

## Selected Final Rules published since January 1, 2012

(Source: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys))

1. [77 FR 46633 - Parts and Accessories Necessary for Safe Operation: Brakes; Adjustment Limits \[PDF 158 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB28. Monday, August 6, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) amends the requirements regarding brake readjustment limits in the Federal Motor Carrier Safety Regulations (FMCSRs). This rule amends the readjustment limits, clarifies their application, and corrects an error in cross-referencing a Federal Motor Vehicle Safety Standard (FMVSS). This rule responds to a petition for rulemaking from the..... [More Information](#)

2. [77 FR 4479 - Harmonizing Schedule I Drug Requirements \[PDF 2512 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB35. Monday, January 30, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) amends the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles (CMVs) under any circumstances. The rule harmonizes FMCSA's provisions regarding pre-employment and return-to-duty test refusals with..... [More Information](#)

3. [77 FR 48460 - Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations \[PDF 75 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule; confirmation of effective date. RIN 2126-AB52. Tuesday, August 14, 2012.

FMCSA confirms the effective date for its June 20, 2012, direct final rule concerning household goods consumer protection. The direct final rule amended the regulations governing the transportation of household goods to remove an obsolete requirement related to collect calls, resolved ambiguities, and made other noncontroversial amendments. The Agency did not receive any comments in response to..... [More Information](#)

4. [77 FR 28447 - Electronic On-Board Recorders for Hours-of-Service Compliance; Removal of Final Rule Vacated by... \[PDF 268 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB45. Monday, May 14, 2012.

This final rule rescinds the final rule published on April 5, 2010, entitled "Electronic On-Board Recorders for Hours-of-Service Compliance" and amended by a September 13, 2010, technical amendment. This action responds to a decision of the Court of Appeals for the Seventh Circuit that

vacated the April 2010 final... [More Information](#)

5. [77 FR 24103 - National Registry of Certified Medical Examiners \[PDF 518 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AA97. Friday, April 20, 2012.

FMCSA establishes a National Registry of Certified Medical Examiners (National Registry) with requirements that all medical examiners who conduct physical examinations for interstate commercial motor vehicle (CMV) drivers meet the following criteria: Complete certain training concerning FMCSA's physical qualification standards, pass a test to verify an understanding of those standards, and..... [More Information](#)

6. [77 FR 28451 - Unsatisfactory Safety Rating; Revocation of Operating Authority Registration; Technical Amendments \[PDF 134 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB50. Monday, May 14, 2012.

This final rule repromulgates in the Code of Federal Regulations a statutory requirement that FMCSA revoke the operating authority registration of a for-hire motor carrier for failure to comply with safety fitness requirements; if the Agency determines that a motor carrier is "Unfit" based on its Safety Fitness Determination procedures, the Agency must revoke the carrier's operating authority..... [More Information](#)

7. [77 FR 24863 - Amendment to Agency Rules of Practice \[PDF 142 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB38. Thursday, April 26, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) amends its Rules of Practice for Motor Carrier, Intermodal Equipment Provider, Broker, Freight Forwarder, and Hazardous Materials proceedings. The Agency clarifies that paying the full proposed civil penalty in an enforcement proceeding, either in response to a Notice of Claim (NOC) or later in the proceeding, does not allow respondents to..... [More Information](#)

8. [77 FR 34846 - Inspection, Repair, and Maintenance; Driver-Vehicle Inspection Report for Intermodal Equipment \[PDF 167 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB34. Tuesday, June 12, 2012.

FMCSA eliminates the requirement for drivers operating intermodal equipment (IME) to submit--and intermodal equipment providers (IEPs) to retain--driver-vehicle inspection reports (DVIRs) when the driver has neither found nor been made aware of any defects in the IME. This responds to a joint petition for rulemaking from the Ocean Carrier Equipment Management Association (OCEMA) and the Institute..... [More Information](#)

9. [77 FR 1889 - Drivers of CMVs: Restricting the Use of Cellular Phones; Technical Amendment \[PDF 57](#)

[KB\]](#)

Federal Register. Rules and Regulations. Final rule; technical amendment. RIN 2126-AB29. Thursday, January 12, 2012.

