the IRP:

- Government-owned vehicles
- Recreational vehicles
- Vehicles operating under separate state reciprocity agreements

A truck or truck tractor, or the power unit in a combination of vehicles having a gross vehicle weight of 26,000 pounds or less may be registered under the IRP at the option of the registrant.

Minnesota Base State Requirements Minnesota is the base state for the purposes of fleet registration if the following conditions apply:

1. The registrant has an established place of business in Minnesota that meets all of the following conditions:

- Physical structure located within Minnesota (building or office) owned or leased by the registrant
- Street address (not a post office box)
- Open for business (list business hours)
- Vehicles will accrue miles in Minnesota
- Located within the physical structure:
 - ☐ Permanent employee(s) of the registrant conducting the registrant's truck related business
 - ☐ The operational records of the fleet and presented to the state when requested

- The following must be presented to obtain IRP registration:
 - Articles of Business Incorporation (including certificate) issued by authorized state agency
 - Minnesota Secretary of State Certificate of Authority (required for foreign state/province corporations)
 - Ownership documents or Lease agreement records associated with the physical structure
 - Written statement that the registrant has one or more permanent employees listing major truck related job tasks

2. The registrant is a Minnesota resident and does not have an established place of business. Registrant must:

- Accrue miles in Minnesota
- Maintain operational records of the fleet in Minnesota and present them to the state when requested
- Remit three documents from either A or B listed below

All documents shall be current and list registrant name and Minnesota address.

A: Individual

- Minnesota driver's license card
- Federal income tax return (filed)
- Minnesota personal income tax records (paid)
- Minnesota property/state tax records (paid)
- Current utility billing statement issued within last 90 days (i.e. phone, cable, gas, electric, water, etc.)
- Minnesota motor vehicle title or registration (in registrant's name)
- Residential lease agreement

B: Business Entity

- Minnesota driver's license card (principal owner must be a Minnesota resident)
- Minnesota Secretary of State Articles of Incorporation
- Federal income tax return (filed)
- Minnesota personal income tax records (paid)
- Minnesota property/state tax records (paid)

- Current utility billing statement issued within the last 90 days (i.e. phone, cable, gas, electric, water, etc.)
- Minnesota motor vehicle title or registration (in registrant's name)
- Residential lease agreement

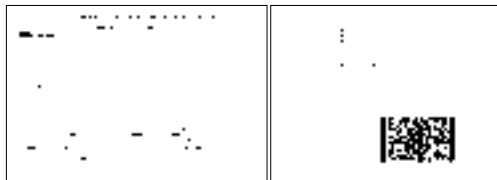
Documentation Required for IRP Registration:

1. Legal name
2. Business address
3. Phone number
4. Actual miles traveled between July 1 and June 30. Example, for registration year 2017 the mileage reporting year is July 2015 to June 2016.
5. Gross vehicle weight for each jurisdiction
6. Vehicle proof of ownership for new applicants and added vehicles. Proof of ownership may be any of the following items: Manufacturer Statement of Origin, Minnesota certificate of title, or an out of state title
7. USDOT and Federal Employee Identification number for each vehicle
8. Copy of lease agreements for an owner-operator registering in his or her own name and leased to a carrier where the carrier is providing the vehicle liability insurance and operating authority. If the vehicle is being registered in a name other than that of the titled owner, a copy of the lease agreement must also be provided.

Display of Credentials A valid annual registration cab card, temporary credential, or trip permit must be carried in the vehicle at all times. Minnesota vehicle registrations under the IRP expire at 12:01 a.m. March 2. An IRP registered vehicle may operate with a faxed temporary credential for 30 days without displaying a registration plate.



Interstate IRP Plate



Interstate Vehicle Cab Card

Temporary Registration and Fuel Tax Permits A vehicle owned and currently registered by an out-of-state resident and not apportioned with Minnesota, may obtain a temporary Minnesota registration trip permit. This cost is \$15.00 plus a \$10.00 filing fee, and is valid for 120 hours. A temporary registration trip is limited to 1 permit every 30 days per vehicle. A temporary fuel tax permit costs \$25.00 and is valid for 120 hours.

Temporary Weight Increase For currently registered vehicles, registrants may increase the weight of a vehicle for more than 80,000 pounds. For each 30-day period, the additional tax is \$4.17 per ton. A \$10.00 filing fee is required for each request. When operating an oversize/overweight vehicle, the registrant is responsible for contacting and obtaining approval from each local road authority (see Section 5). The weight increase does not replace any requirement for overweight authorization.

30 Day Temporary Registration A vehicle owned and currently registered by an out-of-state resident and not apportioned with Minnesota may obtain a 30 day registration for the time period the vehicle will be temporarily used for interstate and intrastate travel. The registration fee is 1/12 of the annual fee based on the gross vehicle weight, and is available in 30, 60, and 90 day increments.

International Fuel Tax Agreement Minn. Stat. § 168.D. The IFTA is a base jurisdiction fuel tax program. The program allows carriers to file one fuel report per quarter for all participating IFTA jurisdictions.

The base jurisdiction collects the appropriate fuel tax and distributes the tax to the applicable IFTA states or Canadian provinces.

Qualified Vehicles The following vehicles are required to display fuel credentials and report fuel use under the IFTA program if operating in two or more member jurisdictions. A qualified motor vehicle means a motor vehicle used, designed, or maintained for transportation of persons and property, and:

- Power unit having two axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds; or
- Power unit having three or more axles, regardless of weight; or
- Power unit used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight or registered gross vehicle weight.

Recreational vehicles are exempt from IFTA fuel tax licensing and reporting.

Display of Credentials A legible photocopy of the IFTA license must be carried in the cab of each qualified vehicle in the fleet. Two decals are required per vehicle. Place one decal on each side of the exterior portion of the cab. The original license should be kept with the business records. The IFTA license and decal is valid for the current calendar year.

The IFTA license is required to maintain a listing of the IFTA decal serial number assigned to each vehicle by recording the unit number and vehicle identification number. DVS will use this data to review the licensee's accountability of the IFTA decals. The number of decals purchased will be matched to the vehicles displaying the IFTA decal.

Key dates:

October 15 - annual renewal begins

December 1 - earliest display date of license and decals for next calendar year

December 31 - renewal filing deadline

Note: A two month grace period is allowed to display license and decals if renewed by December 31.



IFTA Vehicle Decal



IFTA License

IFTA Fees Minnesota fees for license and decals:

\$28.00 Annual Fuel License Fee

\$10.00 Annual Filing Fee

\$2.50 per vehicle decal fee

Fuel Tax Quarterly Return All licensees are required to file a quarterly IFTA fuel tax return with payment of fuel taxes. IFTA returns are filed on a quarterly basis as follows:

Reporting Quarter

January 1 through March 31

April 1 through June 30

July 1 through September 30

October 1 through December 31

Filing Due Date

April 30

July 31

October 31

January 31

Exemptions Under certain circumstances carriers may be exempt from obtaining an IFTA license and having to file fuel returns under the IFTA program. Carriers who qualify for an exemption must notify the DVS office in writing. Exemptions include:

- A company that has an IFTA license in another state or is leased to a carrier that reports fuels tax; or
- A company operating 2-axle vehicles having a gross registered weight of 26,000 pounds or less in each state where the company is registered.

Late Filing Penalties Penalties for failing to file a fuel return, or for filing a late return, or for underpayment of taxes due:

- A penalty of \$50.00 or 10% of the net tax liability, whichever is greater; and
- Interest on delinquent fuel taxes due each jurisdiction.

License Revocation Operation of a qualified vehicle under revocation may result in a citation and fines. Minnesota law enforcement agencies and member IFTA jurisdictions will be notified of any revocation. There is a \$100.00 reinstatement fee to reinstate a revoked IFTA license.

The IRP and/or IFTA license may be canceled, suspended, or revoked for the following reasons:

- Failure to file an IFTA quarterly tax return
- Failure to pay delinquent IRP or IFTA taxes in any jurisdiction
- Failure to maintain and follow record keeping requirements
- Failure to pay or appeal an audit assessment within the established time period
- Failure to comply with all applicable provisions of the Minnesota Statutes and the IRP and IFTA Agreements
- Improper use of the license or decal

Free Zone/Reciprocity Agreements Minnesota has entered into reciprocity agreements with border states regarding registration requirements. These agreements allow Minnesota intrastate plated vehicles (MN Y class, farm class and buses) to travel a limited distance into a border state without an IRP or IFTA license.

Reciprocity is not extended to intrastate operation except for Minnesota and North Dakota farm plated vehicles operating in Minnesota and North Dakota. Farm plated vehicles can operate interstate and intrastate when transporting their own farm products, farm supplies or farm equipment.

Border Reciprocity Agreements

Jurisdiction	Registration	Fuel Tax
Iowa	<ul style="list-style-type: none"> • Farm registered vehicles* • Chartered and School Buses* • Dealer, Transporter, In-transit permits* • State or any political subdivision vehicles* 	<ul style="list-style-type: none"> • Vehicles operated within 30 miles of the border • State or any political subdivision vehicles* • Buses used in pupil transportation*
South Dakota	<ul style="list-style-type: none"> • Vehicles operated within 20 miles of the border • State or any political subdivision vehicles* 	<ul style="list-style-type: none"> • No Reciprocity
North Dakota	<ul style="list-style-type: none"> • Vehicles operated within 20 miles of the border • ND farm registered vehicles may travel in the western half of MN (includes intrastate and interstate operations) • MN farm registered vehicles may travel in the eastern half of ND (call for specific location) • State or any political subdivision vehicles* 	<ul style="list-style-type: none"> • Vehicles operated within 20 miles of the border • Farm registered vehicles* • State or any political subdivision vehicles* • Buses used in pupil transportation*
Wisconsin	<ul style="list-style-type: none"> • Vehicles operated within 30 miles of the border • Chartered and School Buses* <p>In-transit and temporary operation plates and permit vehicles*</p> <ul style="list-style-type: none"> • State or political subdivision vehicles* 	<ul style="list-style-type: none"> • Vehicles operated within 30 miles of the border • State or any political subdivision vehicles* • Buses used in pupil transportation*
Manitoba	<ul style="list-style-type: none"> • No Reciprocity 	<ul style="list-style-type: none"> • No Reciprocity

* Denotes no mileage limitation.

IRP and IFTA Record Keep Requirements The maintenance of mileage and fuel records is a requirement of the IRP and IFTA programs. Mileage and fuel records are needed to ensure proper tax distribution among states/provinces. The carrier and driver are responsible for maintaining vehicle trip reports, which record by state/province every mile driven and every gallon of fuel put into the licensed power unit.

Trip Report A “Trip Report” is the source document completed by the driver that records in detail the vehicle miles traveled and fuel purchased. The mileage and fuel trip report must contain the following items:

1. Date of trip (starting and ending)
2. Trip origin and destination. Destination is considered the furthestmost point from the trip origin
3. Routes of travel
4. Beginning and ending odometer or hubodometer reading of the trip
5. Total trip miles
6. Mileage by state/province (determined by state line odometer reading or route of travel)
7. Unit number or vehicle identification number
8. Vehicle fleet number
9. Registrant’s name

Vehicle Trip Report Produced by GPS. The IRP and IFTA programs require the vehicle distance trip reports contain the following items for distance records produced by a vehicle tracking system, including a system based on a global positioning system (GPS):

1. The original GPS or other location data for the vehicle to which the records pertain
2. The date and time of each GPS or other system reading
3. The location of each GPS or other system reading
4. Beginning and ending readings from the odometer, hubodometer, engine control module, or any similar device
5. Calculated distance between each GPS or other system
6. The route of the vehicles travel

7. The total distance traveled by the vehicle
8. The distance traveled in each jurisdiction
9. The vehicle identification number or vehicle unit number

Fuel Records To obtain credit for tax paid purchases, a receipt or invoice, credit card receipt or automated vendor-generated invoice must be kept showing evidence of fuel purchases.

Receipt must show:

1. Date of purchase
2. Seller's name and address
3. Number of gallons or liters purchased
4. Fuel type
5. Price per gallon or liter or total amount of sale
6. Unit numbers
7. Purchaser's name (in case of a lessee/lessor agreement, receipts will be accepted in either name, provided a legal connection can be made to the reporting party)

Bulk Fuel Report fuel withdrawn from a bulk tank when placed into the tank of the vehicle. Credit for fuel tax must be substantiated by:

1. Date of withdrawal
2. Number of gallons
3. Fuel type
4. Unit number, license plate number, or vehicle identification number
5. Purchase and inventory records to substantiate that tax was paid on all bulk fuel purchases

Mileage and Fuel Summaries (Recaps) IRP and IFTA require each carrier to maintain a monthly summary of miles traveled and fuel purchased for each vehicle. Monthly totals for the following items are required for all vehicles in the fleet:

1. Miles driven by state/province
2. Fuel purchased by state/province

3. Total mileage driven
4. Total fuel purchased

Record Retention

IFTA Retention Requirement

Records used to support the information reported on the fuel tax returns (miles and fuel purchases) must be retained for four years from the filing date of the return.

IRP Retention Requirement

Mileage records used to support the information reported on the annual renewal are required to be retained for 5 1/2 years.

Audit Carriers may be audited periodically to ensure that acceptable records are maintained and payment of proper tax liability has been made. Failure to provide adequate mileage and fuel documentation may result in the following audit assessments including posting a bond and denial of registration:

IRP Registration Tax Penalty

The IRP Agreement mandates that the Base Jurisdiction shall impose an assessment in the amount of twenty percent (20%) of the apportionable fees paid for the registration. The second offense, the Base Jurisdiction shall impose an assessment of fifty percent (50%) of the apportionable fees paid for the registration. The third offense, and on any subsequent offenses, the Base Jurisdiction shall impose an assessment of one hundred percent (100%) of the apportionable fees paid for the registration of its fleet in the registration year to which the records pertain.

Fuel Tax Assessment

In the absence of adequate mileage records, a standard of four miles per gallon will determine fuel tax liability for audited periods. In addition, failure to maintain fuel receipts or invoices will result in denial of a fuel tax credit. An audit assessment may be \$10,000 to \$15,000 per year per vehicle for non-compliant records.

Online IRP and IFTA Services Secure, online services are available to motor carriers 24/7. To begin taking advantage of these services, complete an access application. You will find the application at <https://mnec.exploredata.com>.

Here's what you can do online:

- Renew IRP and IFTA fleet
- File quarterly IFTA return
- Order additional IFTA decals
- Apply for replacement plates, stickers, and cab card
- Print cab cards and fuel license
- Add/delete vehicle to fleet
- Change vehicle weights

For additional assistance contact:

Department of Public Safety, IRP/IFTA Office at 651-205-4141 or e-mail:
dvs.prorate@state.mn.us

For a list of deputy registrars in your area, visit:

<https://dps.mn.gov/divisions/dvs/locations/Pages/find-office-locations.aspx>

For online IRP/IFTA visit: <https://mnec.exploredata.com>

IFTA Web site: www.iftach.org

IRP Web site: www.irponline.org



Section 03: Maximum Vehicle Dimensions

Section 03

Maximum Vehicle Dimensions Minn. Stat. § 169.80 and 169.81

When operating a vehicle on Minnesota highways a special transportation permit is required if the vehicle and/or load exceeds the maximum legal vehicle dimensions. The permit, in paper or electronic format, is required to be carried in the vehicle during transit.

The following maximum dimensions may be operated on Minnesota’s highways without special permit:

Width: 8’6” Exclusive of side rear view mirrors or load securement devices which may extend an additional 3” on each side of vehicle.

Height: 13’6”

Length: Maximum length limits, to include front and rear overhang, are listed in the following table:

Vehicle	Maximum Length (1)
Single motor vehicle	45’
Mobile crane	48’
Each trailer or semi-trailer of a twin trailer combination on designated routes	28’6”
Trailer of two-vehicle combination	45’
Semi-trailer of two-vehicle combination,	53’ (if greater than 48’ the distance from kingpin to center of the rear axle group cannot exceed 43’)
Truck-tractor with semi-trailer	75’
Two-vehicle combination other than a truck-tractor and semi-trailer	75’
Drive-away saddlemount Drive-away saddlemount transporter combinations	97’

Maximum Number of Vehicles in Combination Except for 28'6" twin-trailer combinations operating on designated twin-trailer routes, no more than two commercial vehicles in combination may be operated on Minnesota highways.

Recreational Vehicles Combinations Minnesota allows three-unit RV combinations consisting of a full size pickup truck or recreational truck-tractor towing a 5th wheel trailer and one additional trailer that is carrying only a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, all-terrain vehicle, motorized golf cart, or equestrian equipment or supplies, if all the following conditions are met:

1. The combination does not consist of more than three vehicles, and the towing rating of the pickup truck is equal to or greater than the total weight of all vehicles being towed;
2. The combination does not exceed 70 feet in length;
3. The operator of the combination is at least 18 years of age;
4. The trailer carrying a watercraft, motorcycle, motorized bicycle, off-highway motorcycle, snowmobile, all-terrain vehicle, motorized golf cart, or equestrian equipment or supplies meets all requirements of law;
5. The trailers in the combination are connected to the pickup truck and each other in conformity with Minn. Stat. § 169.82; and
6. The combination is not operated within the seven-county metropolitan area, as defined in Minn. Stat. § 473.121 subd. 2, during the hours of 6:00 a.m. to 9:00 a.m. and 4:00 p.m. to 7:00 p.m. on Mondays through Fridays.



Section 04: Weight Limitations

Section 04

Weight Limitations

Minnesota uses a number of different types of weighing equipment. These include portable scales, certified privately-owned scales, and official weigh stations along state trunk highways and interstates.

10-Ton Routes All paved routes in Minnesota are 10-ton routes unless posted with a sign indicating a lesser axle weight limit.

Limits are:

- Any single or dual wheel - 10,000 pounds
- Any single axle - 20,000 pounds
- Any tandem axle group - 34,000 pounds
- Any vehicle combination with five or more properly spaced axles - 80,000 pounds

9-Ton Routes All unpaved routes in Minnesota are 9-ton routes unless posted with a sign indicating a lesser axle weight limit.

Limits are:

- Any single or dual wheel - 9,000 pounds
- Any single axle - 18,000 pounds
- Any tandem axle group - 34,000 pounds
- Any vehicle combination with five or more properly spaced axles - 80,000 pounds

Note: Note: (1) Tandem axles means a group of axles that measures more than 40" and not more than 96" from the center of the first axle to the center of the last axle of the group. (2) All axle groups must be in compliance with the Gross Weight Schedule (Minn. Stat. § 169.824). Gross weights in excess of 80,000 pounds require an overweight special transportation permit.

