

Selected FMCSA and Maryland Motor Carrier Requirements that May Apply to Your Organization

The information in the following table is provided by MTA as technical assistance to Maryland’s Section 5310 subrecipients. These requirements are under the purview of the Federal Motor Carrier Safety Administration (FMCSA), the Maryland Motor Carrier Division of the Maryland State Highway Administration (SHA), the Maryland Public Service Commission (PSC), and the Motor Vehicle Administration (MVA), and enforced by the Maryland State Police, not FTA or MTA. These requirements are not imposed through the Section 5310 program. However, MTA advises Section 5310 subrecipients that they have a responsibility to learn the FMCSA, Maryland Motor Carrier, MVA, and PSC requirements that may apply to their particular operations and vehicles. The requirements introduced below are not exhaustive, and organizations with commercial vehicles should contact the Maryland SHA Motor Carrier Division and/or the FMCSA to obtain guidance:

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|---|---|
| <p>If your transportation services operate entirely within the State of Maryland</p> | <p>If your transportation services cross state lines</p> |
| <p>Maryland State Highway Administration (SHA), Motor Carrier Division 1-800-543-4564 or 410-582-5734 http://www.mdot.maryland.gov/newMDOT/Motor_Carrier/index.html</p> | <p>Federal Motor Carrier Safety Administration (FMCSA) 1-800-832-5660 or 410-962-2889 http://www.fmcsa.dot.gov/</p> |

Disclaimer: The following information, provided as a technical assistance courtesy, was compiled based on the careful review of the FMCSA and Maryland Motor Carrier/MVA/PSC regulations as of July 2016, as well as FMCSA and Maryland Motor Carrier Division technical assistance resources. This information should only be used as an introduction, and the extent to which each requirement may apply to your organization will depend on the specific circumstances of your organization, transportation funding sources, vehicles, and operating characteristics. The MTA advises its Section 5310 subrecipients to contact the Maryland Motor Carrier Division directly to obtain complete and up-to-date information and to determine applicability to your organization's transportation program.

Selected FMCSA and Maryland Motor Carrier Requirements that May Apply to Your Organization

| Requirement | Vehicles with GVWR over 10,000 lbs | Vehicles designed to seat 9 - 15 including the driver | Vehicles designed to seat 16 or more including the driver |
|--|---|---|--|
| Operating Authority/ US DOT Number if interstate or MD DOT Number if intrastate only - organization must have (49 CFR Part 365) | Yes | Yes if operating for compensation (<i>direct or indirect – includes grant funding for transportation</i>) or over 10,000 lbs GVWR | Yes |
| Commercial Driver’s License - driver must have, employer must verify (49 CFR Part 383) | Only if GVWR exceeds 26,000 lbs | Only if GVWR exceeds 26,000 lbs | Yes |
| US DOT Physical - driver must have, employer must verify (49 CFR Part 391) | Yes | Only if operating for direct compensation, or over 10,000 lbs GVWR | Yes |
| Pre-Employment Checks for Drivers - employer must conduct <ul style="list-style-type: none"> • Background checks • Road test (49 CFR Part 391) | Yes | Only if operating for direct compensation, or over 10,000 lbs GVWR | Yes |
| Drug & Alcohol Testing Program - employer must conduct pre-employment, post-accident, random, reasonable cause, and return-to-duty testing (49 CFR Parts 40 and 382*) | Only for CDL drivers (if GVWR exceeds 26,000 lbs) | Only for CDL drivers (if GVWR exceeds 26,000 lbs) | Yes |

| Requirement | Vehicles with GVWR over 10,000 lbs | Vehicles designed to seat 9 – 15 including the driver | Vehicles designed to seat 16 or more including the driver |
|--|--|--|---|
| Driver Training – drivers with under 1 year of operating a CDL vehicle in interstate commerce must have entry-level driver training (49 CFR Part 380) | Only if GVWR exceeds 26,000 lbs and crossing state lines | Only if GVWR exceeds 26,000 lbs and crossing state lines | Only if crossing state lines |
| Maximum Driving Time for Drivers of Commercial Vehicles (49 CFR Part 395) | Yes | Only if operating for direct compensation, or over 10,000 lbs GVWR | Yes |
| Commercial Vehicle Inspection, Repair, and Maintenance (49 CFR Part 396) | Yes | Only if operating for direct compensation, or over 10,000 lbs GVWR | Yes |
| Preventive Maintenance Standards for Multipurpose Passenger Vehicles and Passenger Buses (COMAR Title 11, 11.22.03) | Depends on seating capacity and ownership | Only if owned by the State or ant political subdivision and seats 10 or more | Yes |

*If your organization also receives FTA funding under Sections 5307, 5309, 5311, or 5339 program, you are subject to the more rigorous FTA Drug and Alcohol Testing requirements under 49 CFR Part 655).