The FMCSA amends its December 3, 2011, final rule that restricted the use of hand-held mobile telephones by drivers of commercial motor vehicles. That rule was jointly issued by FMCSA and Pipeline and Hazardous Materials Safety Administration (PHMSA), but this technical amendment only affects an FMCSA regulation. The purpose of this rule is to correct a clerical... [More Information](#)

10. [77 FR 38211 - Rescission of Quarterly Financial Reporting Requirements \[PDF 165 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule. Wednesday, June 27, 2012.

By direct final rule, the Federal Motor Carrier Safety Administration (FMCSA) eliminates the quarterly financial reporting requirements for certain for-hire motor carriers of property (Form QFR) and for-hire motor carriers of passengers (Form MP-1). This paperwork burden can be removed without an adverse impact on safety or the Agency's ability to maintain effective commercial regulations over..... [More Information](#)

11. [77 FR 7544 - Hours of Service of Drivers: Correction \[PDF 43 KB\]](#)

Federal Register. Rules and Regulations. Final rule; correction. RIN 2126-AB26. Monday, February 13, 2012.

FMCSA corrects the hours of service (HOS) final rule published on December 27, 2011 (76 FR 81143). This correction notice corrects the amendatory language or guidance to legal editors of the Code of Federal Regulations (CFR) on the proper codification of the December 27, 2011 rule. This notice does not change, in any manner, the regulatory... [More Information](#)

12. [77 FR 41699 - Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations... \[PDF 165 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule; request for comments. RIN 2126-AB41. Monday, July 16, 2012.

FMCSA amends the regulations governing the period during which household goods (HHG) motor carriers must retain documentation of an individual shipper's waiver of receipt of printed copies of consumer protection materials. This change harmonizes the retention period with other document retention requirements applicable to HHG motor carriers. FMCSA also amends the regulations to clarify that a HHG..... [More Information](#)

13. [77 FR 51706 - Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations... \[PDF 78 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule; confirmation of effective date. RIN 2126-

AB41. Monday, August 27, 2012.

FMCSA confirms the effective date for its July 16, 2012, direct final rule concerning the period during which household goods (HHG) motor carriers must retain documentation of an individual shipper's waiver of receipt of printed copies of consumer protection materials. The direct final rule harmonized the retention period with other document retention requirements applicable to HHG motor..... [More Information](#)

14. [77 FR 59818 - Technical, Organizational, and Conforming Amendments to the Federal Motor Carrier Safety Regulations \[PDF 166 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB54. Monday, October 1, 2012.

This final rule makes technical corrections throughout title 49 CFR subtitle B, chapter III. The Agency is making minor editorial changes to add revised delegations of authority from the Secretary of Transportation (Secretary), correct errors and omissions, and improve clarity. This rule does not make any substantive changes to the affected parts of the Federal Motor Carrier Safety Regulations..... [More Information](#)

15. [77 FR 51705 - Rescission of Quarterly Financial Reporting Requirements \[PDF 84 KB\]](#)

Federal Register. Rules and Regulations. Withdrawal of direct final rule. Monday, August 27, 2012.

FMCSA withdraws its June 27, 2012, direct final rule eliminating the quarterly financial reporting requirements for certain for-hire motor carriers of property (Form QFR) and for-hire motor carriers of passengers (Form MP-1). After reviewing the adverse comment received from SJ Consulting Group in response to the direct final rule, the agency has determined that it would be inappropriate to allow..... [More Information](#)

16. [77 FR 51706 - Gross Combination Weight Rating \(GCWR\); Definition \[PDF 119 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule; request for comments. RIN 2126-AB53. Monday, August 27, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) amends the definition of "gross combination weight rating" (GCWR) in our regulations. The definition currently prescribes how the GCWR is calculated if the vehicle manufacturer does not include the information on the vehicle certification label required by the National Highway Traffic Safety Administration (NHTSA). The Agency has..... [More Information](#)

17. [77 FR 36932 - Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations \[PDF 136 KB\]](#)

Federal Register. Rules and Regulations. Direct final rule; request for comments. RIN 2126-AB52. Wednesday, June 20, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) amends the regulations governing the transportation of household goods to remove an obsolete requirement related to collect calls, resolve ambiguities, and reduce a regulatory burden on household goods motor... [More Information](#)

18. [77 FR 10391 - Harmonizing Schedule I Drug Requirements \[PDF 1241 KB\]](#)

Federal Register. Rules and Regulations. Final rule; correction. RIN 2126-AB35. Wednesday, February 22, 2012.