Posted Axle Weight Limits:

Posted Axle Limit	9 Ton	8 Ton	7 Ton	6 Ton	5 Ton	4 Ton
Single Axle	18,000	16,000	14,000	12,000	10,000	8,000
Two axles, spaced within 8'0" or less	34,000	30,222	26,444	22,667	18,889	15,111
Three axles, spaced within 9'0" or less	43,000	38,222	33,444	28,667	23,889	19,111
Four axles, spaced within 14'0" or less	51,500	45,778	40,056	34,333	28,611	22,889

Bridge Restrictions Bridges with rated capacities less than the maximum legal limit have gross weight restrictions posted. You must observe these restrictions.

Seasonal Load Restrictions Between the dates set by the Commissioner of Transportation, the weight on any single axle shall not exceed five tons on an unpaved street or highway or ten tons on a paved street or highway. If an unpaved street of highway is restricted to more than or less than five tons per axle or a paved street is restricted to less than ten tons, signs must be posted.

Tire Load No tire may exceed 600 pounds per inch of tire width on the foremost and rearmost steer axle, or more than 500 pounds per inch of tire width on non-steer axles.

Tire Width Tire width is the manufacturer's tire width shown on the tire. In no instance may the manufacturer's recommended tire load-carrying limit be exceeded.

Variable Load Axles A vehicle equipped with a variable load axle must have the pressure control preset and the means for adjusting pressure either secured or out of the driver's reach, so that the axle may not be varied by the driver while transporting a load.

Per Minn. Stat. § 169.828, there are two exceptions to this restriction on accessibility of variable load axle control. It does not apply to:

- Farm trucks registered for 57,000 pounds or less prior to July 1, 1981
- Rear-loading refuse compactors

Gross Weight Table

Distance in feet between centers of foremost and rearmost axles of a group.

The gross weights shown without parentheses are allowed on unpaved streets and highways, unless posted to a lesser weight under Minn. Stat. § 169.87 subd. 1. The gross weights shown in this table, whether within or without parentheses, are allowed on paved streets and highways, unless posted to a lesser weight under Minn. Stat. § 169.87 subd. 1. Gross weights over 80,000 pounds require an overweight permit under this chapter, unless otherwise allowed under Minn. Stat. § 169.826.

Distance	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
4	34,000						
5	34,000						
6	34,000						
7	34,000	34,000					
8	34,000	34,000					
8+	34,000 (38,000)	42,000					
9	35,000 (39,000)	43,000					
10	36,000 (40,000)	43,500	49,000				
11	36,000	44,500	49,500				
12		45,000	50,000				
13		46,000	51,000				
14		46,500	51,500	57,000			
15		47,500	52,000	57,500			
16		48,000	53,000	58,000			
17		49,000	53,500	59,000			
18		49,500	54,000	59,500			
19		50,500	55,000	60,000			
20		51,000	55,500	60,500	66,000	72,000	
21		52,000	56,000	61,500	67,000	72,500	
22		52,500	57,000	62,000	67,500	73,000	
23		53,500	57,500	62,500	68,000	73,500	
24		54,000	58,000	63,000	68,500	74,000	
25		(55,000)	59,000	64,000	69,000	75,000	
26		(55,500)	59,500	64,500	70,000	75,500	
27		(56,500)	60,000	65,000	70,500	76,000	
28		(57,000)	61,000	65,500	71,000	76,500	82,000
29		(58,000)	61,500	66,500	71,500	77,000	82,500
30		(58,500)	62,000	67,000	72,000	77,500	83,000
31		(59,500)	63,000	67,500	73,000	78,500	83,500
32		(60,000)	63,500	68,000	73,500	79,000	84,500

*8+ refers to any distance greater than eight feet but less than nine feet.

Distance	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles
33			64,000	69,000	74,000	79,500	85,000
34			65,000	69,500	74,500	80,000	85,500
35			65,500	70,000	75,000	(80,500)	(86,000)
36			66,000	70,500	76,000	(81,000)	(86,500)
37			67,000	71,500	76,500	(81,500)	(87,000)
38			67,500	72,000	77,000	(82,000)	(87,500)
39			68,000	72,500	77,500	(82,500)	(88,500)
40			69,000	73,000	78,000	(83,500)	(89,000)
41			69,500	74,000	79,000	(84,000)	(89,500)
42			70,000	74,500	79,500	(84,500)	(90,000)
43			71,000	75,000	80,000	(85,000)	(90,500)
44			71,500	75,500	(80,500)	(85,500)	(91,000)
45			72,000	76,500	(81,000)	(86,500)	(91,500)
46			72,500	77,000	(81,500)	(87,000)	(92,500)
47			(73,500)	77,500	(82,000)	(87,500)	(93,000)
48			(74,000)	78,000	(83,000)	(88,000)	(93,500)
49			(74,500)	79,000	(83,500)	(88,500)	(94,000)
50			(75,500)	79,500	(84,000)	(89,000)	(94,500)
51			(76,000)	80,000	(84,500)	(89,500)	(95,000)
52			(76,500)	(80,500)	(85,000)	(90,500)	(95,500)
53			(77,500)	(81,000)	(86,000)	(91,000)	(96,500)
54			(78,000)	(81,500)	(86,500)	(91,500)	(97,000)
55			(78,500)	(82,500)	(87,000)	(92,000)	(97,500)
56			(79,500)	(83,000)	(87,500)	(92,500)	(98,000)
57			(80,000)	(83,500)	(88,000)	(93,000)	(98,500)
58				(84,000)	(89,000)	(94,000)	(99,000)
59				(85,000)	(89,500)	(94,500)	(99,500)
60				(85,500)	(90,000)	(95,000)	(100,500)
61						(95,500)	(101,000)
62						(96,000)	(101,500)
63						(96,500)	(102,000)
64						(97,000)	(102,500)
65							(103,000)
66							(103,500)
67							(104,500)
67							(105,000)
69							(105,500)
70							(106,000)
71							(106,500)
72							(107,000)
73							(107,500)
74							(108,000)



Section 05:

Oversize/Overweight Permits

Section 05

Oversize/Overweight Permits

Obtain a Permit A MnDOT special transportation (oversize/overweight) permit is valid for use on Interstate Highways, US Highways, and MN Trunk Highways. This permit is not valid on local roads unless the local road authority has given specific permission. The permittee is responsible to contact and obtain approval from each local road authority for roads within its jurisdiction (i.e. county, township, municipal).

A MnDOT permit application may be submitted through our online permit system, by e-mail, mail, or in person at the MnDOT central office in St. Paul. Permits may also be obtained through a 3rd-party permit service. Payment must be made before a permit will be issued. Payment can be made by cash, check or credit card. Additional information can be found at www.mndot.gov/cvo/oversize.

Our online permitting system allows you to obtain many permits 24/7. You may apply for an Org ID account, which allows you to retain your company and payment profile by logging in as a guest. You may apply for a permit without obtaining an Org ID account and pay as a one-time payment. Visit our web site for forms, instructions, information, or to establish an Org ID account.

Required Application Information Being prepared with the following information will help speed your application process:

- Org ID account number (if you have one)
- Permittee name, complete mailing address, and email or fax number for permit delivery
- Start date for move
- Load being moved: for equipment, provide make/model; for mobile homes, provide make/serial number; for material, provide dimensions and weight of the load itself.
- Each vehicle's make, license plate number, VIN, empty weight and length.
- Loaded dimensions, including any front/rear/side overhang.
- If overweight, gross vehicle weight, axle weights, axle spacing, number of tires per axle, and tire size.
- Start and end location and your proposed route. Include specific junction, such as the county name, town name or highway number.

Registered Weight The power unit registration must be equal to or exceed the gross vehicle weight. A MnDOT special transportation (oversize/overweight) permit does not increase the power unit's registered vehicle weight. To increase the vehicle's registered weight, contact the Minnesota Department of Public Safety, IRP/IFTA Office at 651-205-4141.

Annual Permit Weights Axle weights, axle group weights, and GVW must conform to the table of axle weight limits as defined in Minn. Stat. § 169.824.

Travel Hours Visit our web site for a copy of permit MN General Provisions and travel time restrictions.

Permittee Responsibility The permit does not release the permittee from complying with any restrictions posted on a bridge, structures or roadways along the permitted route. The permittee is expected to repair at their expense any damage to the highway or its structures resulting from their action.

Flags Eighteen inch (18") square red or orange warning flags must be properly displayed when the load or vehicle exceeds 9'0" wide or 75'0" long.

Oversize Load Signs Oversize load signs with flashing amber light(s) and reflective letters visible from a distance of 500' must be displayed when the load or vehicle exceeds 12'6" wide or 95'0" long.

Escort When escorts are required the escort vehicle must display "Wide Load" or "Long Load" signs along with amber warning lights visible from a distance of no less than 500 feet. An escort vehicle may be a passenger car, van, SUV, or pickup truck in safe and proper operating condition. The escort vehicle cannot tow another vehicle while escorting. Radio communication between the permitted vehicle and escort vehicle is required. An escort driver must be at least 18 years of age and possess a valid driver's license. The escort driver cannot perform any other function when conducting escorting duties (i.e. cannot act as a tillerman for a rear steer trailer).

Escort pilot cars drivers must be trained and certified by the MN State Patrol, or possess a valid certification from another state that MN has reciprocity with. For more information, visit

<https://hennepintech.edu/cts/pages/1233>.

Route Survey When loaded or unloaded vehicle exceeds 16'0" high, 20'0" wide, or 160'0" long, MnDOT will require the permittee to certify they did a pre-survey of the proposed route within 14 days of the move to identify any obstructions.

Route survey information must be submitted to MnDOT on its Special Hauling Route Survey form along with permittee's application for permit. This form is available from our website.

Road Condition Information Check MnDOT's 511 for up-to-date information on road conditions and highway projects affecting permitted loads. Visit www.511mn.org or dial 511 on your telephone.

Truckers Page: From the MnDOT 511 website you can link to our Trucker's Page, an enhanced 511 feature that gives additional information specific to truckers. The Truckers Page is not all-inclusive regarding permitted load requirements.

For information on Spring Load Restrictions and Winter Weight increase, visit http://dotapp7.dot.state.mn.us/research/seasonal_load_limits/sllindex.asp.

Contact Information

Minnesota Department of Transportation
Office of Freight & Commercial Vehicle Operations
Oversize/Overweight Permit Section
395 John Ireland Blvd, MS 420
St. Paul, MN 55155
Fax: 651-215-9677
Email: ofcvpermits@state.mn.us
Web: www.mndot.gov/cvo/oversize

General Information

8:30 am - 3:00 pm, Monday-Friday
651-296-6000, option #1

Trip Logging Assistance (route approval)
6:30 am - 4:00 pm, Monday-Friday
651-296-6000, option #2



Section 06: Driver Qualification Rules

Section 06

Driver Qualification Rules

49 CFR Part 391 and Minn. Stat. Chapter 221

Driver qualification (DQ) rules set minimum standards for a person who drives a commercial motor vehicle (CMV). The rules also establish minimum duties of employers with respect to the qualification of their drivers. Minnesota Statutes adopt the Federal Motor Carrier Safety Regulations (FMSCRs) for Driver Qualifications found in 49 CFR, Part 391.

No carrier shall require or permit an unqualified driver to operate a commercial motor vehicle. Drivers and carriers operating in Minnesota are subject to the rules for driver qualifications if they operate vehicles that are:

- Over 10,000 GVW or GVWR pounds in interstate commerce;
- Designed to transport 16 or more passengers, including the driver, operating in interstate commerce;
- Designed or used to transport between 9 and 15 passengers, including the driver, in interstate commerce for direct compensation;
- Of any size vehicle transporting hazardous material of a type or quantity that requires the vehicle to be placarded operating in interstate or intrastate commerce;
- Of any size operating in intrastate commerce as a for-hire property carrier;
- Over 10,000 pounds GVW or GVWR operating as a private carrier in intrastate commerce;
- Over 10,000 pound GVW or GVWR operating in intrastate commerce providing transportation described in Minn. Statutes § 221.025, unless providing transportation described in clauses (6), (10), (11), (12); and except for school buses, commuter vans and authorized emergency vehicles (see Section 13); or
- Designed to transport 8 or more passengers, including the driver, operating for-hire in intrastate commerce.

Exceptions/Exemptions:

1. For interstate commerce, the DQ rules do not apply to a farm vehicle driver (as defined in Section 390.5), who drives a non-articulated commercial motor vehicle (single unit vehicle), or to a driver operating a CMV engaged in custom harvesting operations or a driver operating a CMV owned and operated by a beekeeper in the seasonal transportation of bees (see 49 CFR Section 391.2).
2. Drivers of Covered Farm Vehicles are not subject to the driver qualification rules (see Section 21).
3. For intrastate commerce, the DQ rules do not apply to vehicles controlled by a farmer and operated by a farmer or farm employee transporting agricultural products, farm machinery, or supplies to or from a farm and not used in for-hire operations and do not carry hazardous materials in a quantity requiring the vehicles to be marked or placarded.
4. Intrastate motor carriers of railroad employees must meet specific driver qualification requirements (see Minn. Stat. § 221.0255).

**See Section 21 for definitions of intrastate and interstate transportation*

General Requirements Under the DQ rules, a driver must*:

- Be at least 21 years old when engaged in interstate transportation;
- Be at least 18 years old when engaged in intrastate transportation or 21 years old if hauling hazardous materials;
- Speak and read English sufficiently to converse with the general public, read and understand highway signs/signals, respond to official inquiries and make entries on reports/records;
- Be able to operate the commercial motor vehicle safely;

A sample of a DOT Medical Examiner's Certificate (health card) form. The form is titled "MEDICAL EXAMINER'S CERTIFICATE" and includes fields for the driver's name, date of birth, sex, and medical examiner's name. It also has checkboxes for "Valid for interstate commerce" and "Valid for intrastate commerce only". The form is divided into sections for "EXAMINER'S INFORMATION" and "DRIVER'S INFORMATION".

DOT Medical Examiner's Certificate. (health card)

- Be physically qualified (see Physical Qualifications for Drivers below);
- Have a driver's license that is valid for the type of vehicle being driven;
- Not be disqualified from driving a commercial motor vehicle (see Driver Disqualifications below); and
- Successfully complete a driver's road test or present the motor carrier that employs them with a CDL which the motor carrier has accepted as equivalent to a road test.

**Unless excepted/exempted or not subject to DQ rules*

Motor Carriers of Passengers Criminal Background Check An intrastate Motor Carrier of Passengers must conduct an initial criminal background check on commercial vehicle drivers they employ as required under Minn. Stat. § 221.178, unless the driver holds a valid driver's license with a school bus endorsement. If a driver has resided in Minnesota for fewer than 5 years, the carrier must conduct a search of the national criminal records repository or conduct a search of the criminal justice data communications network records for each state where the driver has resided during the past 5 years. A subsequent background check must be conducted every 3 years. Criminal background checks for Minnesota residents can be obtained from the Minnesota Department of Public Safety, Bureau of Criminal Apprehension 651-793-2400 or <https://dps.mn.gov/divisions/bca/Pages/background-checks.aspx>.

Physical Qualifications for Drivers (49 CFR Sections 391.41 and 391.43). A person is not allowed to drive a commercial motor vehicle unless physically qualified to do so. The medical examination must be performed by a Licensed Medical Examiner listed on the National Registry of Certified Medical Examiners which can be found at <https://nationalregistry.fmsca.dot.gov>. The medical examination must follow the criteria specified by the FMSCA, as listed under 49 CFR Section 391.43.

In general, a person is physically qualified to drive a commercial motor vehicle if they:

- Have no loss or impairment of a foot, leg, hand or arm, or have been granted a Skills Performance Evaluation Certificate or Intrastate Medical Waiver;
- Have no history of diabetes mellitus requiring insulin for control;
- Have no current diagnosis of heart disease;

- Have no respiratory dysfunction likely to interfere with controlling a CMV;
- Have no rheumatic, arthritic, orthopedic or muscular disease likely to interfere with controlling a CMV;
- Have no current clinical diagnosis of high blood pressure likely to interfere with controlling a CMV;
- Have no history of epilepsy or any other condition likely to cause unconsciousness;
- Have no muscular, neuromuscular, vascular, mental, or other organic or functional disease which would interfere with their ability to operate a CMV safely;
- Have a visual acuity of at least 20/40 in each eye, with or without corrective lenses, field of vision of at least 70° in the horizontal Meridian and the ability to recognize the colors of traffic signals showing standard red, green and amber;
- Do not have hearing loss that prevents them from hearing a forced whisper from five feet;
- Do not use a schedule 1 controlled substance, amphetamines, narcotics, or other habit-forming drugs; and
- Have no current clinical diagnosis of alcoholism.

Medical certifications may be valid for up to two years. Licensed Medical Examiners may certify drivers for less than a two year period if certain medical conditions are present or need monitoring. Medical certification forms are available from Licensed Medical Examiners, from private sources, or online at www.fmcsa.dot.gov.

CDL Drivers A driver required to have a commercial driver's license, and who has submitted a current medical examiner's certificate to the State in accordance with 49 CFR Section 383.71(h) documenting they meet the physical qualification requirements, is not required to have on their person the medical examiner's certificate, or a copy for more than 15 days after the date it was issued (see 49 CFR Section 391.41(a)(2)(i)).

Skills Performance Evaluations and Medical Waivers An interstate driver who cannot meet the physical qualifications due to loss or impairment of a limb may drive a CMV if the FMCSA grants the driver a Skill Performance Evaluation (SPE) Certificate. Information on applying for a SPE Certificate can

be obtained by calling FMCSA at 202-366-4001 or by visiting www.fmcsa.dot.gov/medical/driver-medical-requirements/skill-performance-evaluation-certificate-program. The SPE certificate must be in the driver's possession while operating a commercial motor vehicle.

An intrastate driver who fails to be physically qualified due to loss or impairment of limb, vision problems, insulin-dependent diabetes or deafness/hearing impairments may be granted an intrastate medical waiver. Applications for intrastate medical waivers can be requested from the MnDOT Office of Freight and Commercial Vehicle Operations at 651-215-6330 or downloaded from the mndot.gov/cvo/medicalwaivers.html (see Section 7 for more information). A Minnesota intrastate medical waiver is not required for an intrastate driver who holds a valid SPE Certificate issued by the FMCSA.

Passenger Carrier Exception A driver of a Motor Carrier of Passengers vehicle who is engaged in intrastate transportation is not required to carry a medical certificate (as defined in 49 CFR Section 391.43) if they have a valid driver's license with a valid school bus endorsement.

