

ISSUE NUMBER

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ISSUE NAME

OOSC, Part II, Item 2. Cargo Securement, m. Automobiles, Light Trucks and Vans - Winch as Tiedown

STATUS

Open

Vehicle Committee

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Our commercial officers have had an ongoing question regarding vehicle securement under 49CFR 393.128 and slide back tow trucks.

128(b) requires two tiedowns:

393.128 What are the rules for securing automobiles, light trucks and vans?

(a) Applicability. The rules in this section apply to the transportation of automobiles, light trucks, and vans which individually weigh 4,536 kg. (10,000 lb) or less. Vehicles which individually are heavier than 4,536 kg (10,000 lb) must be secured in accordance with the provisions of § 393.130 of this part.

(b) Securement of automobiles, light trucks, and vans.

(1) Automobiles, light trucks, and vans must be restrained at both the front and rear to prevent lateral, forward, rearward, and vertical movement using a minimum of two tiedowns.

(2) Tiedowns that are designed to be affixed to the structure of the automobile, light truck, or van must use the mounting points on those vehicles that have been specifically designed for that purpose.

(3) Tiedowns that are designed to fit over or around the wheels of an automobile, light truck, or van must provide restraint in the lateral, longitudinal and vertical directions.

(4) Edge protectors are not required for synthetic webbing at points where the webbing comes in contact with the tires.

Our question:

Can a powered winch (used for loading or unloading) be considered a tiedown?

Winch manufacturers seem to indicate they are for loading or unloading but not securement.

JUSTIFICATION OR NEED

Discuss use of loading winch for roll backs - whether it should be used as a tiedown or whether the regulations

should identify that loading winch is NOT to be used for subsequent load securement during transport.

REQUEST FOR ACTION

Request FMCSA add this to current Omnibus rulemaking