

## Attachment C

[Registrant ADDRESS]

DATE

Dear [Registrant Official]:

The Federal Motor Carrier Safety Administration (FMCSA) is eliminating the “Vehicle Registrant Only” option on the Motor Carrier Identification Report (MCS-150 form) effective September 1, 2012. Our records indicate that you selected the “Vehicle Registrant Only” operation type when you filed the MCS-150 form to apply for a U.S. Department of Transportation (USDOT) Number. Action may be required on your part to update your MCS-150 form; otherwise, your USDOT Number status will be made inactive on or about October 13, 2012.

Please review all of the information below to determine if you need to submit an updated MCS-150 form. If you are a motor carrier operating commercial motor vehicles, you will be required in many States to update your MCS-150 form before obtaining or renewing your vehicle registration(s).

### Updating Your MCS-150 Form

By Mail: FMCSA has enclosed a MCS-150 form. Complete the form according to the instructions. Fold it so the pre-printed FMCSA address is showing and drop it in the mail.

Online: You can update your MCS-150 form electronically on these FMCSA websites: [www.safersys.org](http://www.safersys.org) or [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). You will need your USDOT Number or Motor Carrier (MC) Number **and** your Personal Identification Number (PIN). If you do not have your PIN, there are instructions online to obtain a PIN at <http://www.fmcsa.dot.gov/documents/iep/IEP-INSTRUCTIONS.pdf>.

### Companies That Are Out-of-Business

If your company is now out-of-business, complete the enclosed MCS-150 form using the self-addressed, postage-paid form included with this letter. In the first line, “Reason for Filing,” check the box for “Out of Business Notification” and then sign and date the bottom of the form, and mail it to FMCSA.

### Owner-Operators, Leasing or Rental Companies, and Motor Carriers

#### *Owner-Operators*

- File an updated MCS-150 form if you are an owner-operator that may on occasion operate interstate under your own USDOT Number by changing your Company Operation to Interstate Carrier. Select “Biennial Update or Changes” under the “Reason for Filing” section at the top of the form and select “Interstate Carrier” in Section 22. Also, update the other information on the form as needed.
- No action is required if you are an owner-operator that will *always* operate under another company’s USDOT Number and Operating Authority. Your USDOT Number will be inactive in FMCSA’s census records. Should your operational needs change in the future

to include operating commercial motor vehicles as a motor carrier, you must update your MCS-150 form before beginning those operations.

#### *Leasing/Rental Companies*

- File an updated MCS-150 form if you are a leasing company that delivers or picks up commercial motor vehicles across State lines (see **Definitions** of interstate commerce enclosed). In this scenario, you must change your Company Operation to Interstate Carrier. Select “Biennial Update or Changes” under the “Reason for Filing” section at the top of the form and select “Interstate Carrier” in Section 22. Also, update the other information on the form as needed.
- No action is required if you are a leasing/rental company that does not transport or operate commercial motor vehicles. Your USDOT Number will be inactive in FMCSA’s census records. Should your operational needs change in the future to include operating commercial motor vehicles as a motor carrier, you must update your MCS-150 form before beginning those operations.

#### *Motor Carriers*

- If you operate commercial motor vehicles as a motor carrier, your company will need to update your USDOT Number status using the MCS-150 form and select one of the following options in Section 22 of the form:

Section 22: COMPANY OPERATION (*Mark all that apply*)

**A. Interstate Carrier** **B. Intrastate Hazmat Carrier** **C. Intrastate Non-Hazmat Carrier**

Select **A. Interstate Carrier** if you are a company that operates across State lines or international borders, or as part of trade, traffic, or transportation originating or terminating outside your State or outside the United States. In addition, **for-hire** motor carriers must obtain operating authority from FMCSA following the procedures described in 49 CFR part 365.

Select **B. Intrastate Hazmat Carrier** if you are a company that transports hazardous materials and does not operate across State lines or international borders or carry cargo originating outside your State or in another country.

Select **C. Intrastate Non-Hazmat Carrier** if you are a company that does not operate across State lines or international borders or carry cargo originating or terminating outside your State or outside the United States.

#### **New Entrant Safety Assurance Program**

Please note that new interstate carriers are subject to Section 385, Subpart D in Title 49 of the Code of Federal Regulations, including the requirements of a New Entrant Safety Audit and New Entrant monitoring during their first 18 months of operations. Our records indicate that your USDOT number was obtained within the previous 18 months. Therefore, if you operate as an interstate motor carrier, you are subject to the New Entrant requirements.

As information, be advised that there are a number of reasons an interstate motor carrier could automatically fail a New Entrant Safety Audit. Some examples of automatic failure violations which require only a single occurrence are:

- failing to implement an alcohol and/or controlled substances testing program,
- failing to implement a random controlled substances and/or alcohol testing program,
- operating a commercial motor vehicle without having the required minimum levels of financial responsibility coverage in effect,
- failing to correct out-of-service defects listed by driver in a Driver Vehicle Inspection Report before the vehicle is operated again.

If you have additional questions about updating your MCS-150 form, refer to the FMCSA website at <http://www.fmcsa.dot.gov> under Registration and Licensing or contact FMCSA at 1-877-905-8016.

Sincerely,

Jeffrey L. Secrist  
Chief, Information Technology  
Operations Division

## **Definitions**

### **Federal Motor Carrier Safety Regulations, Title 49 of the Code of Federal Regulations, Section 390.5. (49 C.F.R. §390.5).**

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

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

**Interstate commerce** means trade, traffic, or transportation in the United States:

- (1) Between a place in a State and a place outside of such State (including a place outside of the United States);
- (2) Between two places in a State through another State or a place outside of the United States; or
- (3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States.

**Intrastate commerce** means any trade, traffic, or transportation in any State which is not described in the term "interstate commerce."

**Motor carrier** means a for-hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For the purposes of subchapter B, this definition includes the terms employer and exempt motor carrier.