Driver Disqualifications A driver who is disqualified cannot operate a CMV. An employer shall not require or permit a driver who is disqualified to drive a CMV. Disqualifying offenses include:

- Loss of driving privileges;
- Certain criminal offenses;
- Driving a CMV under the influence of alcohol (which includes driving a CMV with alcohol concentration of .04% or more, driving under the influence of alcohol as prescribed by State Law or refusal to undergo testing);
- Driving under the influence of, transportation, possession, or unlawful use of an illegal drug;
- Leaving the scene of an accident while operating a CMV;
- A felony involving the use of a CMV;
- Violation of an out-of-service order;
- Conviction of texting while driving a CMV*; or
- Conviction of using a hand-held mobile telephone while driving a CMV**.

**See 49 CFR Section 392.80 for more information about prohibited texting.*

***See 49 CFR Section 392.82 for more information about the prohibition against using hand-held mobile telephones while driving.*

Driver Qualification File - DQ File (49 CFR Section 391.51)

A motor carrier must maintain a DQ file for each driver it employs. The DQ file is to be kept at the principal place of business for as long as the driver is employed by the carrier and for three years thereafter. The DQ file for each driver must include:

- A completed DOT job application for employment;
- A copy of the motor vehicle record received from each State (if a driver held a driver's license in multiple states, during the preceding three years, each state must be contacted);
- The certificate of driver's road test — or a legible copy of the driver's CDL which the motor carrier may accept in place of a road test — provided the driver successfully completed the road test examination in a CMV of the type the motor carrier intends to assign to them (not including a double/triple trailer or tank vehicle endorsements);
- The motor vehicle record received from each state agency to the annual driver record inquiry;
- The annual review of the driving record showing the date of review and who performed the review;
- The annual list or certificate relating to violations of motor vehicle laws;
- The driver's medical examiner's certificate*;
- The driver's SPE Certificate or medical waiver, if one has been granted;
- A note showing the verification of medical examiner listing on the National Registry of Certified Medical Examiners;
- A written record of investigation of past employers (for the preceding three years) contacted to verify applicant's previous employment, and drug and alcohol testing history; and
- For intrastate Motor Carrier of Passengers, a record of the criminal background check.

**Exceptions: For CDL holders, if the CDLIS motor vehicle record contains medical certification status information, the motor carrier employer must meet this requirement by obtaining the CDLIS motor vehicle record defined at 49 CFR Section 384.105. That record must be obtained from the current licensing State and placed in the driver qualification file. A non-excepted, interstate CDL holder without medical certification status information on the CDLIS motor vehicle record is designated “not-certified” to operate a CMV in interstate commerce. A motor carrier may use a copy of the driver’s current medical examiner’s certificate that was submitted to the State for up to 15 days from the date it was issued as proof of medical certification. See 49 CFR Section 391.51 for more information.*

Sample driver qualification forms are available on FMCSA’s website at <http://www.fmcsa.dot.gov/safety/carrier-safety/motor-carriers-guide-improving-highway-safety>.

Entry Level Training. All entry-level drivers (drivers with less than one year of experience operating a CMV with a CDL in interstate commerce) who drive in interstate commerce and are subject to CDL requirements must complete entry-level driver training. Entry-level driver training is training the CDL driver receives on driver qualifications, hours of service, driver wellness, and whistleblower protection. Employers must ensure entry level drivers are trained and a certificate of training is issued. An employer must place a copy of the driver’s training certificate in the DQ file or personnel record (see 49 CFR Sections 380.501-380.513).

Longer Combination Vehicle Drivers Drivers operating LCVs (any combination of a truck-tractor and two or more trailers or semi-trailers, which operate on the National System of Interstate and Defense Highways with a gross vehicle weight (GVW) greater than 80,000 pounds), must receive additional training as described in 49 CFR Sections 380.101-380.401. A motor carrier that employs an LCV driver must be able to produce evidence of the LCV certification when requested during a compliance review.



Section 07:

Minnesota Intrastate Driver Waivers

Section 07

Driver Waivers

Intrastate Drivers

The Minnesota Department of Transportation may grant a waiver to a person who is not physically qualified to drive under 49 CFR Section 391.41 subp. (b) (1), (b)(2), (b)(3), (b)(10), or (b)(11). A waiver granted under this subdivision applies to intrastate transportation only.

There are four waiver programs available to Minnesota Intrastate drivers:

- Hearing
- Insulin dependent diabetics
- Physical
- Vision

To obtain a Minnesota Intrastate Waiver a driver must first be disqualified by a medical examiner. After a driver has been physically disqualified, an application can then be submitted to the Office of Freight and Commercial Vehicle Operations.

The application must be accompanied by a copy of a medical examiners report and medical examiners certificate showing that the applicant is medically unqualified to drive unless a waiver is granted. The doctor needs to indicate, on both documents, the type of waiver required.

Waivers granted will have the same expiration date as the expiration date shown on the medical examiners certificate (Health Card), unless the waiver has been cancelled, suspended or revoked by the Department of Transportation.

Suspensions, cancellations, revocations and certain convictions on a driver's record will no longer create a three-year bar to obtaining an intrastate medical waiver. A driver with a medical condition or physical limitation will be eligible for a waiver and eligible to drive when their license is reinstated.

Minnesota intrastate waiver applications are available on the Office of Freight and Commercial Vehicle Operations Web site at www.mndot.gov/cvo/.

Interstate Drivers

For information on interstate diabetic and vision waivers/exemptions contact the USDOT at 703-448-3094.

For Skill Performance Evaluation Certificates, physical waivers/exemptions, contact the US DOT at 708-283-3569. A person who has an interstate Federal Skills Performance Evaluation Certificate waiver/exemption does not need a Minnesota waiver.

Note: The Minnesota Department of Transportation does not issue waivers for school bus drivers. For information on school bus drivers license waivers, please contact the Department of Public Safety at 651-297-5029, or visit their Web site at www.dps.state.mn.us.

All drivers who need a new medical certificate must see an examiner listed on the National Registry for Certified Medical Examiners. For more information go to: <https://nationalregistry.fmcsa.dot.gov/NRPublicUI/home.seam>

For questions about this program, please call 202-366-4001 or see our frequently asked questions at: www.mndot.gov/cvo/applications/NtlRegistryFAQ.pdf.



Section 08: **Alcohol and Controlled Substances Testing Requirements**

Section 08

Alcohol and Controlled Substances Testing Requirements 49 CFR Parts 382 and 40

Controlled substances and alcohol testing regulations are designed to prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of Commercial Motor Vehicles (CMVs). The controlled substances and alcohol testing regulations are found in the Federal Motor Carrier Safety Regulations Parts 40 and 382. These regulations are applicable to most motor carriers and drivers of CMVs required to have a CDL operating in interstate and/or intrastate transportation.

Commercial Motor Vehicle (CMV) Definition for Commercial Drivers Licenses

A CMV is defined as a vehicle or combination of vehicles used in commerce to transport passengers or property that:

- Has a gross combination weight rating (GCWR*) or gross combination weight (GCW) of 26,001 or more pounds, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating (GVWR)** or gross vehicle weight (GVW)***, whichever is greater, of more than 10,000 pounds; or
- Has a GVWR** or GVW***, whichever is greater, of 26,001 or more pounds; or
- Is designed to transport 16 or more passengers, including the driver; or
- Is of any size and is used in the transportation of hazardous materials (HM) that requires the vehicle to be placarded.

**GCWR means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle.*

***GVWR means the value specified by the manufacturer as the loaded weight of a single motor vehicle. The GVWR can typically be found on the manufacturer's VIN plate.*

****GVW means the actual weight of the vehicle plus the weight of the load.*

Drivers/Carriers Subject to the Controlled Substances and Alcohol Testing Requirements

Employers are required to have controlled substances and alcohol testing programs and procedures in place to ensure that drivers who operate CMVs which require a commercial driver's license (CDL) to operate are tested for controlled substances and/or alcohol use. The controlled substances and alcohol testing requirements apply to:

- For-hire carriers
- Private carriers
- Federal, state, local governments, political subdivisions and tribal governments;
- School bus operations; and
- Church and civic organizations.

An employer who employs themselves as a driver must comply with both the requirements that apply to the employer and the requirements that apply to drivers.

Drivers/Carriers Not Subject to Controlled Substances and Alcohol Testing Regulations The following drivers/carriers are not subject to the controlled substances and alcohol testing regulations:

- Those required to comply with the controlled substances and alcohol regulations applicable to Transit Operations, 49 CFR, Part 655;
- Those who a state must waive from CDL requirements*;
- Those who a state may exempt from the CDL requirements**; or
- Drivers of Covered Farm Vehicles (See Section 21 for definition).

**Active duty military personnel, members of the reserves, members of National Guard and active duty US Coast Guard personnel.*

***Operators of farm vehicles owned and controlled by a farmer hauling the farmer's products when used within 150 mile radius of the farm and operators of authorized emergency vehicles.*

Alcohol Prohibitions A CMV driver shall not:

- Report for duty or remain on duty to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater;
- Use alcohol while performing safety-sensitive functions;
- Use alcohol during the 4 hours before performing safety-sensitive functions;
- Use alcohol, after being involved in a crash in which the driver is required to take a post-accident test, for up to 8 hours after the crash or until the driver undergoes a post-accident test, whichever occurs first; or
- Refuse to submit to a required alcohol test.

Controlled Substances Prohibitions. A CMV driver shall not:

- Report for duty or remain on duty to perform safety-sensitive functions when the driver uses any drug* or controlled substance;
- Report for duty or remain on duty to perform safety-sensitive functions if the driver tests positive for controlled substances; or
- Refuse to submit to a required controlled substances test.

**Except for Non Schedule I prescription medications that are used in accordance with a medical practitioner's instructions and when the medical practitioner has advised the driver that the medication will not adversely affect the driver's ability to safely operate a CMV.*

Employers having actual knowledge that a driver has used a controlled substance shall not permit the driver to drive or perform safety-sensitive functions.

Actual Knowledge means knowledge by an employer that a driver has used alcohol or a controlled substance based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or a controlled substance or an employee's admission of alcohol or controlled substance use, except admission in accordance with a written employer-established voluntary self-identification program or policy. A driver cannot self-identify alcohol or controlled substance use under an employer's established voluntary self-identification program or policy in order to avoid any testing required by the carrier's alcohol and controlled substances testing program.

Establishing a Controlled Substance and Alcohol Testing Program

A carrier may administer their own controlled substances and alcohol testing program or may contract with outside services and/or consortiums to assist with administration of the carrier's controlled substance and alcohol testing program. Frequently contracted services include development of a company policy, selection of subjects for random testing, locating collection sites and testing/analysis services. If an employer contracts with an outside service and/or consortium, the employer is still responsible for ensuring compliance with the controlled substance and alcohol testing regulations.

Company Policy and Educational Materials. Employers must provide educational materials to each driver, each newly hired driver or employee transferred into a position requiring driving of a CMV. The educational materials must explain the controlled substance and alcohol testing requirements and the employer's policies and procedures.

Type of Tests Required. The controlled substances and alcohol testing regulations require the following types of tests:

- pre-employment tests (controlled substances only),
- random tests,
- post-accident tests,
- reasonably suspicion tests,
- return-to-duty tests and follow-up tests.

Testing Process. Alcohol tests must be conducted on alcohol-testing devices approved by the National Highway Traffic Safety Administration. Controlled substance tests/analysis must be conducted by laboratories certified by the Substance Abuse and Mental Health Services Administration. These laboratories are often separate from the actual collection site. A Federal Drug Testing Custody and Control Form (CCF) must be completed for every controlled substance test specimen collected. The CCF will accompany and document the test specimen's handling/transfer to the laboratory where it is tested.

Test Results. If an alcohol test result is 0.02 or higher, the test administrator must immediately notify the employer's designated employer representative (DER) by telephone or secure electronic means.

All controlled substance test results are forwarded to a medical review officer (MRO) who will verify the test results. If a controlled substance test result is positive, the MRO will attempt to contact the driver and determine if there is a legitimate medical explanation for the positive test result. The MRO will report the verified test results to the employer's DER by telephone or secure electronic means. For positive test results, the MRO's report to the DER will identify what controlled substance was found by the test.

Required Training for Supervisors. Each employer shall ensure that all persons designated to supervise CMV drivers receive 60 minutes of training on controlled substance use and an additional 60 minutes of training on alcohol misuse. The training is used by the supervisors to determine whether

reasonable suspicion exists to require a driver to undergo reasonable suspicion testing. Employers are required to maintain documentation relating to supervisory training. Recurrent training for supervisory personnel is not required. An owner/operator who is an employer and the only employee is not required to comply with the supervisory training requirements.

Consequences for Engaging in Alcohol and/or Controlled Substances

Prohibitions. A driver who engages in any prohibited conduct for Alcohol or Controlled Substances must:

- Not perform, nor be permitted to perform, a safety-sensitive function including driving a CMV that:
 - has a GVWR or GVW >10,000lbs,
 - is designed or used to transport more than 8 passengers (including the driver) for compensation,
 - is designed or used to transport more than 15 passengers (including the driver) and is not for compensation, or
 - is a vehicle of any size transporting hazardous materials which require the vehicle to be placarded;
- Be referred to a substance abuse professional (SAP) who will make a clinical evaluation and determine what assistance is needed by the employee, refer the employee to an appropriate education or treatment program and conduct a follow-up evaluation; and
- Undergo a return-to-duty test.

Other Consequences for Engaging in Alcohol Misuse. A driver tested for alcohol and found to have an alcohol concentration of 0.02 or greater but less than 0.04 must be removed from the performance of safety-sensitive functions until the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

Recordkeeping. Each employer must maintain records related to the administration of their alcohol and controlled substance testing program. All alcohol and controlled substance test records/results must be maintained in a secure location with controlled access. Carriers must make all records related to the administration of their testing programs and individual test results available to agencies with regulatory jurisdiction.

Definitions:

“Alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

“Alcohol use” means the consumption of any beverage, liquid mixture, or preparation (including medication) that contains alcohol.

“Controlled Substances” means:

- Marijuana;
- Cocaine;
- Opiates;
- Amphetamines; and
- Phencyclidine (PCP).

“Safety-sensitive function” means all time from the time a driver begins to work or is required to be in readiness to work until the time they are relieved from work and all responsibility for performing work. Safety-sensitive functions include:

- All time spent at a carrier’s or shipper’s plant, terminal, facility, or other property waiting to be dispatched, unless the driver has been relieved of duty by the employer;
- All time spent inspecting equipment, servicing, or conditioning any CMV at any time;
- All time spent at the driving controls of a CMV;
- 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 loading or unloading, or remaining in readiness to operate the CMV, or giving/receiving receipts for shipments loaded or unloaded; and
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV.

Controlled Substances and Alcohol Testing Program Implementation Checklist:

- ✓ Do you have at least one person familiar with the controlled substances and alcohol testing requirements?
- ✓ Do you have written company policies and procedures describing your company's alcohol and controlled substances testing program?
- ✓ Have you informed employees in writing of the company's alcohol and controlled substances use and abuse policy and its implementation?
- ✓ Have you provided educational materials relating to the effects of alcohol and controlled substance use and abuse to your affected employees?
- ✓ Have you identified which job positions need to be tested?
- ✓ Have you selected qualified personnel to implement and monitor your program?
- ✓ Does your program include testing for the five prohibited controlled substances: marijuana, cocaine, opiates, amphetamines and phencyclidine?
- ✓ Have you established or contracted for a secure specimen collection site with appropriately trained personnel and clearly written procedures?
- ✓ Have you established or contracted with a certified laboratory to analyze specimens?
- ✓ Have you designated a qualified Medical Review Officer to review and report test results and serve as custodian of individual test records?
- ✓ Have you contracted with qualified alcohol testing technicians to conduct alcohol tests?
- ✓ Does your program include pre-employment controlled substances testing?
- ✓ Does your program include random, reasonable suspicion, post-accident, return to duty and follow-up testing for alcohol and controlled substances?
- ✓ Have you identified substance abuse professionals and rehabilitation resources for referral?
- ✓ Have you made arrangements for a minimum 120 minutes of training (60 minutes controlled substances and 60 minutes alcohol) for supervisors required to make reasonable suspicion determinations?
- ✓ Have you made record keeping and reporting provisions? Do they protect the right to privacy and prevent unauthorized release of test results?



Section 09: Commercial Driver's License

Section 09

Commercial Driver's License Minn. Stat. Chapter 171

A person cannot drive a commercial motor vehicle in Minnesota unless the driver has a valid Commercial Driver's License (CDL) or Commercial Learner's Permit (CLP). A commercial motor vehicle is defined as a vehicle or combination of vehicles used to transport passengers or property in:

- A single vehicle with a Gross Vehicle Weight (GVW)* of more than 26,000 pounds;
- A combination of vehicles with a combined GVW of more than 26,000 pounds, inclusive of a towed unit(s) with a GVW of more than 10,000 pounds;
- A vehicle designed to transport 16 or more people (including the driver); or
- Any size vehicle that transports hazardous materials requiring placards.

*For this sections, Gross Vehicle Weight (GVW) is defined as the greater of:

- The unloaded weight of a vehicle (or combination) plus the weight of the load; or
- The value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating.



Sample Minnesota CDL

Commercial Driver's Licenses

Class A is valid for:

- A combination of vehicles with a combined GVW of more than 26,000 pounds inclusive of a towed unit(s) with a GVW of more than 10,000 pounds.

Class B is valid for:

- A single unit vehicle with a GVW over 26,000 pounds; or
- A combination vehicle with a power unit more than 26,000 pounds GVW and a towed unit with a GVW of 10,000 pounds or less.

Class C is valid for:

- Vehicles (not requiring a Class A or B license) transporting hazardous materials that require the vehicle to be placarded; or
- Vehicles (not requiring a Class A or B license) designed to transport 16 or more passengers, including the driver.

Non-Commercial Driver's Licenses

Class D is valid for operating:

- All single vehicles except vehicles with a GVW of more than 26,000 pounds; vehicles designed to transport 15 passengers or more, including the driver; or vehicles that carry hazardous materials requiring placards;
- Towing vehicles if:
 - The towed vehicles have a GVW of 10,000 pounds or less; or
 - The towed vehicles have a GVW of more than 10,000 pounds and the combination of vehicles has a GVW of 26,000 pounds or less;
- Recreational vehicles as defined in Minn. Stat. § 168.002 subd. 27;
- Authorized Emergency Vehicles whether or not in excess of 26,000 pounds GVW;

- All farm trucks if the farm truck is:
 - Controlled and operated by a farmer, including operation by an immediate family member or an employee of the farmer;
 - Used to transport agricultural products, farm machinery, or farm supplies, including hazardous materials, to or from a farm;
 - Not used in the operations of a for-hire carrier; and
 - Used within 150 miles of the farm; and
- Covered Farm Vehicles (See Section 20 for definition) not carrying hazardous materials of a type or quantity that requires the vehicle to be placarded.

