

**CHAPTER 231. INTRASTATE MOTOR CARRIER SAFETY
REQUIREMENTS**

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Authority

The provisions of this Chapter 231 issued under 75 Pa.C.S. §§ 4704 and 6103, unless otherwise noted.

Source

The provisions of this Chapter 231 adopted March 10, 1989, effective May 10, 1989, 19 Pa.B. 1020, unless otherwise noted.

Subchapter A. GENERAL

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§ 231.1. General information and requirements.

(a) *Purpose.* The purpose of this chapter is to prescribe the minimum requirements and qualifications for drivers, vehicles and other matters relating to the intrastate operation of commercial motor vehicles. Much of this chapter incorporates by reference 49 CFR 390—397. Appropriate parts may be obtained from the following:

(1) United States Government Printing Office, Book Store, Room 118, Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222, (412) 644-2721.

(2) United States Government Printing Office, 100 North 17th Street, Robert Morris Building, Philadelphia, Pennsylvania 19103, (215) 597-0677.

(3) United States Superintendent of Documents, United States Government Printing Office, Washington, D. C. 20402, (202) 655-4000.

(b) *Application.*

(1) A motor carrier and its officers, drivers, agents, employes and representatives involved in, or related to, the transportation of intrastate commerce shall comply with this chapter and shall take measures necessary to insure compliance.

(2) Officers, agents, representatives, drivers and employes of motor carriers concerned with the management, maintenance, operation or driving of vehicles engaged in intrastate commerce shall be conversant with, and knowledgeable of, this chapter.

(c) *Title and name changes.* To reconcile differences between this chapter and the incorporated sections of Federal regulations and to effectuate their joint enforcement, the following words and terms shall be substituted for the language of the Federal regulations as follows:

(1) Reference to the Department of Transportation means the Department.

(2) Reference to the Director means the Secretary.

(3) Reference to the Regional Highway Administrator means the Secretary.

(d) *Forms and documents.* References to forms in the Federal regulations incorporated by reference shall be replaced by the appropriate forms prescribed by the Department.

§ 231.2. Scope.

(a) Except as otherwise provided, this chapter applies to vehicles, including buses, motor vehicles and combinations of vehicles; and to drivers of buses or motor vehicles engaged in intrastate commerce if the registered gross weight of the vehicle or combination of vehicles exceeds 17,000 pounds.

(b) This chapter applies to motor carriers of property or passengers involved in intrastate commerce, whether common carriers, contract carriers or private carriers.

(c) This chapter does not apply to the following classes of vehicles and their drivers:

(1) Farm trucks not required to be registered.

(2) Special mobile equipment.

(3) Implements of husbandry.

(d) Subchapters B and E (relating to qualifications of drivers; and hours of service of drivers) do not apply to drivers of farm trucks whether or not required to be registered and not carrying hazardous materials in an amount and type which require the vehicle to be placarded or marked under regulations promulgated under 75 Pa.C.S. §§ 8301—8308 (relating to hazardous materials transportation).

(e) This chapter does not apply to maintenance mechanics driving vehicles as part of their duties related to routine road tests or other maintenance tests pro-

vided the mechanic operates the vehicle within 25 air miles of the maintenance facility to which he is assigned.

§ 231.3. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Bus—The term as defined in 75 Pa.C.S. § 102 (relating to definitions).

Business district—49 CFR 390.12 (relating to business districts) incorporated by reference.

Department—The Department of Transportation of the Commonwealth.

Driveaway-towaway operation—49 CFR 390.9 (relating to driveaway-towaway operation) incorporated by reference.

Driver—The term as defined in 75 Pa.C.S. § 102.

Full trailer—49 CFR 390.7 (relating to full trailer) incorporated by reference.

Gross weight—The term as defined in 75 Pa.C.S. § 102.

Interstate commerce—Trade, traffic or transportation of property or persons by highway between a place in this Commonwealth and a place in another state or between a place in one state and a place in another state with transportation by highway through this Commonwealth.

Intrastate commerce—The trade, traffic or transportation of property or persons by highway between places within this Commonwealth.

Lightweight vehicle—A motor vehicle, other than a vehicle that is being used to transport passengers for hire; or a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded under 49 CFR 177.823 that was one of the following:

(i) Manufactured on or after January 1, 1972, and has a manufacturer's gross vehicle weight rating of 17,000 pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of 17,000 pounds or less, in the case of an articulated vehicle.

(ii) Manufactured before January 1, 1972, and has a gross weight including its load and the gross weight of the vehicle being towed by the motor vehicle, of 17,000 pounds or less.

Motor carrier—49 CFR 390.15 (relating to motor carrier) incorporated by reference.

Motor carrier vehicle—The term as defined in 75 Pa.C.S. § 102.

