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From: Director, Fleet & Logistics, United Northeast
To: Federal Motor Carrier Safety Administration

Subj: REQUEST FOR COMMERCIAL MOTOR VEHICLE DEFINITION CHANGE

Ref: (a) Federal Motor Carrier Safety Administration (FMCSA) Compliance
Manual Part §390.5, §523.2, and §565.15 Table II

SUMMARY OF ISSUE

The current regulation outlined in reference (a) includes pickup trucks that may not be used in combination with a trailer and unnecessarily requires drivers to comply with regulations outlined in the FMCSA manual. Truck manufacturers are producing 3/4-ton pickup trucks with a Gross Vehicle Weight Rating (GVWR) over 10,000 pounds more commonly in today's market.

Example: A Regional Salesperson has a company provided Single Rear Wheel (SRW) pickup truck with a GVWR of 10,900 pounds. This salesperson's region is larger than the 150 air-mile radius and this salesperson will travel outside the 150 air-mile radius more than 8 times in a 30-day period. This salesperson is required to follow all the same rules and regulations outlined in the FMCSA manual as a Tractor Trailer. This includes Driver Vehicle Inspection Reports, Electronic Logs, DOT Medical Card, Hours of Service, stopping at all DOT weigh stations.

JUSTIFICATION OR NEED

It is our view that the spirit of the current Commercial Motor Vehicle (CMV) definition unintentionally includes 3/4-ton and 1-ton SRW pickup trucks which places an unnecessary burden on companies conducting their day-to-day business. We fully agree that once you connect a trailer to the aforementioned pickup truck that all regulations outlined in the FMCSA manual should be followed in order to ensure these vehicles are operated safely. Many states have passed state laws where they've increased the weight for their definition of a CMV. We operate in 7 states. Not all our states have adopted these laws.

REQUEST FOR ACTION

We respectfully request that the FMCSA remove Class 3 vehicles from the definition of a CMV and modify the definition of a CMV as outlined in reference (a), Part §390.5 Definitions, Commercial motor vehicle subpart (1) to the following:

"(1) Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 6,350 kg (14,001 pounds) or more, whichever is greater; or"

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