Commercial Driver's License Endorsements. A CDL driver must obtain State-issued endorsement(s) to their CDL to operate the type(s) of motor vehicles described below. CDL drivers are required to pass written and/or skills test(s) to obtain each endorsement. The following list shows the CDL endorsements with the CDL License designation.

T – Double Trailer or Triple Trailer Combinations

P – Passenger Buses

N – Tank Vehicles

H – Hazardous Materials

S – School Buses

X – Hazardous Materials and Tank Vehicles

Commercial Drivers License Restrictions. A CDL driver/applicant will have a CDL restriction(s) placed on their CDL if they fail certain portions of the written test, take skills test with restricted vehicles or if the driver is subject to other restrictions. A driver with a restriction appearing on their CDL must comply with the restriction while operating a CMV requiring a CDL. The restriction(s) placed on the CDL will be indicated as follows:

L – No air brake equipped CMV;

Z – No full air braked equipped CMV;

E – No manual transmission equipped CMV;

O – No tractor-trailer CMV;

M – No class A passenger vehicle;

- N – No class A or B passenger vehicle;
- K – Intrastate only; or
- V – Medical Variance.

Medical Self-Certification A driver who applies for a MN CDL will need to certify the following information with Minnesota Driver and Vehicle Services (DVS):

- The type of driving they are engaged in (interstate or intrastate); and
- Whether they are subject to or exempt from the medical certification requirement of 49 CFR Part 391 or Minn. Stat. § 221.

The Commercial Driver License Medical Self-Certification Form must be completed. If the driver certifies they are subject to medical certification, the driver must provide a copy of a valid medical examiner's certificate and any required Skill Performance Evaluation Certificate or medical waiver. For Commercial Driver License Medical Self-Certification Forms or more information, visit the MN Department of Public Safety website at <https://dps.mn.gov/divisions/dvs/commercial-driver-license-medical-self-certification.aspx>.

Background Checks for Drivers with CDL Hazardous Materials Endorsements

Minnesota Driver Vehicle Services cannot issue, renew, upgrade, or transfer a hazardous materials endorsement for a MN CDL to any individual unless the Transportation Security Administration (TSA) has determined the individual does not pose a security risk warranting denial of the endorsement. To obtain, renew, upgrade or transfer a hazardous materials endorsement for a CDL, a driver must:

1. Complete a security threat assessment application online at <https://universalenroll.dhs.gov/programs/hme> or by calling toll free (855) 347-8371;
2. Submit your fingerprints at an authorized collection site. Go to <https://universalenroll.dhs.gov/locator> to locate the nearest authorized fingerprint collection site. Note: At the fingerprint collection site, you will be required to present two forms of TSA acceptable identification. TSA will no longer accept a driver's license and medical certificate as identification documents. A list of acceptable enrollment (identification) documents is listed on the TSA website: www.tsa.gov/for-industry/hazmat-endorsement;

3. Take and pass the Hazardous Materials Endorsement knowledge test at a Minnesota driver's license examination station; and
4. Apply or renew your CDL at a full service Minnesota driver's license examination station or driver's license renewal office.

Drivers renewing CDL Hazardous Materials Endorsements must complete all steps at least 30 days before the CDL expires in order to maintain continuous Hazardous Materials Endorsement privileges.

Restricted CDL for Certain Drivers in Farm-Related Service Industries

Employees of designated farm-related service industries may qualify for a restricted class B or C CDL. Designated farm-related service industries include:

- Agri-chemical businesses;
- Custom harvesters;
- Farm retail outlets and suppliers; or
- Livestock feeders.

Applicants must have held a valid driver's license for at least one year. A restricted CDL will only be issued to applicants having a good driving record. A good driving record means that an applicant:

- Has not had more than one license;
- Has not had any license suspended, revoked, or canceled;
- Has not had any conviction for any type of motor vehicle for disqualifying offenses or serious traffic violations (see 49 CFR 383.51); and
- Has not had any conviction for a traffic violation arising in connection with any traffic accident, and has no record of an accident in which they were at fault.

A Restricted CDL is valid for 180 days in a 12 month period, and must be renewed each year. Restricted CDL drivers are limited to operating Class B and Class C vehicles. Restricted CDL drivers may not drive vehicles carrying placardable quantities of hazardous materials except for;

- 1,000 gallons or less of diesel fuel;
- Liquid fertilizers, including anhydrous ammonia, in vehicles with a total capacity of 3,000 gallons or less*; or
- Solid fertilizers that are not transported with any organic substance.

**Note: Anhydrous ammonia trailers equipped with more than one tank may meet the definition of a Class A vehicle combination and cannot be operated by a driver holding a Restricted CDL.*

Restricted CDL holders may not hold an unrestricted CDL at the same time. Restricted CDL holders may not operate a commercial motor vehicle beyond 150 miles from the place of business or farm currently being served.

Drivers Excepted from CDL Requirements. The following drivers are not required to have a CDL:

- Individuals who operate CMVs for military purposes;
- Operators of a farm vehicle (see MN Non-Commercial Drivers Licenses - Class D License);
- Firefighters and other persons who operate CMVs which are Authorized Emergency Vehicles; or
- Operators of Covered Farm Vehicles (See Section 20 for definition of covered farm vehicle).

CDL Disqualification A driver will be disqualified from operating a CMV requiring a CDL if convicted of any of the following offenses:

- Being under the influence of alcohol or controlled substances while operating any motor vehicle;
- Having an alcohol concentration of .04 or greater while operating a CMV;
- Leaving the scene of an accident;
- Using a vehicle to commit a felony;
- Driving a CMV when the driver's CDL is revoked, suspended or cancelled or the driver is disqualified;
- Convictions of serious traffic violations (see Table 2 of 49 CFR 383.51);
- Operating a CMV in violation of a state or local law restricting use of hand-held mobile telephone while driving;
- Convictions of certain railroad-highway grade crossing offenses (see Table 3 of 49 CFR 383.51);
- Operating a CMV in violation of an out-of-service order; or
- Causing a fatality through negligent operation of a CMV.

Convictions of certain offense committed while operating a non-CMV can disqualify a CDL driver. Periods of disqualification vary based on the nature of the violation and whether the violation is a first or subsequent violation.

Commercial Driver's License Manual The Minnesota Commercial Driver's Manual, which is produced by the MN Department of Public Safety, Division of Driver and Vehicle Services, details the information required to obtain a MN CDL. The MN Commercial Driver's Manual is available online at <https://dps.mn.gov/divisions/dvs/forms-documents/Pages/default.aspx>.

Additional information on MN driver's licenses can be obtained from: Minnesota Department of Public Safety, Driver and Vehicle Services at www.dps.state.mn.us or 651-297-2126.



Section 10: Driver's Hours of Service

Section 10

Driver's Hours of Service

49 CFR Part 395 and Minn. Stat. § 221.0314

A carrier and its drivers are subject to the hours of service regulations in Minnesota if they operate vehicles that are:

- Over 10,000 pounds GVW or GVWR operating in interstate or intrastate commerce;
- Designed to transport 16 or more passengers, including the driver, operating in interstate commerce;
- Designed or used to transport between 9 and 15 passengers, including the driver, in interstate commerce for direct compensation;
- Designed to transport eight or more passengers, including the driver, operating for-hire in intrastate commerce; or
- Any size transporting hazardous material of a type or quantity that requires the vehicle to be placarded

Carriers Not Subject to Hours of Service Rules (Minn. Stat. § 221.031)

A carrier and its drivers are exempt from hours of service regulations if they are engaged in intrastate commerce **and** are:

- A farmer or farm employee transporting agricultural products, farm machinery, or supplies to or from your farm, provided you are not transporting hazardous materials of a type or quantity requiring the vehicle to be marked or placarded and you are not operating for-hire.
- A private carrier transporting agricultural and other farm products within 50 miles of the carrier's business location.
- A private carrier engaged in the transporting of construction material, tools, and equipment from shop to job site or job site to job site, for the private carrier's use in construction, remodeling, or repair of buildings, structures or their appurtenances.
- A private carrier who is a public utility, electric co-op, or telephone company.
- A carrier providing transportation as described in Minn. Stat. § 221.025, except as in clause 2 (solid waste). See "Exempt Carriers" in Section 13.

- Transporting agricultural commodities or farm supplies for agricultural purposes within a 150 air mile radius in Minnesota during the planting and harvesting seasons from March 15 to December 15 each year.
- Transporting sugar beets during the harvesting season from September 1 to May 15 each year within a 150 air mile radius.
- A driver of a Covered Farm Vehicle. (See Section 20 for the definition of a Covered Farm Vehicle.)
- A motor carrier of Railroad Employee (Minn. Stat. §221.0255 has specific rules for hours of service for Motor Carriers of Railroad Employees).

There are different hours of service regulations for passenger carriers and for property carriers.

Passenger Carriers

Passenger carriers may not permit or require a driver to drive, and no driver shall drive a passenger carrying vehicle after:

- More than 10 hours driving time following eight consecutive hours off-duty;
- Being on duty 15 hours following eight consecutive hours off-duty;
- Being on duty 60 hours in any seven consecutive days if the carrier does not operate every day of the week; or
- Being on duty 70 hours in any eight consecutive days if the carrier operates every day of the week.

Property Carriers

Property carriers may not permit or require a driver to drive and no driver shall drive a property carrying vehicle after:

- More than 11 cumulative hours following 10 consecutive hours off-duty;
- For any period after the end of the 14th hour after coming on duty following 10 consecutive hours off-duty;

- Being on duty 60 hours in any seven consecutive days if the carrier does not operate every day of the week; or
- Being on duty 70 hours in any eight consecutive days if the carrier operates every day of the week.

A driver must have a 30-minute or more rest break (off-duty and/or sleeper berth) at least once every 8 hours (See 49 CFR Section 395.3(a)(3)(ii)).

For property carrier drivers, any period of seven or eight consecutive days may end with the beginning of any off-duty period of 34 or more consecutive hours.

There are four duty statuses for a CMV driver:

- “On-duty” time is all time a driver spends performing work or being ready to work, until being relieved by the carrier of all responsibility. “On-duty” time also includes any compensated work performed by the driver for a carrier or non-motor carrier entity.
- “Driving” time is all time spent at the driving controls of a commercial motor vehicle in operation.
- “Off-duty” means the driver has been relieved of all responsibilities for the vehicle and its cargo or passengers and the driver is free to pursue activities of his/her own choosing.
- “Sleeper Berth” is all time spent resting in a sleeper berth as defined in 49 CFR Section 393.76.

Carriers must maintain true and accurate records showing a driver’s hours of service.

Drivers who are subject to the hours of service regulations must record their daily activities on a record of duty status (RODS) commonly referred to as a log book, unless they meet all of the conditions for the 100/150 air-mile radius driver or are otherwise excepted/exempted. The following is an example showing the required information on the record of duty status.

ORIGINAL - File each day at home terminal
DUPLICATE - Driver retains in his possession for eight days

(MONTH) (DAY) (YEAR)

I certify these entries are true and correct: VEHICLE NUMBERS - (SHOW EACH UNIT)

(TOTAL MILES DRIVING TODAY)

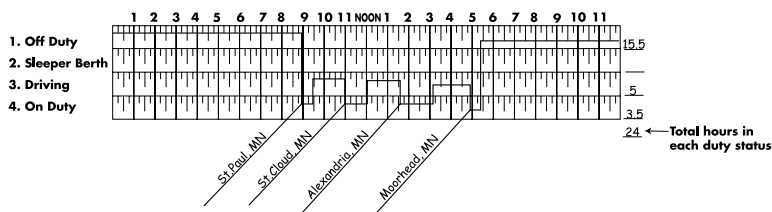
(DRIVER'S SIGNATURE IN FULL)

(NAME OF CARRIER OR CARRIERS)

(NAME OF CO-DRIVER)

(MAIN OFFICE ADDRESS)

(HOME TERMINAL ADDRESS)



Shipping document, manifest number, or name of a shipper and commodity.
Check the time and enter name of place you reported and where released from work and when each change of duty occurred. Explain excess hours.

FROM: _____
(STARTING POINT OR PLACE)

TO: _____
(DESTINATION OR TURN AROUND POINT OR PLACE)

USE TIME STANDARD AT HOME TERMINAL

Short Haul Provision - 100 Air-Mile Radius Driver (49 CFR Section 395.1(e))

Drivers who operate within a 100 air-mile radius of their normal work reporting location, are not required to maintain RODS if all of the following requirements are met:

- The driver returns to work reporting location and is released from work within 12 consecutive hours;
- A property-carrying commercial motor vehicle driver has at least 10 consecutive hours off-duty separating each 12 hours on duty;
- A passenger-carrying commercial motor vehicle driver has at least 8 consecutive hours off-duty separating each 12 hours on duty;
- A property-carrying commercial motor vehicle driver does not exceed 11 hours maximum driving time following 10 consecutive hours off-duty; or
- A passenger-carrying commercial motor vehicle driver does not exceed 10 hours maximum driving time following 8 consecutive hours off-duty; and
- The carrier maintains true and accurate time records showing the time the driver starts work, is released from work, total number of hours worked, and for drivers used for the first time or intermittently, the total time worked during the preceding seven days.

150 Air-Mile Radius Driver (49 CFR Section 395.1(e)(2))

Drivers of property-carrying commercial motor vehicles that 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, are not required to maintain RODS if all of the following requirements are met:

- The driver returns to the normal work reporting location at the end of each duty tour;
- The driver may drive a maximum of 11 hours after coming on-duty following 10 or more consecutive hours off-duty;
- The driver 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 or since a 34-hour restart; and
- The carrier maintains true and accurate time records showing the time the driver starts work, is released from work, total number of hours worked, and for drivers used for the first time or intermittently, the total time worked during the preceding seven days.

Drivers meeting the requirements of the short haul provision are not subject to the 30 minute rest break requirement in 49 CFR Section 395.3(a)(3)(ii).

Record Retention Hours of service records (logbooks or time sheets and supporting documents) must be maintained and retained by the carrier for a period of at least six months. Drivers must be in possession of RODS for the current day and seven previous days (if RODS were required on any of those days).



Section 11: Vehicle Inspection, Repair and Maintenance

Section 11

Vehicle Inspection, Repair, and Maintenance 49 CFR Part 396

Vehicle inspection, repair and maintenance standards are critical to the safe operation of commercial motor vehicles (CMVs). The systematic maintenance standards are designed to reduce accidents, injuries and fatalities resulting from unsafe vehicles operating on the highways.

General Standards Minnesota Statutes adopt most of the Federal Motor Carrier Safety Regulations, 49 CFR, Part 393 (Parts and Accessories) and Part 396 (Inspection, Repair, and Maintenance). Under these regulations:

- A carrier is responsible for ensuring it properly inspects, repairs, and maintains vehicles under its control;
- A carrier must establish a regular or scheduled maintenance program to inspect, repair and maintain vehicles in a safe operating condition (inspection, maintenance, or repair intervals may be fleet specific and, in some instances, vehicle specific);
- A motor vehicle may not be operated when its mechanical condition is likely to cause an accident or breakdown;
- Parts and accessories (including those specified in 49 CFR Part 393 and any additional parts and accessories which may affect safe operation of the vehicle) must be in safe operating condition at all times; and
- Push out windows, emergency doors, and emergency door marking lights in buses must be inspected at least every 90 days.

Interstate Carriers Who Must Comply The following carriers, operating in interstate commerce, must comply with the systematic maintenance standards:

- Carriers operating vehicles that have a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) or gross vehicle weight (GVW) or gross combination weight (GCW) of 10,001 pounds or more;
- Carriers operating vehicles designed or used to transport more than 8 passengers, (including the driver) for compensation;

- Carriers operating vehicles designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation;
- Carriers transporting Hazardous Materials of a type or quantity that requires the vehicle to be placarded.

Intrastate Carriers Who Must Comply The following carriers, operating in intrastate commerce, must comply with the systematic maintenance standards:

- For-hire carriers operating any size vehicle;
- Private carriers operating vehicles or vehicle combinations with a gross vehicle weight over 10,000 pounds;
- Carriers transporting hazardous material of a type or quantity that requires the vehicle to be placarded;
- Certain transit providers*; and
- Solid waste transporters.

**Special Transportation Services (STS) and Limousine operators should refer to the rules that govern their operation. See MN Rules 8840.5950, and 8880.0900*

Certain Intrastate Carriers are not subject to the vehicle inspection, repair and maintenance standards. These carriers include:

- Private carriers engaged in intrastate commerce and operating vehicles transporting agricultural and other farm products within an area having a 50-mile radius from the business location of the carrier; and
- Carriers exclusively engaged in transportation of exempt commodities, except Solid Waste Haulers (see Section 13 Exempt Carriers).

Vehicle Inspection, Repair and Maintenance Records For each vehicle a carrier controls for 30 consecutive days or more, the carrier must ensure that vehicle maintenance files are maintained. Each vehicle file must contain:

- Vehicle identification including the company number (if so marked), make, serial number, year, and tire size. If the vehicle is leased, the person furnishing the vehicle must be identified;
- Due date and type of inspections and maintenance operations to be performed;

- A record of inspections, repairs, and maintenance indicating their date and nature; and
- A record of tests conducted on push out windows, emergency doors, and emergency door marking lights on buses.

Vehicle maintenance records must be retained where the vehicle is either housed or maintained for a period of one year and be retained for six months after the vehicle leaves the carrier's control.

Pre-trip Inspections (49 CFR Part 392)

Before driving a commercial motor vehicle (CMV), the driver shall be satisfied that the CMV is in safe operating condition. No CMV shall be driven unless the following parts and accessories are in good working order:

- Service brakes, including trailer brake connections
- Parking (hand brake)
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wiper or wipers
- Rear-vision mirror(s)
- Coupling devices
- Wheels and rims
- Emergency Equipment*

A driver must be satisfied that the emergency equipment is in place and ready for use. CMVs must carry the following emergency equipment:

- A fire extinguisher that is properly filled, securely mounted and readily accessible. (Minimum ratings 5B:C or two 4B:C for general commodities, or 10B:C for hazardous materials transportation);
- Warning devices for stopped vehicles, preferably three red reflective triangles; and
- Spare fuses (of each type and size used in the vehicle) for power units in which fuses are needed to operate any required parts and accessories.