The Federal Motor Carrier Safety Administration (FMCSA) is correcting a Final Rule that appeared in the Federal Register on January 30, 2012 (77 FR 4479), which amended the physical qualifications for drivers and the instructions for the medical examination report to clarify that drivers may not use Schedule I drugs and be qualified to drive commercial motor vehicles (CMVs) under any..... [More Information](#)

19. [77 FR 25371 - Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations... \[PDF 112 KB\]](#)

Federal Register. Rules and Regulations. Final rule. RIN 2126-AB51. Monday, April 30, 2012.

FMCSA harmonizes its regulations with a recent Surface Transportation Board (STB) order that requires certain information about household goods motor carrier liability to appear on the estimates and bills of lading that carriers must provide to individual... [More Information](#)

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**Selected Significant Rulemakings** (source: <http://www.dot.gov/regulations/october-2012-significant-rulemaking-report>)

**URS:** This rule would establish a new Unified Registration System (URS) to replace four legacy systems in support of FMCSA's safety and commercial oversight responsibilities. It would require all entities subject to FMCSA jurisdiction to comply with a new URS registration and biennial update requirement, disclose the cumulative registration information collected by URS and provides a cross-reference to all regulatory requirements necessary to obtain permanent registration. It implements statutory provisions in the ICC Termination Act and SAFTEA-LU. URS would serve as a clearinghouse and depository of information on, and identification of, brokers, freight forwarders, and others required to register with the Department of Transportation. Draft final rule to OST September 5, 2012; Anticipated publication February 2013.

**Qualification of Drivers; Diabetes Standard:** This rulemaking action would amend FMCSA's medical qualification standards to allow drivers with insulin-treated diabetes mellitus to operate commercial motor vehicles in interstate commerce, without seeking an exemption from the FMCSRs. This action is required by Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU). NPRM anticipated going to OST: April 2013. Significant: OMB review required.

**Carrier Safety Fitness Determination:** This rulemaking would revise 49 CFR Part 385, Safety Fitness Procedures, in accordance with the Agency's Compliance, Safety, Accountability (CSA) initiative. CSA is an operational model FMCSA implemented that is designed to help the Agency carry out its compliance and enforcement programs more efficiently and effectively. Currently, the safety fitness rating of a motor carrier is determined based on the results of a very labor intensive compliance review conducted at the carrier's place of business. Aside from roadside inspections and new entrant audits, the compliance review is the Agency's primary intervention. Under CSA, FMCSA would propose to implement a broader array of progressive interventions, some of which allow FMCSA to make contact with more carriers. Through this rulemaking FMCSA would establish safety fitness determinations based on safety data from crashes, inspections, investigations, and violation history rather than just the standard compliance review. This will enable the Agency to assess the safety performance of a greater segment of the motor carrier industry with the goal of further reducing large truck and bus crashes and fatalities. NPRM anticipated to be submitted to OST late October 2012. Significant: OMB review required.

**CDL Drug & Alcohol Clearinghouse:** This rulemaking would create a central database for verified positive controlled substances and alcohol test results for commercial driver's license (CDL) holders and refusals by such drivers to submit to testing. This rulemaking would require employers of CDL holders and service agents to report positive test results and refusals to test into the Clearinghouse. Prospective employers, acting on an application for a CDL driver position with the applicant's written consent to access the Clearinghouse, would query the Clearinghouse to determine if any specific information about the driver applicant is in the Clearinghouse before allowing the applicant to be hired and to drive CMVs. This rulemaking is intended to increase highway safety by ensuring CDL holders, who have tested positive or have refused to submit to testing, have completed the U.S. DOT's return-to-duty process before driving CMVs in interstate or intrastate commerce. It is also intended to ensure that employers are meeting their drug and alcohol testing responsibilities. NPRM submitted to OST June 7, 2012; significant, OMB review required.

