

Passenger Carrying Vehicles

The Federal Motor Carrier Safety Administration (FMCSA) has safety regulatory oversight of for-hire operators of both small passenger-carrying vehicles (9 to 15 passengers including the driver) and larger passenger-carrying vehicles (16 or more passengers including the driver) that engage in interstate commerce. The extent the requirements depend on the nature of the operation.

With regard to the operation of small passenger vehicles (as described above), the regulations basically separate such operations into two groups:

- ▶ For-hire motor carriers that (1) operate vehicles designed or used to transport 9 to 15 passengers (including the driver) in interstate commerce, (2) are directly compensated for such transportation services, and (3) operate such vehicles beyond a 75 air mile radius from the driver's normal work reporting location.
- ▶ For-hire motor carriers that (1) operate vehicles designed or used to transport 9 to 15 passengers (including the driver) in interstate commerce, (2) are indirectly compensated for such transportation services, or are directly compensated, but operate within a 75 air mile radius of the driver's normal work reporting location.

Direct compensation means payment made to the motor carrier by the passengers or the individual acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services. Indirect compensation means the charge for the transportation services provided are included in a total package charge or other assessment

Non-for-hire bus operations such as school bus operators (including those who are actually contractors to school systems) are exempt from many of the motor carrier regulation during the normal home-to-school and school-to-home operations. You can learn more about these specific exemptions by visiting the FMCSA's website at this link:

<http://www.fmcsa.dot.gov/safety-security/eta/motcarrofpassengers.htm>

All for-hire passenger carrying bus operations are subject to all of the safety standards in part 385 and parts 390 through 396 of the Federal Motor Carrier Safety Regulations. These carriers are required to:

- ▶ file a motor carrier identification report (Form MCS-150)

▶ mark their vehicles with a USDOT identification number. The vehicle marking regulations can be found at:
<http://www.fmcsa.dot.gov/rulesregs/fmcsr/regs/390.21.htm>. For assistance in filing for a USDOT number or authority to operate as a for-hire passenger carrying operation, contact Compass Compliance Management at:
www.compasscompliance.com .

For-hire passenger carriers are also subject to:

- ▶ insurance requirements (Part 387);
- ▶ safety ratings (Part 385);
- ▶ DOT drug and alcohol testing (Parts 40 & 382);
- ▶ accident register recordkeeping (Part 390);
- ▶ medical examination requirements for drivers (part 391);
- ▶ driver qualification files (Part 391);
- ▶ Hours of service rules [specific to drivers of passenger vehicles] (Part 395);
- ▶ Records of duty status (Part 395); and
- ▶ Recordkeeping for inspection, repair, and maintenance (Part 396).