A driver may not operate a CMV and a motor carrier may not require or permit a driver to operate a CMV unless:

- The CMV's cargo is properly distributed and secured (as specified in 49 CFR 393.100 through 393.136);

- The CMV's tailgate, tailboard, doors, tarps, spare tire and other equipment used in its operation, and the means for fastening the CMV's cargo are secure; and
- The CMV's cargo or any other object does not obscure the driver's view ahead or to the sides, interfere with the free movement of the driver's arms or legs, prevent the driver from free and ready access to accessories required for emergencies or prevent the free and ready exit of a person from the CMV's cab or driver compartment.

Before driving a CMV, the driver is required to review the previous driver vehicle inspection report (DVIR), if one was prepared. See Driver Vehicle Inspection Report for more information.

Drivers of trucks and truck-tractors must inspect and adjust as necessary the cargo and the devices used to secure the cargo within the first 50 miles after beginning a trip. Re-examination of the cargo and load securement devices must be made whenever:

- The driver makes a change of his/her duty status;
- The CMV has been driven for 3 hours; or
- The CMV has been driven for 150 miles, whichever occurs first.

The rules for inspection of cargo and load securement devices do not apply to the driver of a sealed CMV who has been ordered not to open it to inspect its cargo or to the driver of a CMV that has been loaded in a manner that makes inspection of its cargo impracticable.

Driver Vehicle Inspection Report (DVIR) (49 CFR Sections 396.11 and 396.13)

Every carrier shall require its drivers to report, and every driver shall prepare a report in writing* at the completion of each day's work on each vehicle operated.

**The driver of a passenger-carrying CMV must prepare and submit a report even if no defect or deficiency is discovered or reported to the driver.*

**The driver of a property-carrying CMV is not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver.*

The report must identify the vehicle and list any defect or deficiency discovered by or reported to the driver which would affect the safe operation

of the vehicle or result in its mechanical breakdown. The driver must sign the report after completing it. If a driver operates more than one vehicle during the day, a report must be prepared for each vehicle operated. On two-driver operations, the signature of one of the drivers satisfies the requirements if both drivers agree to the defects/deficiencies.

Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect/deficiency listed on the DVIR which would likely affect the safe operation of the vehicle. The carrier/agent must certify on the original DVIR that the defect/deficiency has been repaired or the repair is unnecessary before the vehicle is operated again.

Before driving a CMV, a driver is required to review the last DVIR, if one was prepared, and sign the report* only if defects or deficiencies were noted by the driver who prepared the report to acknowledge that the driver has reviewed it and that there is a certification the required repairs have been performed.

**The signature requirement is not required if the DVIR lists defects on a towed unit which is no longer part of the vehicle combination.*

For vehicles subject to the Minnesota Annual Inspection, a copy of the DVIR, including certifications of repairs, must be carried in the CMV at all times when the vehicle is operated until the next DVIR is completed. Carriers are required to maintain the DVIR including the certification of repairs and certification of the driver's review for three months from the date the DVIR was prepared.

Federal Annual Inspection The following vehicles, when operated by a carrier in interstate commerce, are required to pass a Federal Annual Inspection:

- Vehicles that have a gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) or gross vehicle weight (GVW) or gross combination weight (GCW) of 10,001 or more;
- Vehicles designed or used to transport more than 8 passengers, (including the driver) for compensation;
- Vehicles designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
- Vehicles used to transport Hazardous Materials of a type or quantity that requires the vehicle to be placarded.

Note: Vehicles passing Minnesota Annual Vehicle Inspections will be considered to have met the requirements of a Federal Annual Inspection for a period of 12 months from the last day of the month in which the inspection was performed.

A carrier is prohibited from using a CMV unless each component identified in Appendix G of 49 CFR 396 has passed an inspection at least once during the preceding 12 months. Documentation of the inspection is required to be carried on the vehicle. The original or a copy of the inspection report shall be kept by the carrier for 14 months.



Minnesota Vehicle Inspection Decal

A carrier must ensure the individual(s) performing an annual inspection is qualified. (See 49 CFR 396.19 for Inspector Qualifications). The motor carrier must retain evidence of an inspector’s qualification for the time the individual is performing annual motor vehicle inspections for the carrier, and for one year thereafter. However, motor carriers do not have to maintain documentation of inspector qualifications for those inspections performed as part of the Minnesota Annual Vehicle Inspection Program.

Minnesota Annual Vehicle Inspection Program A commercial motor vehicle that is registered and operated in Minnesota and self-propelled special mobile equipment must be inspected annually by an inspector certified by the Minnesota State Patrol. For the Minnesota Annual Vehicle Inspection Program, a CMV includes:

- A vehicle with a gross vehicle weight (GVW) of more than 26,000 pounds (including self-propelled special mobile equipment);
- Each vehicle in a combination of more than 26,000 pounds;
- Any vehicle used to transport hazardous materials of a type or quantity requiring the vehicle to display placards; or
- A bus designed to transport more than 15 passengers, including the driver.

Vehicles passing a MN Annual Vehicle Inspection will be issued a decal valid for 12 months after the month specified on the decal. The owner of the vehicle must keep a copy of the inspection report for 14 months at a location where the vehicle is housed or maintained.

The owner of a CMV that is not housed or maintained in Minnesota but is in compliance with the Federal Annual Inspection for vehicles operating in interstate commerce may apply for a certificate of compliance. For more information, contact the Minnesota State Patrol's Commercial Vehicle Section at 651-405-6196.

The requirements for the Minnesota Annual Vehicle Inspection Program do not apply to vehicles operated by Intrastate Motor Carrier of Passengers where the vehicle has been inspected in accordance with Minn. Stat. § 221.0252 within the previous 12 months or to a Covered Farm Vehicle that is not transporting hazardous materials requiring the vehicle(s) to display placards (See Covered Farm Vehicle definition in Section 20).

Manner of Loading (Minn. Stat. § 169.81 subd. 5)

No vehicle is to be driven or moved on the highway unless it is so constructed, loaded or the load securely covered as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping. For specific information, please refer to Minn. Stat. § 169.81 subd. 5.

Cargo Load Securement (49 CFR Sections 393.100-393.136)

MN has adopted the load securement requirements of the Federal Motor Carrier Safety Regulations (FMSCRs). The regulations are applicable to all commercial motor vehicles (CMVs) operating in interstate or intrastate transportation. For drivers who are transporting hazardous materials, additional loading and unloading requirements may apply (see Section 17 or 49 CFR Part 177 for additional information).

Roadside Inspections (49 CFR Section 396.9 and Minn. Stat. § 169.771)

A commercial motor vehicle operating in Minnesota may be subject to a roadside inspection. The driver of any CMV receiving an inspection report shall deliver it to the carrier operating the vehicle upon his/her arrival at the next terminal or facility. If the driver is not scheduled to arrive at a terminal or facility of the carrier within 24 hours, the driver shall immediately mail, fax or otherwise transmit the report to the carrier.

The carrier must correct the defects listed on the report as soon as possible, and a responsible carrier official must date and sign the report. The report must be returned to the issuing agency at the address listed on the report within 15 days of the date of inspection. A copy of the report must be kept by the carrier for 12 months from the date of inspection.

Out-Of-Service Vehicles (49 CFR Section 396.9 and Minn. Stat. § 221.036 subd. 3(d))

A state inspector may place a CMV out-of-service if its mechanical condition or loading is likely to cause an accident or breakdown. An “out-of-service” sticker will be placed on the vehicle and the vehicle cannot be moved until the out-of-service defects are corrected. A driver may be disqualified for at least 90 days and fined not less than \$1,000.00 if convicted of violating an out-of-service order. An employer may be fined up to \$10,000.00 for requiring an employee to operate a commercial motor vehicle while it is under an out-of-service order.

An orange rectangular sticker with black text. At the top, it says "OUT OF SERVICE" in large bold letters. Below that, it says "MINNESOTA STATE PATROL COMMERCIAL VEHICLE SECTION". There is a circular seal on the right side. The text continues: "DRIVER, _____ and/or VEHICLE is hereby declared UNSERVICEABLE. This sticker shall be removed only under the conditions stated on the DRIVER VEHICLE EXAMINATION REPORT. No person shall remove this sticker or operate this vehicle unless and until all defects listed below have been repaired. Unauthorized removal shall make the responsible person liable to penalty under Minnesota Statute 221.291." Below this, it says "Repairs needed before VEHICLE may be operated:" followed by several blank lines. At the bottom, there are two boxes: "EXPIRY DATE (MM/DD)" and "EXPIRY TIME (HH:MM)".

Minnesota Vehicle Out-Of-Service Sticker

A green rectangular sticker with black text. At the top, it says "OUT OF SERVICE VEHICLE" in large bold letters. Below that, it says "This motor vehicle has been declared UNSERVICEABLE". Then it says "DEPARTMENT OF TRANSPORTATION STATE OF MINNESOTA". The text continues: "This vehicle is NOT to be operated until repaired. This sticker shall be removed only under the conditions stated on the DRIVER VEHICLE EXAMINATION REPORT. Unauthorized removal shall make the person responsible to penalty under Minn. Statute 221.291." Below this, there is a table with columns for "DEFECT", "REPAIR", "DATE", "TIME", and "INITIALS". Below the table, it says "OUT-OF-SERVICE NOTICE" and "NO. 7450". At the bottom, there are two boxes: "Inspector's Signature" and "Inspector's Agency/Station".

Minnesota Vehicle Out-Of-Service Sticker



Section 12: Record Keeping Requirements

Section 12

Record Keeping Requirements 49 CFR Part 390

Motor carriers who are subject to the Federal Motor Carrier Safety Regulations (FMCSRs) and/or the MN Motor Carrier Laws are required to keep/retain certain documents and records.

Note: An employer who employs himself/herself as a driver must comply with both the rules/requirements that apply to employers and the rules/requirements that apply to drivers.

Accident Register (49 CFR 390.15)

Motor carriers must assemble and maintain an accident register for each recordable accident. The FMCSRs define an accident as an occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

- A fatality;
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- 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.

The term accident does not include:

- An occurrence involving only boarding and alighting from a stationary motor vehicle; or
- An occurrence involving only the loading or unloading of cargo.

The information for each accident must be maintained for three years after the date of each accident. Information placed in the accident register must contain at least the following:

1. A list of accidents as defined including:
 - ☐ Date of accident
 - ☐ City or town, or most near, where the accident occurred and the State where the accident occurred

- ☐ Driver name
 - ☐ Number of injuries
 - ☐ Number of fatalities
 - ☐ Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicles involved in the accident, were released
2. Copies of all accident reports required by State or other governmental entities or insurers.

Driver Qualification (DQ) Files (49 CFR, Part 391)

Each carrier subject to the driver qualification rules must maintain a driver qualification file for each driver it employs. A driver's qualification file may be combined with his/her personnel file.

The qualification file for each driver must include:

- A completed DOT job application for employment meeting the requirements of 391.21;
- A copy of the motor vehicle record received from each State (if a driver held a driver's license in multiple states, during the preceding 3 years, each state must be contacted);
- The certificate of driver's road test or a legible copy of the driver's CDL which the motor carrier may accept in place of a road test provided the driver successfully completed the CDL examination road test in a CMV of the type the motor carrier intends to assign to them;
 - ☐ *NOTE: Drivers who will operate CMVs requiring double/triple trailer or tank vehicle endorsements must successfully complete a road test for the motor carrier. A copy of a driver's CDL cannot be used in lieu of a road test for drivers who will operate double/triple trailers or tank vehicles for the carrier.*
- The motor vehicle record received from each state agency to the annual driver record inquiry;**
- The annual review of the driving record showing date of review and who performed the review;**
- The annual list or certificate relating to violations of motor vehicle laws;**

- The driver's medical examiner's certificate;**
- The driver's SPE Certificate or medical waiver, if one has been granted;**
- A note showing the verification of medical examiner listing on the National Registry of Certified Medical Examiners;**
- A written record of investigation of past employers (for the preceding 3 years) contacted to verify applicant's previous employment and controlled substance and alcohol testing history; and
- For intrastate Motor Carrier of Passengers, a record of the criminal background check.

Exception: For CDL holders, if the CDLIS motor vehicle record contains medical certification status information, the motor carrier employer must meet this requirement by obtaining the CDLIS motor vehicle record defined at 49 CFR Section 384.105. That record must be obtained from the current licensing State and placed in the driver qualification file. A non-excepted, interstate CDL holder without medical certification status information on the CDLIS motor vehicle record is designated "not-certified" to operate a CMV in interstate commerce. A motor carrier may use a copy of the driver's current medical examiner's certificate that was submitted to the State for up to 15 days from the date it was issued as proof of medical certification. See 49 CFR Section 391.51 for more information.*

***These records can be removed from a driver's qualification file 3 years after date of execution.*

DQ file records must be kept as long as the driver is employed and for 3 years thereafter. A carrier must make all records and information in the DQ file available to Federal Motor Carrier Safety Administration representatives or special agents or an authorized State or local enforcement agency representative.

For Entry Level Drivers (49 CFR 380.500)

An Entry Level Driver is a driver with less than one year of experience operating a Commercial Motor Vehicle (CMV) with a CDL in interstate commerce. Entry-level driver training must include instruction addressing four areas: Driver Qualification Requirements, Hours of Service of Drivers, Driver Wellness, and Whistleblower Protection. Each employer of an Entry Level Driver must place a copy of the driver's training certificate in the driver's personnel or qualification file.

The Entry Level Driver training certificate must be kept for as long as the employer employs the driver and for one year thereafter.

For Longer Combination Vehicle (LCV) Drivers (49 CFR 380.100-400)

Longer Combination Vehicle (LCV) means any combination of a truck-tractor and two or more trailers or semi-trailers, which operate on the National System of Interstate and Defense Highways with a Gross Vehicle Weight (GVW) greater than 80,000 pounds. A copy of the LCV driver training certificate must be filed in the driver qualification file. An interstate carrier that employs or has under contract LCV drivers shall provide evidence of the drivers LCV Driver Training certifications when requested by an authorized FMCSA, State, or local official in the course of a compliance review.

Controlled Substances & Alcohol Testing Records (49 CFR 382.401)

Each employer must maintain records of its alcohol and controlled substance testing program. The records must be kept in a secure location with controlled access. The following records must be maintained for a minimum of:

Five years

- Records of alcohol test results indicating an alcohol concentration of 0.02 or greater;
- Records of verified positive controlled substance test results;
- Documentation of refusals to take required alcohol and/or controlled substances tests;
- Driver evaluation and referrals;
- Calibration documentation;
- Records related to the administration of the alcohol and controlled substances testing program; and
- A copy of each annual calendar year summary if required by 49 CFR 382.403.

Two years Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices) including:

- Random selection process records;
- Reasonable suspicion testing documentation;
- Post accident testing documentation;

- A copy of each annual calendar year summary as required by §382.403; and
- Medical explanation for a driver's inability to provide adequate sample.

One year

- Records of negative and cancelled controlled substances test results; and
- Alcohol test results with a concentration of less than 0.02.

Indefinite Period All records related to the training and education of drivers, supervisors, breath alcohol technicians, and screening technicians, must be maintained by the employer while the individual performs the functions that require the training and for 2 years after ceasing to perform those functions.

Carriers are required to maintain:

- Employer's testing policy; and
- Driver's signed receipt for educational materials and testing program policy.

Hours of Service Records and Supporting Documents (49 CFR, Part 395)

Each carrier must maintain for a period of six months from the date of receipt records of duty status (logs) or information recorded by Electronic On Board Recording Devices or Electronic Logging Devices, and all supporting documents for each driver it employs. 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. Some examples of supporting documents are: bills of lading, dispatch records, electronic mobile communication/tracking records, weight/scale tickets, fuel receipts, fuel billing statements, toll receipts, delivery receipts, lumber receipts, and interchange and inspection reports.

If a carrier uses a paper record of duty status system and also uses Electronic Mobile Communication/Tracking Technology (EMC/T) and can produce EMC/T records, the Federal Motor Carrier Safety Administration will permit the motor carrier to maintain fewer supporting documents.

For carriers employing drivers operating under the Short Haul Provisions (100 air-mile radius and 150 air-mile radius drivers), the time records indicating starting and ending times and total hours worked must be maintained by the carrier for 6 months.

Vehicle Maintenance & Inspection Records (49 CFR Part 396)

Carriers that rent, lease or operate vehicles for 30 consecutive days or more must maintain the required vehicle maintenance and inspection records.

Maintenance Files Maintenance files must be kept for a minimum of one year and for six months after the vehicle leaves a motor carrier's control. Maintenance files may be kept where the vehicle is housed or maintained.

The maintenance file must include:

- An identification of the vehicle including company number (if so marked), year, make, serial number, and tire size. If the vehicle is leased, the person furnishing the vehicle must be identified;
- A written schedule or means to indicate the nature and due date of the various inspection and maintenance operations to be performed;
- A record of inspection, repairs, and maintenance indicating their date and nature; and
- A record of tests conducted on push out windows, emergency doors, and emergency door marking lights on buses.

Periodic (annual) inspection records/reports The original or a copy of the periodic inspection report shall be retained by a carrier for a period of fourteen months from the date of the inspection report. The original or a copy of the inspection report must be retained where the vehicle is either housed or maintained.

Evidence of inspector and/or brake inspector qualifications Carriers must ensure that individuals performing annual inspections and/or brake inspections are qualified. The carrier must retain evidence of the individual's qualifications. The evidence must be retained for the period the person is employed in that capacity and 1 year thereafter. *Note: Carriers do not have to maintain documentation of inspector qualifications for those inspections performed as part of a State periodic inspection program.*

Driver Vehicle Inspection Reports Every carrier shall require its drivers to report, and every driver shall prepare a report in writing at the completion of each day's work on each vehicle operated. The driver of a passenger-carrying CMV subject to this regulation must prepare and submit a report even if no defect or deficiency is discovered by or reported to the driver; the drivers of all other commercial motor vehicles are not required to prepare or submit a report if no defect or deficiency is discovered by or reported to the driver. Every carrier shall maintain the original driver vehicle inspection report, the certification of repairs, and the certification of the driver's review for three months from the date the written report was prepared.

Household Goods Movers Records of Shipments (MN Statutes 221.172)

Intrastate Household Goods Movers must maintain records of shipments transported. A record may consist of one or more documents, including a bill of lading, freight bill, manifest, delivery receipt, or other document. If it consists of more than one document, the documents constituting a shipment record must be available for inspection together.

