

**ISSUE NUMBER**

24-040-DRV

**ISSUE NAME**

Operational Policy 15 - Guidance for 390.21T(b)

**STATUS**

Closed

Driver-Traffic Enforcement Committee

**NAME**

Jonathan Beshears

**AGENCY**

J.B. Hunt Transport Services, Inc.

**ADDRESS**

615 JB Hunt Corporate Dr  
Lowell, AR 72745  
United States

**PHONE**

4798201383

**EMAIL**[jon.beshears@jbhunt.com](mailto:jon.beshears@jbhunt.com)**SUMMARY OF ISSUE**

There should be guidance or operational policy on when to cite 390.21T.

On June 13, 2024 we had two vehicles/drivers stopped for Level 1 DOT Inspections by the same officer with the California Highway Patrol within hours of each other. During the inspections the only violation that was listed for each Truck was for 390.21T(b) Carrier number displayed on vehicle is not clearly legible from at least 50 feet.

Attached images show the measurements for our DOT Markings that are the standard on our 24,000 plus truck fleet. We subsequently filed a DataQ for each inspection and the violations were then removed by the officer citing ", due to insufficient documentation of the violation".

We do not believe this an Agency issue but rather an officers interpretation/variation of eye sight.

**JUSTIFICATION OR NEED**

- 390.21T(c) states that the marking must (1) Appear on both sides of the self-propelled CMV;  
(2) Be in letters that contrast sharply in color with the background on which the letters are placed;  
(3) Be readily legible, during daylight hours, from a distance of 50 feet (15.24 meters) while the CMV is stationary;  
and  
(4) Be kept and maintained in a manner that retains the legibility required by paragraph (c)(3) of this section.

The regulation does not state a measurement that the numbers or letters must be, or state what color decals cannot be used on certain colors of vehicles. Instead it is broad enough to allow for vastly different interpretations/eye sight by agencies or officers.

**REQUEST FOR ACTION**

Create guidance for officers on when to cite 390.21 violations, or make an addition to Operational Policy 15.

**SUPPORTING DOCUMENTS/PHOTOS**

- [dataqs\\_details\\_4647289\\_202407101222.pdf](#)
- [dataqs\\_details\\_4647349\\_202407101221.pdf](#)
- [201154-Passenger-side.jpg](#)

- [201154-Driver-Side.jpg](#)
- [Inspection-2.pdf](#)
- [Inspection-1.pdf](#)

#### **ACTION TAKEN BY COMMITTEE**

The Driver-Traffic Enforcement Committee discussed when a violation of 390.21T(c) should be documented for improper marking requirements pertaining to contrasting colors and legibility from a distance of 50 feet.

The committee agreed that the regulation of 390.21T is vague and allowed for inconsistent enforcement among inspectors.

The committee and FMCSA agreed that the reason for contrasting colors was to ensure the legibility from 50 feet. If the marking is legible from 50 feet, it was determined to meet the requirement for contrasting colors.

It was decided to amend language in Inspection Bulletin 2021-03 – Identifying the Motor Carrier to add clarification for violation documentation.

A paragraph was added to state the following:

Any violations of the marking requirements outlined in 390.21T should be recorded under the appropriate sub-paragraph on an inspection report along with a detailed description of the violation(s). If the proper markings are clearly legible from a distance of 50 feet while the vehicle is stationary during daylight hours, a violation of 390.21T(c) should not be recorded.