Minimum Insurance Levels that May Be Required for Your Organization

| Requirement | Vehicles designed to seat 7 or fewer including the driver | Vehicles designed to seat 8 - 15 including the driver | Vehicles designed to seat 16 or more including the driver |
|--|--|--|---|
| <p>Minimum Levels of Financial Responsibility for Motor Carriers (49 CFR Part 387), Subpart B – Motor Carriers of Passengers - If crossing state lines and operating for compensation (<i>direct or indirect – includes grant funding for transportation</i>)</p> | <p>minimum \$1,500,000</p> <p><i>Exception: single daily round trip work commute</i></p> | <p>minimum \$1,500,000</p> <p><i>Exception: single daily round trip work commute</i></p> | <p>minimum \$5,000,000</p> |
| <p>Minimum Insurance Requirements for Maryland Intrastate Only Operations (COMAR Title 20, 20.95.01.18 – applies to carriers requiring a PSC permit)</p> | <ul style="list-style-type: none"> • \$50,000 for injury to one person, • \$100,000 for injuries to 2+ persons, and • \$20,000 for property damage <p>OR \$120,000 combined single limit.</p> | <ul style="list-style-type: none"> • \$75,000 for injury to one person, • \$200,000 for injuries to 2+ persons, and • \$50,000 for property damage <p>OR \$250,000 combined single limit.</p> | <ul style="list-style-type: none"> • \$75,000 for injury to one person, • \$400,000 for injuries to 2+ persons, and • \$100,000 for property damage <p>OR \$500,000 combined single limit.</p> |

ADDITIONAL RESOURCES

Federal Requirements

FMCSA Small Passenger-Carrying Vehicles web page

<https://www.fmcsa.dot.gov/registration/small-passenger-carrying-vehicles>

FMCSA “Overview of Federal Requirements Interstate 9 to 15 Passenger Vehicles” brochure

https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/9-15-Passenger_Vehicle_Brochure_508.pdf

FMCSA “Licensing and Insurance Requirements for For-Hire Motor Carriers of Passengers” brochure

<https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/docs/365-387-LI-Req-PCS-eng.pdf>

49 CFR, Subtitle B, Chapter III—Federal Motor Carrier Safety Administration, Department of Transportation

<http://www.ecfr.gov/cgi-bin/text-idx?SID=7ef7f713def1d71cd970806fa5e59172&mc=true&tpl=/ecfrbrowse/Title49/49CII/49SubchapB.tpl>

CTAA’s FMCSA Resource Webpage:

<http://web1.ctaa.org/webmodules/webarticles/anmviewer.asp?a=344>

CTAA’s “Figuring Out the Federal Motor Carrier Safety Administration (FMCSA) Regulations: Do They Apply and What to Do if the Answer Is “Yes””:

http://web1.ctaa.org/webmodules/webarticles/articlefiles/Texas_FMCSA_issues.pdf

National Cooperative Highway Research Program (NCHRP) Research Results Digest 311: *FMCSA Regulations as They Apply to FTA Section 5310/5311 Providers: A Handbook* (2006): http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rrd_311.pdf

State Requirements

COMAR Title 11 - Department of Transportation

Subtitle 21 Motor Vehicle Administration - Commercial Motor Vehicles

http://www.dsd.state.md.us/COMAR/subtitle_chapters/11_Chapters.aspx

Incorporates FMCSA requirements by reference, extends some federal requirements for interstate operations to intrastate operations.

Maryland Motor Carrier Handbook

<http://www.sha.maryland.gov/OOTS/motorcarrierhandbook.pdf>

Title 11 - Department of Transportation

Subtitle 22 Motor Vehicle Administration – Preventive Maintenance Program

11.22.03 Preventive Maintenance Standards for Multipurpose Passenger Vehicles and Passenger Buses

http://www.dsd.state.md.us/COMAR/subtitle_chapters/11_Chapters.aspx

Maryland Preventive Maintenance Program

http://www.mdot.maryland.gov/newMDOT/Motor_Carrier/PM_Program.html

Maryland PM Inspection Form for Passenger Buses

<http://www.mdot.maryland.gov/Office%20of%20Maryland%20Motor%20Carrier%20Program/Documents/Passenger%20Bus%20Preventive%20Maintenance%20Report.pdf>

Maryland PM Handbook

Order from the **Division of State Documents** for a nominal fee
(410) 974-2486 or (800) 633-9657 (toll-free within Maryland only)

Order form: <http://www.dsd.state.md.us/PDF/InfoSheet.pdf>

Maryland Public Service Commission, Transportation Division

<http://www.psc.state.md.us/transportation/>

(410) 767-8000 or (800) 492-0474

COMAR Title 20 - Public Service Commission

Subtitle 95 Transportation

20.95.01 General

http://www.dsd.state.md.us/COMAR/SubtitleSearch.aspx?search=20.95.01.*