The record must show the:

- Names of the consignor and consignee;
- Date of shipment;
- Origin and destination points;
- Description of the freight;
- Weight, volume, or measurement of the freight, if applicable to the rating of the freight;
- Exact rate or rates assessed;
- Total charges due, including the nature and amount of any charges for special service; and
- The name of each carrier participating in the transportation.

A shipping document or record must be retained by the carrier for at least three years from the date on the shipping document or record. Records of shipments must be readily accessible and available for inspection by MnDOT upon request.

Interstate Household Goods Movers must maintain records and documents of shipments according to 49 CFR Part 375.



Section 13: Vehicle Identification Requirements

Section 13

Vehicle Identification Requirements

49 CFR Part 390 and Minn. Stat. § 221.031

Vehicle Identification Requirements (49 CFR Section 390.21 and Minn. Stat. § 221.031 subd. 6)

The following carriers shall comply with the requirements for marking of commercial motor vehicles as required by Minnesota Statute section 221.031 subd. 6 and the Code of Federal Regulations, title 49, section 390.21, which is incorporated by reference:

- Interstate carriers operating vehicles with a gross vehicle weight of more than 10,000 pounds;
- Intrastate for-hire motor carriers, regardless of the weight of the vehicle, except this requirement does not apply to a limousine as defined in section 168.002, subd.15, that is equipped with “LM” license plates;
- Intrastate private carriers operating vehicles with a gross vehicle weight of more than 10,000 pounds; and
- Vehicles providing transportation described in section 221.025 with a gross vehicle weight of more than 10,000 pounds except those providing transportation described in section 221.025, clauses (1), (3), and (4). (See Section 13, Types of Carriers – Exempt Carriers)

A farm truck not used in interstate commerce, a vehicle not used in intrastate or interstate commerce and a vehicle owned/used by federal, state or other government entity is not required to comply with the vehicle identification rule.

USDOT Number (49 CFR Section 390.21 and Minn. Stat. § 221.031 subd. 6)

Interstate and intrastate carriers are required to mark every self-propelled CMV with the carrier’s USDOT number on both sides of the CMV in addition to their legal name or single trade name. The letters “USDOT” must precede the number. If the name of a person other than the operating carrier appears on the vehicle, the words “operated by” must precede the name of the operating carrier.

The markings must be displayed in letters that contrast sharply with the vehicle's background color and must be readily legible from 50 feet during daylight hours while the vehicle is stationary.

US DOT numbers are issued by the US DOT Federal Motor Carrier Safety Administration (FMCSA). Carriers can apply for a US DOT number by visiting the United Registration System (URS) website at: <https://www.fmcsa.dot.gov/registration>. For more information contact the FMCSA at 651-291-6150.

The owner of a truck or truck tractor having a gross vehicle weight* of more than 10,000 pounds, shall report to the Commissioner of Public Safety at the time of registration its US DOT carrier number (Minn. Stat. § 169.185).

**Gross Vehicle Weight is defined as the greater of the actual weight of the vehicle or combination plus the weight of the load; or the value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating (GVWR).*



Section 14:

Types of Intrastate Carriers

Section 14

Types of Intrastate Carriers

Minn. Stat. § 221.012 and 221.025

There are two types of carriers in Minnesota: private and for-hire.

Private Carriers A private carrier is a person or company that transports property or passengers by motor vehicle when:

- Their primary business is not transportation; and
- The transportation is incidental to and furthers their primary business.

For-Hire Carriers For-hire motor carriers receive payment or compensation for the transportation of persons or property on public highways. Payment or compensation includes any monies promised or paid and received directly or indirectly.

For-hire motor carriers (unless exempted) must obtain operating authority. The for-hire operating authority registration process begins by filing an application with the Office of Freight and Commercial Vehicle Operations (see Section 14).

Exempt Carriers (Minn. Stat. § 221.025) An intrastate for-hire carrier is not required to obtain operating authority when exclusively engaged in the transportation described below:

- (1) the transportation of students to or from school or school activities in a school bus inspected and certified under Minn. Stat. § 169.451; and the transportation of children or parents to or from a Head Start facility or Head Start activity in a Head Start bus inspected and certified under Minn. Stat. § 169.451;
- (2) the transportation of solid waste, as defined in Minn. Stat. § 116.06 subd. 22, including recyclable materials and waste tires, except that the term “hazardous waste” has the meaning given it in Minn. Stat. § 221.012 subd. 18;
- (3) a commuter van as defined in Minn. Stat. § 221.012 subd. 9;
- (4) authorized emergency vehicles as defined in Minn. Stat. § 169.011 subd. 3, including ambulances; and tow trucks equipped with proper and legal warning devices when picking up and transporting

- (1) disabled or wrecked motor vehicles or (2) vehicles towed or transported under a towing order issued by a public employee authorized to issue a towing order;
- (5)** the transportation of grain samples under prescribed conditions;
- (6)** the delivery of agricultural lime;
- (7)** the transportation of dirt and sod within an area having a 50-mile radius from the home post office of the person performing the transportation;
- (8)** the transportation of sand, gravel, bituminous asphalt mix, concrete ready mix, concrete blocks or tile and the mortar mix to be used with the concrete blocks or tile, or crushed rock to or from the point of loading or a place of gathering within an area having a 50-mile radius from that person's home post office or a 50-mile radius from the site of construction or maintenance of public roads and streets;
- (9)** the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped;
- (10)** the transportation of fresh vegetables from farms to canneries or viner stations, from viner stations to canneries, or from canneries to canneries during the harvesting, canning, or packing season, or transporting sugar beets, wild rice, or rutabagas from the field of production to the first place of delivery or unloading, including a processing plant, warehouse, or railroad siding;
- (11)** the transportation of unprocessed dairy products in bulk within an area having a 100-mile radius from the home post office of the person providing the transportation;
- (12)** the transportation of agricultural, horticultural, dairy, livestock, or other farm products within an area having a 100-mile radius from the person's home post office and the carrier may transport other commodities within the 100-mile radius if the destination of each haul is a farm;
- (13)** the transportation of newspapers, telephone books, handbills, circulars, or pamphlets in a vehicle with a gross vehicle weight of 10,000 pounds or less; and
- (14)** transportation of potatoes from the field of production, or storage site owned or otherwise controlled by the producer, to the first place of processing.



Section 15: **Obtaining and Maintaining Minnesota Intrastate For-Hire Operating Authority**

Section 15

Obtaining and Maintaining Minnesota Intrastate For-Hire Operating Authority

Minnesota operating authority is required for those persons engaged in for-hire transportation within the state of Minnesota. Operating authority will not be issued to an applicant with an unsatisfactory USDOT safety rating. Application forms and instructions are available by calling the MnDOT Office of Freight and Commercial Vehicle Operations at 651-215-6330, fax 651-366-3718 or visiting their website at www.mndot.gov/cvo/credentials.html.

Certificate of Compliance Minnesota Workers' Compensation Law

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

There are six types of for-hire carriers in Minnesota:

Motor Carrier of Property (Minn. Stat. § 221.0251)

Motor Carrier of Property means a motor carrier engaged in the for-hire transportation of property, other than household goods, in Minnesota who has filed a registration statement with the commissioner.

To obtain a Motor Carrier of Property Certificate of Registration, you must:

- Submit a completed registration statement (no fee);
- Complete a certificate of Compliance Minnesota Workers' Compensation Law form;
- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with proper coverage limits: \$100,000/300,000 Public Liability, \$50,000 Property Damage (You, the Motor Carrier, are responsible for maintaining continuous coverage); and,

- Complete the online Introduction to Minnesota Trucking Regulations (IMCC) training within 90 days of being issued a certificate of registration (www.mndot.gov/cvo/imccElearning.html).

Household Goods Carriers (Minn. Stat. §221.121)

“Household goods” means personal effects and property used or to be used by the owner in the owner’s dwelling.

To obtain Household Goods Permit, you must:

- Submit a completed Household Goods Mover Permit application packet (application, Workers’ Compensation form, and the vehicle registration form). The form for a USDOT number has to be completed unless you already have a USDOT number (Permit Filing Fee: \$150.00 due at time of application);
- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with proper coverage limits: \$100,000/300,000 Public Liability, \$50,000 Property Damage; and, Form H Cargo: minimum coverage of \$50,000. (You, the Carrier, are responsible for maintaining continuous coverage);
- Complete and submit a vehicle registration form, \$75.00 per vehicle for registration fee;
- File required rates and tariffs within 90 days of being issued your Household Good Permit; and,
- Complete the online Introduction to Minnesota Trucking Regulations (IMCC) training within 90 days of being issued a Household Good Permit (www.mndot.gov/cvo/imccElearning.html).

Building Movers (Minn. Stat. § 221.81)

“Building Mover” means a person, corporation, or other entity who raises, supports off the foundation and moves buildings on or over public streets and highways. It does not include moving manufactured or modular homes, farmers moving their own farm buildings or persons moving buildings less than 16 feet wide by 20 feet long.

To be licensed as a Building Mover, you must:

- Submit a completed application for a Building Mover License application packet (application, Workers' Compensation form) (\$150.00 filing fee due at time of application);
- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with proper coverage limits: \$500,000 Motor Vehicle Liability, \$500,000 General Liability, (Certificate of Insurance filing - Minn. Stat. §221.81, subd. 3(a)). (You, the Carrier, are responsible for maintaining continuous coverage); and,
- Complete and submit a vehicle registration form, \$10.00 per vehicle for registration fee.



Intrastate Authority Cab Card

A building mover may not move a building on or across a street or highway without first obtaining a permit from the road authority having jurisdiction over the street or highway. Depending upon route, more than one over-weight/over-dimension permit may be required.

Motor Carriers of Passengers (Minn. Stat. § 221.0252)

“Motor Carriers of Passengers” are persons engaged in the for-hire transportation of passengers in vehicles designed to transport 8 or more passengers, including the driver.

To obtain Intrastate Passenger Certificate of Registration, you must:

- Submit a completed application (application, Workers' Compensation form);
- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with proper coverage limits: \$5 million (16 or

more passengers), \$1.5 million (8 to 15 passengers). (You, the Motor Carrier, are responsible for maintaining continuous coverage);

- Apply for a USDOT number at www.fmcsa.dot.gov/registration (print a copy of your online filing and submit with your completed application);
- Have all Motor Carrier of Passenger vehicles inspected by a MnDOT Inspector or a certified annual inspector (State Patrol);
- Complete and submit a Vehicle Registration Form (including a copy of your vehicle inspection report) along with \$75.00 registration fee for each vehicle; and,
- Complete the online Introduction to Minnesota Trucking Regulations (IMCC) training within 90 days of being issued a certificate of authority (www.mndot.gov/cvo/imccElearning.html).



Intrastate Motor Carrier of Passengers
Certificate

Note: (1) Driver criminal background checks must be completed before transporting passengers (see page 41). (2) “Small vehicle passenger service” is a service provided by a person engaged in the for-hire transportation of passengers in a vehicle designed to transport 7 or fewer persons including the driver. Small vehicle passenger service is regulated by the cities in which they operate and also by the Metropolitan Airport Commission.



Minnesota Limousine
Vehicle Decal

Causes for Authority Suspensions and Cancellations (Minn. Stat. § 221.185)

A motor carrier's authority will be suspended if the carrier:

- Does not maintain and file required insurance;
- Does not pay the annual vehicle registration fees and purchase vehicle ID cab cards or renew permits as required;
- Receives an unsatisfactory safety rating;

- Fails to pay an administrative penalty, if issued against the carrier;
- Does not comply with DOT audit, if required; and/or,
- Fails to maintain workers' compensation insurance.

A motor carrier's authority will be canceled for non-compliance of the IMCC requirement, or if the carrier does not correct any of the causes for suspension listed above within the required time as stated in the notice of suspension and Minn. Stat. § 221.185.

Limousine Permit (Minn. Stat. § 221.84 and Minn. Rule Chapter 8880)

"Limousine service" means a service that:

- (1) is not provided on a regular route;
- (2) is provided in a luxury passenger automobile that has a seating capacity of not more than 15 persons, including the driver;
- (3) provides only prearranged pickup; and
- (4) charges more than a taxicab fare for a comparable trip.

Minnesota Rules, Chapter 8880 defines "Luxury passenger automobile" as a passenger automobile that does not have a meter and:

- A. has a chassis and wheelbase that have been stretched beyond the length of the manufacturer's original specifications for the vehicle;
- B. is a sedan that the manufacturer characterizes as a luxury automobile in sales or promotional material regularly distributed to the public; or
- C. is a sedan with an original manufacturer's suggested retail price or present fair market value of more than \$25,000.

Luxury passenger automobile does not include a bus, pickup truck, truck, or taxi cab.

Limousines meeting these criteria must be registered and display a decal. The Certificate of Registration remains in the principal place of business.

To obtain Intrastate Limousine Authority:

- Submit a completed Limousine Service Permit application packet (application, Workers' Compensation form). (Permit Filing Fee: \$150.00 due at time of application);

- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with the proper amount of insurance; minimum aggregate amount of \$1,500,000 per accident for each limousine covered, \$100,000 Property Damage. You, the Limousine Operator, are responsible for maintaining continuous insurance coverage; and,
- Submit a completed Vehicle Registration Form and copy of your Inspection Report along with \$80.00 per vehicle decal fee (due at time of application).

After 90 days, an audit will be conducted to check for compliance with driver qualification, driver training requirements, and criminal background checks as required by Minn. Rule 8880.0800.

A driver must meet the driver qualification requirements under Minn. Rule §8880.0800 including an initial criminal background check completed before transporting passengers for-hire in a limousine.

Special Transportation Service (Minn. Stat. § 174.29, Minn. Stat. § 174.30, Minn. Rule Parts 8840.5100 to 8840.6300)

Motor vehicle transportation provided on a regular basis by a public or private entity or person, that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service, and that transportation is provided using, in part, by specially equipped buses, vans, taxis, and volunteers driving private automobiles; and, non-emergency medical transportation services under section 256B.0625, subdivision 17, that are subject to the operating standards for special transportation service under sections 174.29 to 174.30 and Minnesota Rules, chapter 8840, must first be certified by the Office of Freight and Commercial Vehicle Operations. Application forms and instructions are available by calling 651-215-6330.

To obtain Intrastate Special Transportation Authority:

- Submit a completed Special Transportation Service application packet (Certificate of Compliance application and Minnesota Workers' Compensation Law form);

- Have your insurance company file, with MnDOT, the Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (Form E) with the proper amount of insurance; \$100,000/300,000 Public Liability, \$50,000 Property Damage. You, the STS Provider, are responsible for maintaining continuous insurance coverage;
- Have vehicles inspected by a MnDOT inspector, and any noted violations corrected;
- Submit a completed Vehicle Registration Form and copy of your Inspection Report along with \$45.00 per vehicle decal fee (due at time of application);
- Complete the online STS Provider training within 90 days of being issued a certificate of authority (www.mndot.gov/cvo/stsElearning/index.html).

After 90 days, an audit will be conducted to check for compliance with driver qualification, driver training requirements, and criminal background checks as required by Minn. Rule 8840.5900.

For additional information on obtaining and maintaining Minnesota Intrastate for-hire operating authority please visit our website at www.mndot.gov/cvo.



Section 16:

Obtaining Interstate For-Hire Operating Authority

Section 16

Obtaining Interstate For-Hire Operating Authority 49 CFR Part 365

Interstate operating authority is required to transport property (regulated commodities) or passengers for-hire in interstate commerce. To obtain interstate operating authority, contact the USDOT's Federal Motor Carrier Safety Administration at 800-832-5660 or visit their website at www.fmcsa.dot.gov.

Unified Carrier Registration Program (UCR)

Motor Carriers and Private Carriers

The Unified Carrier Registration Agreement (UCR) applies to you or your business if you operate a commercial motor vehicle in interstate or international commerce. A CMV is defined under Part 49 USC Section 31101, and means a self-propelled vehicle used on the highways in commerce principally to transport passengers or cargo if the vehicle:

- Has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater;
- Is designed to transport more than 10 passengers, including the driver; or
- Is used in transporting material found by the Secretary of Transportation to be hazardous under Section 5103 of this title and transported in a quantity requiring placarding under regulations prescribed by the Secretary under Section 5103.

The UCR requires ALL (private and for-hire) individuals and companies that operate commercial motor vehicles in interstate or international commerce to apply and register with the State of Minnesota, and pay an annual fee based on the size of their fleet not including trailers. The revenues generated are used for the enforcement of motor carrier safety programs.

You must register for the calendar year 2017 by 12:01 AM January 1, 2017 in order to be in compliance. Enforcement for the 2017 UCR will begin at 12:01 AM on Sunday, January 1, 2017.

The fee brackets are as follows:

Fleet Size (does NOT include trailers)		Fee Per Entity
Bracket	Number of Vehicles	
B1	*0-2	\$76.00
B2	3-5	\$227.00
B3	6-20	\$452.00
B4	21-100	\$1,576.00
B5	101-1,000	\$7,511.00
B6	1,001 or more	\$73,346.00

The “0” vehicle count exists for any motor carrier, who has filed a MCS-150 to obtain a USDOT number and designated themselves as an INTERSTATE carrier, but have no vehicles crossing state lines, or do not meet the definition of a Commercial Motor Vehicle as defined above that wish to retain their interstate authority. Those carriers are to pay the flat fee of \$76.00. If you do NOT want to keep your interstate authority, you must contact the Federal Motor Carrier Safety Administration and change your status to INTRASTATE.

Note: There are very few exemptions under the UCR. Agricultural carriers (farmers) are NOT exempt. You can be ticketed in Minnesota for not having filed your UCR if you are an INTERSTATE carrier regardless if you cross state lines or not. Some types of farm products being dropped off at river, or rail terminals, are considered INTERSTATE movements even if you never leave the state, and you are an INTRASTATE carrier. For clarification, contact the Federal Motor Carrier Safety Administration. As of the 2010 UCR registration year, interstate charitable and non-profit organizations operating a commercial motor vehicle as defined by the UCR are NO LONGER EXEMPT.

Notice For All Freight Forwarders, Brokers and Leasing Companies

If you offer services as a freight forwarder, broker or leasing company that is NOT combined with a motor carrier entity, and you make arrangements for the transportation of cargo and goods in interstate or international commerce, the federal Unified Carrier Registration Agreement applies to your business. The UCR collects an annual flat fee of \$76.00.

UCR Filing

In filing your UCR application, you have the following options:

1. The preferred method and the highly recommended one is that you register with the national UCR online system hosted by the Indiana Department of Revenue. Go to www.ucr.in.gov and follow the step-by-step instructions. Payments may be made online using MasterCard, Visa or e-Check.
2. You may also complete the UCR application (and UCR 2 if applicable), calculate your fees and mail or deliver your application and check. Your check should be made payable to “Minnesota Commissioner of Transportation” and mailed or delivered to the address below. Please show your USDOT Number or MC Number on the face of your check. Your application will be returned to you and the processing delayed if it is incomplete or incorrect.