**EOBRs and HOS Supporting Documents:** This rulemaking will consider revisions to RIN 2126-AA89 (Electronic On-Board Recorders for Hours of Service Drivers) to expand the number of motor carriers required to install and operate Electronic On-Board Recorders (EOBRs). FMCSA has consolidated this follow-up to the EOBR rule with the Hours of Service of Drivers: Supporting Documents rulemaking for development of a single NPRM in RIN 2126-AB20. In addressing Hours of Service Supporting Documents requirements in this new rulemaking, FMCSA will consider reducing or eliminating current paperwork burdens associated with supporting documents in favor of expanded EOBR use. In addition it will propose technical standards for an EOBR, address driver harassment issues, and provide clarification and request further comments on several issues. On January 15, 2010, the American Trucking Associations (ATA) filed a Petition for a Writ of Mandamus in the United States Court of Appeals for the District of Columbia Circuit (D.C. Cir. No. 10-1009). ATA petitioned the court to direct FMCSA to issue an NPRM on supporting documents in conformance with the requirements set forth in section 113 of the HMTAA within 60 days after the issuance of the writ and a final rule no later than 6 months after the issuance of the NPRM. The court granted the petition for writ of mandamus on September 30, 2010,

ordering FMCSA to issue an NPRM on the supporting document regulations by December 30, 2010. At the request of the agency, the DC Circuit extended the deadline to January 31, 2011. On April 5, 2010, FMCSA issued a related final rule (RIN 2126-AA89) that required the use of EOBRs by motor carriers with significant hours-of-service violations (75 FR 17208). A petition for judicial review was filed with the Seventh Circuit. On August 26, 2011, the Court vacated the final rule, which removed the technical specifications relied on in this rulemaking. Draft SNPRM anticipated to OST November 2012.

**Medical Examiner's Certification Integration:** This rulemaking would build upon the National Registry (2126-AA97) and Medical Certification (2126-AA10) final rules. This rulemaking would (1) provide for the medical examiner to transmit data from the medical examiner's certificate through FMCSA to the State Driver Licensing Agencies (SDLAs) for Commercial Driver's License (CDL) holders and (2) require increased frequency of medical examiner reporting of medical examiner's certificate data to the National Registry database. This should streamline the process for SDLAs to verify the physical qualifications of CDL holders. Draft NPRM anticipated to OST late November 2012.

**Lease and Interchange of Vehicles; Motor Carriers of Passengers:** The rulemaking would propose to adopt regulations governing the lease and interchange of passenger vehicles to: (1) identify the motor carrier operating a bus or motorcoach and responsible for compliance with the Federal Motor Carrier Safety Regulations; (2) ensure that a lessor surrenders control of the vehicle for the full term of the lease or temporary exchange of vehicles and drivers; and (3) prohibit motor carriers subject to an out-of-service order from leasing their vehicles to other carriers. This action is necessary to ensure that unsafe passenger carriers cannot evade FMCSA oversight and enforcement by operating under the authority of another carrier that exercises no actual control over those operations. This action will ensure that FMCSA, the National Transportation Safety Board (NTSB), and our State partners are able to identify motor carriers transporting passengers in interstate commerce and correctly assign responsibility for regulatory violations during inspections, investigations, compliance reviews, and crash studies. Anticipate submitting draft to OST early November.

**Inspection, Repair, and Maintenance; DVIR:** This rulemaking would rescind the requirement that commercial motor vehicle (CMV) drivers operating in interstate commerce submit, and motor carriers retain, driver-vehicle inspection reports when the driver has neither found nor been made aware of any vehicle defects or deficiencies. Specifically, this rulemaking would remove a significant information collection burden without adversely impacting safety. This rulemaking responds in part to the President's January 2012 Regulatory Review and Reform initiative. Anticipate submitting draft NPRM to OST early January 2013.