Pole trailer—49 CFR 390.8 (relating to pole trailer) incorporated by reference.

Qualified Commonwealth employe—A Commonwealth employe designated by the Department who is authorized to inspect vehicles, drivers, documents, equipment and loads, or cargo as provided in 75 Pa.C.S. §§ 4704 and 8302 (relating to inspection by police or Commonwealth personnel; and powers and duties of department).

Radar detector—49 CFR 390.5 (relating to definitions) incorporated by reference.

Residence district—49 CFR 390.13 (relating to residence district) incorporated by reference.

Secretary—The Secretary of the Department.

Semitrailer—49 CFR 390.6 (relating to semitrailer) incorporated by reference.

Truck—The term as defined in 75 Pa.C.S. § 102.

Truck tractor—49 CFR 390.5 (relating to truck tractor) incorporated by reference.

Vehicle—The term as defined in 75 Pa.C.S. § 102.

Source

The provisions of this § 231.3 amended June 24, 1994, effective June 25, 1994, 24 Pa.B. 3128. Immediately preceding text appears at serial page (134662).

§ 231.4. Other terms.

49 CFR 390.28 (relating to other terms) incorporated by reference.

§ 231.5. Vehicles used for purposes other than as defined.

49 CFR 390.31 (relating to vehicles used for purposes other than as defined) incorporated by reference.

§ 231.6. Motor carrier to require observance of driver regulations.

49 CFR 390.32 (relating to motor carrier to require observance of driver regulations) incorporated by reference.

Subchapter B. QUALIFICATIONS OF DRIVERS

GENERAL

Sec.

- 231.21. Scope of this part; additional qualifications; duties of carrier-drivers.
- 231.22. General exemptions.
- 231.23. Definitions.
- 231.24. Familiarity with rules.
- 231.25. Aiding or abetting violations.

QUALIFICATION AND DISQUALIFICATION OF DRIVERS

- 231.31. Qualifications of drivers.
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BACKGROUND AND CHARACTER

- 231.41. Application for employment.
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PHYSICAL QUALIFICATIONS AND EXAMINATIONS

- 231.61. Physical qualifications of drivers.
- 231.62. Medical examination; certificate of physical examination.
- 231.63. Persons who must be medically examined and certified.
- 231.64. Resolution of conflicts of medical evaluation.
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- 231.66. Applicability.

FILES AND RECORDS

- 231.71. Driver qualification files.

LIMITED EXEMPTIONS

- 231.81. Drivers who were regularly employed before January 1, 1988.
- 231.82. Intermittent, casual or occasional drivers.
- 231.83. Drivers furnished by other motor carriers.
- 231.84. Drivers regularly employed as of September 23, 1995.
- 231.85. Drivers employed by State and local governments.

Cross References

This subchapter cited in 67 Pa. Code § 231.2 (relating to scope).

GENERAL**§ 231.21. Scope of this part; additional qualifications; duties of carrier-drivers.**

49 CFR 391.1 (relating to scope of the rules in this part; additional qualifications; duties of carrier-drivers) incorporated by reference.

§ 231.22. General exemptions.

49 CFR 391.2(b), (d) and (e) (relating to general exemptions) incorporated by reference.

§ 231.23. Definitions.

49 CFR 391.3(a) and (c) (relating to definitions) incorporated by reference.

§ 231.24. Familiarity with rules.

49 CFR 391.5 (relating to familiarity with rules) incorporated by reference.

§ 231.25. Aiding or abetting violations.

49 CFR 391.7 (relating to aiding or abetting violations) incorporated by reference.

QUALIFICATION AND DISQUALIFICATION OF DRIVERS**§ 231.31. Qualifications of drivers.**

(a) A person may not drive a motor vehicle unless he is qualified to drive a motor vehicle. Except as provided in § 231.82 (relating to intermittent, casual or occasional drivers), a motor carrier may not require or permit a person to drive a motor vehicle unless the person is qualified to drive a motor vehicle.

(b) Except as provided in §§ 231.81—231.83 (relating to drivers who were regularly employed before January 1, 1988; intermittent, casual or occasional drivers; drivers furnished by other motor carriers), a person is qualified to drive a motor vehicle if the person:

(1) Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries and to make entries on reports and records.

(2) Can, by reason of experience, training, or both, safely operate the type of motor vehicle he drives.

(3) Can, by reason of experience, training, or both, determine whether the cargo he transports—including baggage in a passenger-carrying motor vehicle—has been properly located, distributed and secured in or on the motor vehicle he drives.

(4) Is familiar with methods and procedures for securing cargo in or on the motor vehicle he drives.

(5) Has been issued a currently valid motor vehicle operator's license or permit of the appropriate class.

(6) Has prepared and furnished the motor carrier that employs him with the list of violations or the certificate as required by § 231.44 (relating to record of violations).