If you choose to deliver your application and check for processing, the office hours are Monday through Friday from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., excluding holidays.

If you would like to learn more about UCR or have questions please go to www.ucr.in.gov or www.mndot.gov/cvo/unifiedcarrier.html.

Minnesota Department of Transportation
Office of Freight and Commercial Vehicle Operations
395 John Ireland Blvd., MS 420
St. Paul, MN 55155



Section 17: Insurance Requirements

Section 17

Insurance Requirements

	Type of Carrier	Commodity Transportation	Minimum Amount of Coverage
Intrastate	Building Movers	Buildings and Houses	\$500,000 Motor Vehicle Liability,\$500,000 General Liability,(Certificate of Insurance filing)
	Household Goods Carriers	Household Goods	\$100,000/300,000 Public Liability, \$50,000 Property Damage (Form E) \$50,000 Cargo Insurance (Form H)
	Motor Carriers of Property	All freight except household goods	\$100,000/300,000 Public Liability, \$50,000 Property Damage (Form E filing)
	Motor Carriers of Passengers	Passengers	\$5 million (16 or more passengers), \$1.5 million (8 to 15 passengers), Form E
	Limousine Service	Passengers	Minimum aggregate amount of \$1,500,000 per accident for each limousine covered, \$100,000 Property Damage, (Form E filing)
	Special Transportation Service	Elderly/Disabled Persons	\$100,000/300,000 Public Liability, \$50,000 Property Damage, (Form E)



Section 18: Hazardous Materials Regulations

Section 18

Hazardous Materials Regulations

49 CFR Parts 107, 171-180, 392 and 397

The Federal Hazardous Materials Regulations found in Title 49 of the Code of Regulations, Parts 171-180, govern the transportation of hazardous materials in interstate and intrastate commerce. Minnesota has adopted the Federal Motor Carrier Safety Regulations governing hazardous materials transportation under Minn. Stat. § 221.033.

The HMR set standards for hazard classification, hazard communications, hazardous materials packaging, shipping and transporting, transportation security, incident reporting, and registration of hazardous materials shippers and transporters. The regulations also set requirements for load securement, loading and off-loading, hazard segregation, and hazmat employee training. The Federal Motor Carrier Safety Regulations in 49 CFR Parts 392 and 397 set additional requirements for parking, attendance of hazmat vehicles, routing of hazardous materials shipments, and railroad crossings.

Hazardous materials specialists are available to provide you with assistance in answering questions regarding hazardous material or hazardous waste transportation. For more information call the Office of Freight and Commercial Vehicle Operations at 651-215-6330 or visit their website at www.mndot.gov/cvo. You can also contact the USDOT Hazardous Materials Information Line at 800-467-4922 ext. 1, or visit the USDOT Hazmat Safety website at www.phmsa.dot.gov/hazmat.

Hazardous Material Registration and Credentials

Minnesota no longer participates in the Uniform Hazardous Materials Registration Program, and no hazardous materials transportation registration is required by MnDOT. Minnesota based companies that transport hazardous materials in Illinois, Ohio, Michigan, Nevada, Oklahoma, or West Virginia must register with the state in which they generate the greatest percentage of fleet mileage as their new base state.

Note: Please see Section 19, the National Agency Directory, for the contact information of the above mentioned states.

USDOT Hazardous Materials Registration Program (49 CFR Part 107 subp. G)

Any person who offers for transportation, or transports in commerce, hazardous materials requiring placards or hazardous materials in a bulk packaging having a capacity equal to or greater than 3,500 gallons (13.248 L) for liquids or gases, or more than 468 cubic feet (13.24 cubic meters) for solid materials, must register with the USDOT Pipeline and Hazardous Materials Safety Administration. Registration information and forms are available at www.phmsa.dot.gov/hazmat/registration or by contacting USDOT at 202-366-4109.

Each motor carrier subject to the USDOT registration requirements must carry a copy of its current Certificate of Registration, or another document bearing the registration number identified as “U.S. DOT Hazmat Reg. No.” on board each truck or truck tractor used to transport hazardous materials subject to the registration requirements.

USDOT Hazardous Material Safety Permits (49 CFR Part 385 subp. E)

A Hazardous Materials Safety Permit is a document issued by the USDOT Federal Motor Carrier Safety Administration that contains a permit number, and confers authority to transport in commerce certain high hazard materials. As safety permits are performance based, carriers with high crash rates, unsatisfactory hazmat security plans, or high driver, vehicle, or hazmat out-of-service rates will not be issued a Safety Permit, or may have an existing permit suspended or revoked. A carrier may not transport in interstate or intrastate commerce any of the following materials, in the quantities listed, unless it holds a Safety Permit:

- A 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, or an amount of Division 1.5 (explosive) material requiring placarding;
- More than one liter (1.08 quarts) per package of a material poisonous by inhalation in hazard zone A;
- A material poisonous by inhalation, in hazard zone B, in a bulk packaging capacity greater than 450 liters (119 gallons);
- A material poisonous by inhalation, in hazard zones C or D, in a packaging having a capacity equal to or greater than 13,248 liters (3,500 gallons) Please note, anhydrous ammonia is a hazard zone D material;

- Compressed or refrigerated liquefied methane or liquefied natural gas, or other gas with a methane content of at least 85%, in a bulk packaging with a capacity equal to or greater than 13,248 liters (3,500 gallons).

To apply for a new Safety Permit, or renew an existing Safety Permit, the carrier must complete and submit Form MCS-150B to the FMCSA. A Safety Permit is valid for two years, unless suspended or revoked by FMCSA. Safety Permits may be suspended or revoked for several reasons, including if a carrier fails to maintain a final satisfactory safety rating, the carrier fails to comply with an out-of-service order, or the carrier fails to maintain the minimum limits of financial responsibility as required. If you transport any of the materials and in quantities listed above, please review the complete regulation, or contact FMCSA at 651-291-6150 or visit their website at www.fmcsa.dot.gov.

Hazardous Materials Communications (49 CFR Part 172)

Federal standards for hazardous material communications apply in Minnesota. They set the requirements for shipping papers, marking of packages and transport vehicles, labeling of packages, placarding of vehicles, and providing emergency response information.

Shipping Papers and Emergency Information (49 CFR Part 172 subp. C and I)

Each person who ships or offers a hazardous material for transportation shall describe the hazardous material on a shipping paper that conforms to the format requirements in the HMR. No carrier shall accept hazardous materials for transportation unless the shipping paper is prepared in accordance with the requirements of 49 CFR Part 172 subp. C.

While transporting hazardous materials, a carrier must have a shipping paper in the cab of the motor vehicle that provides the proper description of the hazardous material.

The shipping paper must include:

- UN or NA identification number for the material.
- Proper shipping name of the material.

- Hazard class or division number of the material, including subsidiary hazard class or division numbers, as appropriate.
- Packing group, in Roman numerals.
- Total quantity by net or gross mass, capacity, or as otherwise appropriate, including the unit of measure.
- The number and type of packages, for example “5 drums” or “3 IBC’s”.
- Any additional description information required for a specific material by the regulations.
- An Emergency response telephone number prominently displayed and clearly identified as an “Emergency Contact” telephone number, monitored by a person with comprehensive, product specific emergency response and incident mitigation information for the hazardous material.*
- A written copy of emergency response information for the materials being transported.

Hazardous materials shippers, offerors, and carriers must maintain a copy of the shipping paper, or an electronic image thereof, accessible at the principal place of business. Hazardous materials carriers must retain copies of shipping papers for one year. Hazardous materials shippers and offerors must retain copies of shipping papers for two years. The retained copy must include the date of acceptance by the initial carrier.

Carriers using a single shipping paper to document multiple shipments of a single hazardous material may retain a single copy of the shipping paper if the carrier also creates and retains an additional record of each shipment made. The additional record must include: the proper shipping name, identification number, quantity transported, and date of shipment.



Example of a Hazardous Material Label

*The emergency telephone number entered on the shipping paper must be either:

- The number of the person offering the hazardous material for transportation when that person is also the emergency response information provider (ERI provider). The name of the person, or contract number or other unique identifier assigned by an ERI provider must be entered immediately above, below, or next to the telephone number, if not clearly identified elsewhere on the shipping paper; or
- The number of an agency or organization capable of and accepting responsibility for, providing the required detailed and product specific emergency information (an ERI provider) for the shipper or offeror of the hazardous material. The person who is registered with the ERI provider must be identified by name or contract number on the shipping paper immediately above, below, or next to the emergency telephone number, unless that name or identifier is entered elsewhere on the shipping paper in a prominent manner.

Marking and Labeling (49 CFR Part 172, subp. D & E)

Marking is the display of DOT shipping names, identification numbers, packaging specification codes, and other required information on packaging or vehicles used to transport hazardous materials. Marking standards for non-bulk packaging differ from marks required on bulk packaging. Non-bulk packaging must be marked with the USDOT shipping name and the UN or NA identification number on the surface of the package, unless excepted in the regulations. Marking required on bulk packaging depends on the package type and material carried. High hazard materials must be marked with additional safety information. Consult 49 CFR Part 172 subp. D for details on marking requirements.

Labels are color-coded devices that indicate the hazard class or division of a material in a package. Labels must be at least 100 mm (3.9 inches) on all sides, and conform to the design and color standards in the HMR. Column 6 of the Hazardous Materials Table indicates the label or labels required for specific materials. Labels must be placed on the surface of the package near the required marking information, or on a securely affixed tag if the package surface prevents a label from adhering, or if the package dimensions are inadequate.

Some categories of hazard materials, including limited quantities and ORM-D Consumer Commodities, are excepted from labeling for highway transportation. See 49 CFR Part 172, subp. D, for the requirements and exceptions for hazard class labeling.

Placards (49 CFR Part 172 subp. F)

Placards are color-coded warning devices that indicate the hazard class or division of materials carried in a truck, trailer, or bulk package. Placards must be at least 250 mm (approximately 9.84 inches) on all sides. A vehicle or freight container that contains hazardous materials of a type or quantity that requires it to be placarded must be placarded as specified in 49 CFR Sections 172.504 and 172.505. Placarding of vehicles is the joint responsibility of the hazardous materials shipper and carrier. Shippers must offer the correct placards for the material they offer and carriers may not move the shipment unless all correct placards are displayed. All placards must be displayed and maintained so the format, color, legibility, and visibility are not reduced due to damage or deterioration.

Any vehicle required to be placarded is a Commercial Motor Vehicle, as defined in the Federal Motor Carrier Safety Regulations. Drivers of CMV's requiring placards must have a Commercial Drivers License with a Hazardous Materials Endorsement. The placarding of a vehicle may also trigger additional requirements for driver qualifications, vehicle operation, and carrier registration. Consult 49 CFR Part 172 subp. F for details on placarding.

Hazardous Materials Transportation Security (49 CFR Part 172 subp. I)

Applicability of Security Plan Regulations (49 CFR Section 172.800)

Persons who offer or transport qualifying quantities or types of hazardous materials must complete and implement a HM Security Plan. The regulation establishes thresholds for the applicability of the security regulations based on the hazard class or division of the HM, the amount shipped or transported, and for some materials, whether the shipment requires placarding. The quantities as described below require a security plan.

Any Quantity of:

- 1.1, 1.2, or 1.3 Explosives
- Materials Poisonous by Inhalation as defined in 49 CFR Section 171.8, including any quantity of anhydrous ammonia
- 4.3 Dangerous when Wet materials
- 5.2, Type B, Temperature Controlled organic peroxides
- Select agents and toxins regulated by the Centers for Disease Control and Prevention under 42 CFR Part 73, or the US Department of Agriculture under 9 CFR Part 121
- Class 7 radioactive material in Highway Route Controlled Quantities, or radionuclides listed as RAM-QC by the Nuclear Regulatory Commission

Large Bulk Quantities

A large bulk quantity is a quantity greater than 3,000 liters (792 gallons) for liquids and gases, or 3,000 kg (6,614 pounds) for a solid material shipped in a single packaging such as a cargo tank, portable tank, roll-off box, or other bulk container. Please note, LBQ refers to the amount shipped, not the capacity of the package.

- 2.1 flammable gases
- 2.2 non-flammable gases with a subsidiary hazard of 5.1 oxidizer (for example oxygen or nitrous oxide)
- Class 3 flammable liquids in Packing group I or II
- 4.2 spontaneously combustible materials is PG I or II
- 5.1 oxidizing materials in PG I or II, including ammonium nitrate, and ammonium nitrate fertilizers, gels, emulsions, and suspensions, and perchlorates.
- 6.1 poison or toxic materials (other than materials poisonous by inhalation, which are regulated at any quantity as noted above)
- Class 8 corrosive materials in PG I

Quantities Requiring Placarding

- 1.4, 1.5, and 1.6 explosives
- Desensitized explosives in Class 3 or division 4.1
- Uranium hexafluoride required to be placarded by 49 CFR Section 172.505 (b)

Components of Hazardous Materials Security Plans (49 CFR Section 172.802)

The Security Plans must include:

- A site specific assessment of possible security threats and vulnerabilities at facilities where the hazardous materials listed in 172.800 are prepared for shipment, stored, loaded or unloaded incidental to movement; and
- Appropriate measures to address the assessed risks, and must include these components:
 - Personnel security: Measures taken to confirm background information provided by employees hired for positions that have access to HM covered by the security plan;
 - Unauthorized access/facility security: Measures to address the risk that unauthorized persons could gain access to facilities or vehicles used to transport HM covered by this rule;
 - En-route security: Measures to ensure efficient and secure movement of HM shipments from origin to destination;
 - Identification by job title of the senior management official responsible for development and implementation of the security plan;
 - Security duties for each person or department that is responsible for implementing the plan; and
 - A training plan for employees required to have security training or in-depth security training pursuant to 49 CFR Section 172.704

The security plan must be in writing and retained while in effect, and reviewed at least annually, and updated as necessary to reflect changing circumstances. The most recent version of the plan must be must be available to those employees responsible for implementing it, in a manner consistent with security clearances and a demonstrated need to know. Employees must be notified when revisions are made. Each person required to develop or implement the security plan must maintain an accessible written or electronic copy of the plan. The security plan must be available upon request to authorized officials of the DOT or Department of Homeland Security.

The US DOT has published a security template on its Web site at <http://www.phmsa.dot.gov/hazmat/risk/rmsef> that can be used to identify points in the transportation process where security measures can be enhanced.

Hazardous Materials Employee Training (49 CFR Part 172 subp. H)

All Hazmat Employers shall ensure each of its Hazmat Employees is trained in accordance with the regulations found in 49 CFR Part 172 subp. H. If the hazmat employee is a driver, training must include those subjects listed in 49 CFR Section 177.816, and instruction on applicable sections of the Federal Motor Carrier Safety Regulations.

Each Hazmat Employee must receive:

- **General Awareness/Familiarization Training:** Training to make employees familiar with the requirements of the HMR and enable the employee to recognize and identify HM consistent with the hazard communications standards.
- **Function Specific Training:** Training to thoroughly instruct employees in the requirements of the HMR and applicable Motor Carrier Safety Regulations that apply to the specific HM job function(s) the employee performs.
- **Safety Training:** Training concerning emergency response information required in 49 CFR 172.802, and measures needed to protect the employee from the hazards associated with the HM they may be exposed to during transportation, including specific measures the HM employer has implemented to protect the HM employee, and methods for avoiding accidents.
- **Security Awareness Training:** Training that includes awareness of security risks associated with HM transportation and methods designed to enhance transport security, and how to recognize and respond to security threats. Security awareness training is required for all HM employees of all HM employers.
- **In-depth Security Training:** HM employees of a person required to have a HM Security Plan in accordance with 49 CFR Part 172, Subpart I, who perform a regulated function related to those materials covered by the plan, or are responsible for implementing the plan, must be trained on the plan and its implementation. Training must include company security objectives, organizational security structure, specific security duties and responsibilities of each employee, and specific actions to be taken during a security breach.

Frequency of Training

- New employees or those newly transferred to HM job functions must complete HM training within 90 days of becoming a HM employee.
- US DOT HM transportation training must be provided at least once every 3 years. Training records are required to be maintained for 3 years.
- Employees required to have in-depth security training must have that training at least once every 3 years, or within 90 days of implementation of a revised security plan.

Materials of Trade

A material of trade (MOT) is a hazardous material carried on a motor vehicle:

- For the purpose of protecting the health or safety of the vehicle operator or passengers (for example, compressed breathing air or insect repellent)
- To support the operation or maintenance of a vehicle, (e.g., fire extinguishers or aerosol starting fluid)
- By a private carrier in direct support of a principal business that is not transportation (e.g., landscapers, plumbers, welders, and painters that transport small amounts of hazardous materials for their own use)

The MOT rule provides exceptions from some of the hazardous materials communications and packaging requirements for persons that transport qualifying amounts of MOT. Qualifying amounts are based on both individual package size and aggregate gross weight of the MOT being transported (200 kg/440 lbs.). Certain classes or divisions of hazardous materials are excluded from the MOT exceptions. Drivers of vehicles carrying MOT must be informed of the presence of the hazardous material, and have a general knowledge of the MOT regulations. All MOT packages must be closed, and secured against shifting, including relative motion between packages, and protected from damage within the transport vehicle. Consult 49 CFR Sections 171.8, 173.6 and 392.51 for details.

Transportation of Gasoline in Fueling/Contractor Tanks

A fueling or contractor tank is a tank mounted on a truck or trailer used to fuel equipment or vehicles at job sites. Any tank used to transport gasoline must conform to United Nations standards, DOT specifications

or Special Permits issued by the USDOT. A tank must display specification markings or DOT Special Permit numbers that show it is an authorized packaging. These tanks must be placarded, marked and/or labeled as required by the HMR. Small tanks or other packaging that do not display these markings are not authorized for transportation of gasoline. A fact sheet on Fueling/Contractor Tanks is available on the OFCVO web site at <http://www.mndot.gov/cvo/factsheets/FuelTanks.pdf>.

Driving / Parking / Inspection During Hazardous Materials Transportation (49 CFR Parts 177, 392 and 397)

A carrier may not transport hazardous materials unless the vehicle is correctly marked and placarded. Also,

- A vehicle transporting hazardous material that is required to be placarded must stop at railroad crossings and must make sure that no train is approaching before crossing the tracks.
- A driver operating a placarded vehicle must examine each tire at the beginning of the trip and each time the vehicle is parked. Defective tires must be replaced or repaired before the vehicle is driven.
- Marked or placarded hazardous materials vehicles shall be operated over routes that do not go through or near heavily populated areas, places where crowds assemble, tunnels, narrow streets, except when there is no practicable alternative. Vehicles required to be marked or placarded for hazardous materials may not use the Lowry Hill tunnel on I-94 near downtown Minneapolis. A Prohibited Vehicle Route around the tunnel is provided.
- A marked or placarded vehicle must not be parked within five feet of a public street or highway except for brief periods when necessities of operation make it impracticable to park in any other place.
- No person may smoke or carry a lighted cigarette, cigar, or pipe within 25 feet of a marked or placarded motor vehicle that contains explosives, oxidizing materials, flammable materials, or an empty cargo tank vehicle that previously contained those materials.
- If a motor carrier requires or permits a vehicle containing explosives in divisions 1.1, 1.2, or 1.3 to be operated, the carrier must give the driver a written route plan.

- A driver of a marked or placarded vehicle must inspect cargo and cargo securement devices to ensure cargo cannot shift or fall in or from a vehicle. A driver may not operate, and a carrier may not permit a driver to operate a commercial motor vehicle unless the cargo is properly distributed and secured as specified in the Federal Motor Carrier Safety Regulations and the HMR.

Hazardous Materials Incident Reporting: (Minn. Stat. § 221.0341 and 49 CFR Sections 171.15 & 171.16)

Reports to the State of Minnesota

Immediate telephone notice of a hazardous materials incident should be given to local emergency responders by calling 911, or the appropriate local emergency telephone number. Local notification will start response by fire, police, or emergency medical services as needed.

A person transporting hazardous materials shall immediately notify by telephone the Minnesota Duty Officer if any of the following events occur:

- A reportable hazardous materials incident, as defined in 49 CFR Section 171.15 (b), in Minnesota
- An unintentional release of hazardous materials from a package as defined in 49 CFR Section 171.8
- The discovery of an undeclared hazardous material as defined in 49 CFR Section 171.8

The Minnesota Duty Officer operates 24 hours a day, and must be contacted at 800-422-0798 or 651-649-5451. The Minnesota Duty Officer system acts as a single answering point system for any person responsible for an incident, and for all state agencies responsible for responding to a hazmat incident.

Reports to the United States Department of Transportation

The USDOT requires immediate notification for some hazardous materials incidents and written incident reports for all reportable incidents. Each person in physical possession of the hazardous material at the time of the incident, including shippers, offerors and transporters, must file reportable incident reports as noted below.

Immediate Notification for Hazmat Incidents (49 CFR Section 171.15)

As soon as practical, but no later than 12 hours after the occurrence of any incident, each person in physical possession of the hazardous materials must provide notice by telephone to the National Response Center on 800-424-8802 or by e-mail at www.nrc.uscg.mil when:

1. As a direct result of the hazardous material:
 - ☐ A person is killed.
 - ☐ A person receives injuries requiring admittance to a hospital.
 - ☐ The general public is evacuated for one hour or more.
 - ☐ A major transportation artery or facility is closed for one hour or more.
 - ☐ The operational flight pattern or routine of an aircraft is altered;
or
2. Fire, breakage, spillage or suspected radioactive contamination occurs of a radioactive material.
3. Fire, breakage, spillage or suspected contamination occurs involving an infectious substance other than a diagnostic specimen or regulated medical waste.
4. A release of a marine pollutant occurs in a quantity exceeding 450 L /119 gal for a liquid or 400 kg/882 lbs for a solid.
5. A situation exists of such a nature (e.g. a continuing danger to life exists at the scene of the incident) that the person in possession believes it should be reported to the NRC.

For incidents involving an infectious substance, notice may be given to the Centers for Disease Control and Prevention at 800-232-4636 in place of notice to the NRC.

All incidents that require telephone notification to the NRC or CDCP, must also be reported to USDOT in writing pursuant to 49 CFR Section 171.16.

Written Incident Reports To USDOT (49 CFR Section 171.16)

Each person in physical possession of a hazardous material at the time that an incident occurs requiring telephone reporting to the USDOT per 49 CFR Section 171.15, **or** at the time any of the following occurs must submit a written Hazardous Materials Incident Report to the USDOT within 30 days of the discovery of the incident:

1. While in transportation an unintentional release of hazardous material or discharge of hazardous waste occurs.
2. A specification cargo tank with a capacity of 1,000 gallons or greater, containing any hazardous material, suffers structural damage to the lading retention system or damage that requires repair to a system intended to protect the lading retention system, even if there is no release of hazardous materials. Structural damage means damage serious enough to bring into question the integrity of the tank, or to require replacement or repairs beyond cosmetic repair.
3. An undeclared hazardous material is discovered in transportation.

Written reports may be submitted electronically or as hard copies to the USDOT. Access their web site at www.phmsa.dot.gov/hazmat for addresses and details.

A copy of the report must be maintained at the reporter's principal place of business for 2 years.

Updating the Written Incident Report

An updated Hazardous Materials Incident Report must be filed with the USDOT within one year of the incident whenever:

1. A death results from injury caused by the hazardous material.
2. There was a misidentification of the hazmat or packaging information on the original report.
3. Damage, loss or related cost was not known when the initial report was filed.
4. Damage, loss, or related cost changes by \$25,000 or more, or 10 percent of the prior total estimate.

Exceptions to Written Incident Reports

Unless a telephone incident report was filed, no written report is required for:

1. Release of a minimal amount of hazardous material from:
 - ☐ A vent, for materials in which venting is authorized
 - ☐ The routine operation of a seal, pump, valve, or compressor
 - ☐ Connection or disconnection of loading or unloading lines, provided the release does not result in property damage

2. An unintentional release of hazardous material when the material is properly classed as:

- It is an ORM-D Consumer Commodity or
- A packing group III material in Class or Division 3, 4, 5, 6.1, 8, or 9 and each package has a capacity of less than 20 liters for liquids or 30 kg for solids; and the total aggregate release is less than 20 liters for liquids or 30 kg for solids; and the material is not a hazardous waste or undeclared hazardous material, or offered for transportation by aircraft.



Section 19:

Minnesota Agency Directory

Section 19

Minnesota Agency Directory

Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations
395 John Ireland Blvd. M.S. 420
St. Paul, MN 55155

OS/OW Permits

651-296-6000

Credentials

651-215-6330

Haz Mat Information

651-215-6330

Rules, Regulations and Training

651-215-6330

Household Goods Carrier Authority

651-215-6330

Minnesota Department of Public Safety

445 Minnesota Street
St. Paul, MN 55101-5188

IFTA/IRP

Suite 188
651-205-4141

Driver and Vehicle Services

Suite 190
651-297-5029

Commercial Drivers License (CDL) and School Bus Waiver Program

Suite 190
651-297-5029

MN State Patrol - Commercial Vehicle Enforcement

1110 Centre Point Curve, Suite 410
Mendota Heights, MN 55120
651-405-6196

Annual Inspection Decals, School Bus Inspections

651-405-6196

Other State Agencies

Minnesota Department of Public Safety

Bureau of Criminal Apprehension
1430 Maryland Avenue East
St. Paul, MN 55106
651-793-7000

Minnesota Pollution Control Agency

520 N. Lafayette Road
St. Paul, MN 55155
651-296-6300
800-657-3864
Emergencies: 800-422-0798

Minnesota Department of Revenue

Petroleum Division
600 N. Robert St., Mall Station 3333
St. Paul, MN 55101
651-296-0889

Minnesota's Bookstore

660 Olive Street
St. Paul, MN 55155
651-297-3000
800-657-3757

Minnesota Department of Human Services

540 Cedar Street
St. Paul, MN 55101
651-431-2000
800-627-3529

USDOT

Federal Motor Carrier Safety Administration

St. Paul Office
Galtier Plaza
380 Jackson St., Ste. 500
St. Paul, MN 55101
651-291-6150

Complaints

888-368-7238

Applications, forms, insurance

800-832-5660

www.fmcsa.dot.gov

Pipeline and Hazardous Materials Safety Administration

Office of Hazardous Material Safety
800-467-4922 ext. 1
202-366-4488

Internal Revenue Service

Heavy Vehicle Use Tax
651-312-8082



Section 20: Definitions

Section 20

Annual report - Lists a motor carrier's assets, revenue, liabilities, and operating costs.

Bill of lading - Written transportation contract between shipper and carrier (or its agents). Identifies freight, recipient, place of delivery, and terms of agreement.

CDL - Commercial Driver's License.

Certificate of Compliance - The Office of Freight and Commercial Vehicle Operations issues certificates to Special Transportation Services (STS) providers.

Chapter 221 - Minnesota Statutes chapter containing the Minnesota motor carrier laws.

CMV - Commercial motor vehicle.

Covered farm vehicle - (1) Means a straight truck or articulated vehicle --

(i) Registered in a State with a license plate or other designation issued by the State of registration that allows law enforcement officials to identify it as a farm vehicle;

(ii) Operated by the owner or operator of a farm or ranch, or an employee or family member of a an owner or operator of a farm or ranch;

(iii) Used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch; and

(iv) Not used in for-hire motor carrier operations; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the requirements of paragraphs (1)(i) through (iii) of this definition by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement.

(2) Meeting the requirements of paragraphs (1)(i) through (iv) of this definition:

(i) With a gross vehicle weight or gross vehicle weight rating, whichever is greater, of 26,001 pounds or less may utilize the exemptions in 49 CFR Section

390.39 anywhere in the United States; or

(ii) With a gross vehicle weight or gross vehicle weight rating, whichever is greater, of more than 26,001 pounds may utilize the exemptions in 49 CFR§ 390.39 anywhere in the State of registration or across State lines within 150 air miles of the farm or ranch with respect to which the vehicle is being operated.

DVIR - Driver vehicle inspection report.

FMCSR (Federal Motor Carrier Safety Regulations) - Contains the rules governing operations of trucks and buses in interstate commerce. Minnesota has adopted most of the FMCSR for intrastate transportation.

For-hire - Transportation service provided for compensation of any kind: promised, paid, or given.

Form E - Certificate that provides insurance against public liability and property damage for a motor carrier operating under a permit or registration. The form is described in the Code of Federal Regulations, Title 49.

Form H - Certificate of insurance providing cargo coverage. The certificate of insurance must conform to the Code of Federal Regulations, Title 49.

Form K - Certificate filed by the insurance company canceling a certificate of insurance.

49 CFR - Refers to the Code of Federal Regulations, title 49, with reference to a specific section. For example, 49 CFR Section 391.43.

Freight bill - Shipping document describing the freight, classification, rates charged, total amount for transportation, and any other charges made under a tariff.

GVW - Gross vehicle weight. The greater of the unloaded weight of a vehicle plus the weight of the load; or the value specified by the manufacturer as the maximum gross weight or gross vehicle weight rating (GVWR).

GVWR - Gross vehicle weight rating. Means the value specified by the vehicle manufacturer as the loaded weight of a single motor vehicle.

HM (hazardous materials) - Substance or material capable of posing unreasonable risk to health, safety, and property when transported in commerce, as determined by the U.S. Secretary of Transportation.

HMR - Hazardous Materials Regulations

IFTA - International Fuel Tax Agreement

IRP - International Registration Plan.

Interstate - Transportation between a place in a state and a place outside of such state, between two places in a state through another state or a place outside of the United States, or between two places in a state as part of transportation originating or terminating outside of the state or the United States.

Intrastate - Transportation entirely within one state that is not interstate in nature.

MCS 90 - Endorsement for motor carrier policies of insurance for public liability.

Medical certificate - Certificate showing that a driver has passed a USDOT-prescribed physical examination. Also known as a “health card.”

Medical waiver - Waiver from certain medical requirements for drivers who cannot meet minimum driver qualification standards under 49 CFR Part 391.

MnDOT - Minnesota Department of Transportation.

Motor carrier (Minnesota definition) - Carrier operating for-hire in Minnesota.

Motor carrier (Federal definition) - For-hire or private carrier of property or passengers by motor vehicle in interstate commerce.

Operating authority - Permit or certificate required to provide for-hire transportation service, issued by MnDOT for intrastate transportation and USDOT for interstate transportation.

Out-of-service - Condition where a motor vehicle, because of mechanical condition or loading, is considered imminently hazardous and likely to cause an accident or breakdown; or where a driver violation renders a commercial vehicle operator unqualified to drive.

Placard - Diamond-shaped sign required to be displayed on a motor vehicle hauling hazardous materials showing the hazard classification of material transported.

Private carrier - A carrier not in the business of providing a for-hire transportation service. Uses commercial vehicles to further its primary business, which is not transportation; for example, hauling the company's own products to its customers.

Record of Duty Status (RODS) - Commonly referred to as a logbook, it is a written record completed by a commercial vehicle driver in a graph-grid format. Entries indicate daily number of hours worked, driven, off-duty, and vehicle(s) driven.

Shipping paper - A document required for the transportation of hazardous materials that meets the requirements of 49 CFR Part 172 Subpart C. A bill of lading or other document used in connection with the movement of freight.

Skills Performance Evaluation (SPE) Certificate - A certificate issued by the USDOT to a person who is not physically qualified to drive a CMV in interstate transportation.

STS - Special Transportation Service.

Tariff - Schedule of rates a carrier charges for providing transportation services.

UCR - Unified Carrier Registration.

USDOT - United States Department of Transportation.



Section 21:

Internet Resource List

Section 21

Internet Resources List

Code of Federal Regulations

www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR

Federal Motor Carrier Safety Administration

www.fmcsa.dot.gov

Federal Register

www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR

First Gov - The U.S. Government's Office Web Portal

www.usa.gov

Minnesota Department of Human Services

www.dhs.state.mn.us

Minnesota Department of Public Safety

<https://dps.mn.gov/Pages/default.aspx>

Minnesota Department of Transportation

www.dot.state.mn.us

MnDOT Office of Freight and Commercial Vehicle Operations

www.mndot.gov/cvo

National Highway Traffic Safety Administration

www.nhtsa.gov

Northstar - (Minnesota State Government)

www.mn.gov

Office of the Revisor of Statutes (MN Laws and Rules)

www.revisor.leg.state.mn.us

Transportation Safety Institute

www.rita.dot.gov/tsi/

U.S. Code

uscode.house.gov

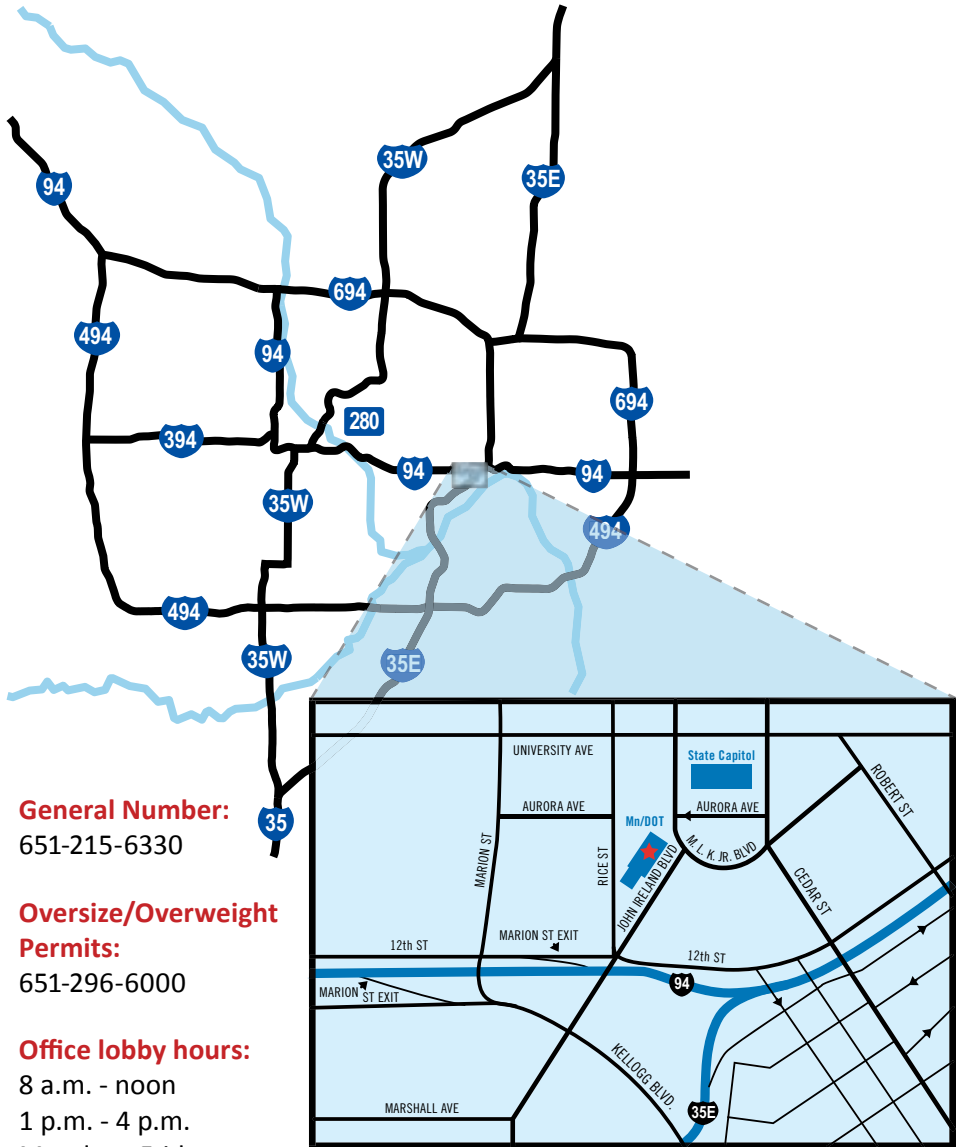
U.S. Department of Transportation

www.dot.gov

US DOT Office of Hazardous Materials Safety

www.phmsa.dot.gov/hazmat

Location and phone numbers



General Number:

651-215-6330

Oversize/Overweight Permits:

651-296-6000

Office lobby hours:

8 a.m. - noon

1 p.m. - 4 p.m.

Monday - Friday

Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations

Transportation Building, MS 420

395 John Ireland Blvd

St. Paul, MN 55155-1899

Minnesota Department of Transportation

Office of Freight and Commercial Vehicle Operations

Mail Stop 420

395 John Ireland Boulevard

Saint Paul, MN 55155

651-215-6330

www.mndot.gov/cvo

To request this document in an alternative format please call Janet Miller at 651-366-4720 or 1-800-657-3774 (Greater Minnesota). You may also send an email to Janet.Rae.Miller@state.mn.us.