(7) Is not disqualified to drive a motor vehicle under § 231.32 (relating to disqualification of drivers).

(8) Has completed and furnished the motor carrier that employs him with an application for employment under § 231.41 (relating to application for employment).

(9) Is physically qualified to drive a motor vehicle under § 231.61 (relating to qualifications of drivers).

Source

The provisions of this § 231.31 amended September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996. Immediately preceding text appears at serial page (134664).

Cross References

This section cited in 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.32. Disqualification of drivers.

49 CFR 391.15 (relating to disqualification of drivers) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

BACKGROUND AND CHARACTER

§ 231.41. Application for employment.

49 CFR 391.21 (relating to application for employment) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

§ 231.42. Investigation and inquiries.

49 CFR 391.23 (relating to investigation and inquiries) incorporated by reference.

§ 231.43. Annual review of driving record.

49 CFR 391.25 (relating to annual review of driving record) incorporated by reference.

§ 231.44. Record of violations.

49 CFR 391.27 (relating to record of violations) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

PHYSICAL QUALIFICATIONS AND EXAMINATIONS**§ 231.61. Physical qualifications of drivers.**

49 CFR 391.41 (relating to physical qualifications of drivers) incorporated by reference with the following addition to subsection (b):

(14) Has been determined and certified by the medical examiner and by the motor carrier, in accordance with § 231.84 (relating to drivers regularly employed as of September 23, 1995), to be qualified to operate only in intrastate commerce.

Source

The provisions of this § 231.61 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.66 (relating to applicability); 67 Pa. Code § 231.84 (relating to drivers regularly employed as of September 23, 1995); and 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.62. Medical examination; certificate of physical examination.

49 CFR 391.43 (relating to medical examination; certificate of physical examination) incorporated by reference with the following addition to subsection (g):

(4) If the medical examiner determines that the driver is only qualified to operate in intrastate commerce in accordance with § 231.84 (relating to drivers regularly employed as of September 23, 1995), the statement "Medically qualified to operate in intrastate commerce only" shall appear on the medical examiner's certificate.

Source

The provisions of this § 231.62 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.66 (relating to applicability); 67 Pa. Code § 231.84 (relating to drivers regularly employed as of September 23, 1995); and 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.63. Persons who must be medically examined and certified.

49 CFR 391.45 (relating to persons who must be medically examined and certified) incorporated by reference.

Source

The provisions of this § 231.63 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.66 (relating to applicability); and 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.64. Resolution of conflicts of medical evaluation.

49 CFR 391.47 (relating to resolution of conflicts of medical evaluation) incorporated by reference with the following addition to subsection (d):

- (4) The Department will provide the parties with a written determination within 90 calendar days from the date of the notification issued under paragraph (1).

Source

The provisions of this § 231.64 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.66 (relating to applicability); and 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.65. Waiver of certain physical defects.

49 CFR 391.49 (relating to waiver of certain physical defects) incorporated by reference, except that the existing subsection (h) of the Federal rules is deleted and replaced with a new subsection (h) as follows:

- (h) *Time frame.* Time frames for determination and waiver are as follows:

- (1) Upon receipt of an application which is found to meet the requirements of this section, the Department will notify the applicant, in writing, that the application has been accepted and a written determination will be made within 90 calendar days from the date of the written notification of acceptance.

- (2) The Department may deny the application for waiver or may grant it totally or in part and issue a waiver subject to terms, conditions and limitations deemed consistent with the public safety. A waiver is valid for a period not to exceed 2 years from the date of issue and may be renewed 30 days prior to the expiration date.

Source

The provisions of this § 231.65 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.66 (relating to applicability); and 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

§ 231.66. Applicability.

The requirements of §§ 231.61—231.65 supersede the physical and medical requirements for drivers in Chapter 83 (relating to physical and mental criteria, including vision standards relating to the licensing of drivers).

Source

The provisions of this § 231.66 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.85 (relating to drivers employed by State and local governments).

FILES AND RECORDS

§ 231.71. Driver qualification files.

49 CFR 391.51 (relating to driver qualification files) incorporated by reference with the following addition to subsection (b):

- (6) A copy of the motor carrier's certification for drivers qualified under § 231.84 (relating to drivers regularly employed as of September 23, 1995).

Source

The provisions of this § 231.71 amended September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996. Immediately preceding text appears at serial page (134665).

LIMITED EXEMPTIONS

§ 231.81. Drivers who were regularly employed before January 1, 1988.

49 CFR 391.61 (relating to drivers who were regularly employed before January 1, 1971) incorporated by reference, except that references to January 1, 1971 in 49 CFR 391.61 are changed to January 1, 1988.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

§ 231.82. Intermittent, casual or occasional drivers.

49 CFR 391.63 (relating to intermittent, casual or occasional drivers) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

§ 231.83. Drivers furnished by other motor carriers.

49 CFR 391.65 (relating to drivers furnished by other motor carriers) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.31 (relating to qualifications of drivers).

§ 231.84. Drivers regularly employed as of September 23, 1995.

(a) A regularly employed driver as of September 23, 1995, who cannot meet the physical qualifications requirements of § 231.61 (relating to physical qualifications of drivers), will be considered to be qualified to operate in intrastate commerce if certified by the medical examiner and motor carrier in accordance with this section. The driver shall be considered qualified only until the existing unqualifying medical or physical condition significantly worsens or a new unqualifying medical or physical condition develops subsequent to September 23, 1995.

(b) The motor carrier's certification shall be based on a review of the driver's past driving safety record and accident history. The motor carrier's certification shall be on a form prescribed by the Department and shall be valid for a period commensurate with the period of the medical examiner's certificate issued in accordance with this chapter.

(c) A copy of the medical examiner's initial certificate establishing a driver's qualification under this section and annotated in accordance with § 231.62 (relating to medical examinations; certificate of physical examination), the most current biannual medical examiner's certificate and the most current certification by the employing motor carrier that the driver is qualified to operate in intrastate commerce shall be maintained in the driver's qualification file for the entire period of the driver's term of employment and for an additional 2 years after termination of employment.

Source

The provisions of this § 231.84 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Cross References

This section cited in 67 Pa. Code § 231.61 (relating to physical qualifications of drivers); 67 Pa. Code § 231.62 (relating to medical examination; certificate of physical examination); and 67 Pa. Code § 231.71 (relating to driver qualification files).

§ 231.85. Drivers employed by State and local governments.

Sections 231.31(b)(9) and 231.61—231.66 (relating to qualifications of drivers; and physical qualifications and examinations) do not apply to regularly employed drivers of State and local governments and agencies of State and local governments.

Source

The provisions of this § 231.85 adopted September 22, 1995, effective January 2, 1996, 25 Pa.B. 3996.

Subchapter C. DRIVING OF MOTOR VEHICLES**GENERAL**

Sec.

- 231.101. Scope of this part.
- 231.102. Applicable operating rules.
- 231.103. Ill or fatigued operator.
- 231.104. Narcotics, amphetamines and other dangerous substances.
- 231.105. Intoxicating beverage.
- 231.106. Schedules to conform with speed limits.
- 231.107. Equipment, inspection and use.
- 231.108. Emergency equipment, inspection and use.
- 231.109. Safe loading.
- 231.110. Corrective lenses to be worn.
- 231.111. Hearing aid to be worn.

DRIVING OF VEHICLES

- 231.121. Railroad grade crossings; stopping required.
- 231.122. Railroad grade crossings; slowing down required.
- 231.123. Drawbridges; stopping of buses.
- 231.124. Drawbridges; slowing down of other vehicles.
- 231.125. Hazardous conditions; extreme caution.
- 231.126. Required and prohibited use of turn signals.
- 231.127. Use of seat belts.

STOPPED VEHICLES

- 231.131. Unattended vehicles; precautions.
- 231.132. Stopped vehicles not to interfere with other traffic.
- 231.133. Emergency signals; stopped vehicles.
- 231.134. Emergency signals; flame producing.
- 231.135. Emergency signals; dangerous cargoes.

USE OF LIGHTED LAMPS AND REFLECTORS

- 231.141. Lighted lamps; moving vehicles.
- 231.142. Lighted lamps; stopped or parked vehicles.
- 231.143. Upper and lower headlamp beams.
- 231.144. Obscured lamps or reflectors.

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**ACCIDENTS AND LICENSE REVOCATION;
DUTIES OF DRIVER**

- 231.151. All accidents.
- 231.152. Striking unattended vehicle.
- 231.153. Notification of license revocation.

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- 231.161. Ignition of fuel; prevention.
- 231.162. Reserve fuel.
- 231.163. Buses; fueling.

PROHIBITED PRACTICES

- 231.171. Unauthorized persons not to be transported.
- 231.172. Driving by unauthorized person.
- 231.173. Bus driver; distraction.
- 231.174. Towing or pushing loaded buses.
- 231.175. Riding within closed vehicles without proper exits.
- 231.176. Sleeper berth; transfer to or from.
- 231.177. Carbon monoxide; use of vehicle when detected.
- 231.178. Heater, flame-producing; on vehicle in motion.
- 231.179. Motive power not to be disengaged.
- 231.180. Sleeper berth, occupation.
- 231.181. Radar detectors; use or possession, or both.

GENERAL**§ 231.101. Scope of this part.**

49 CFR 392.1 (relating to scope of the rules in this part) incorporated by reference.

§ 231.102. Applicable operating rules.

49 CFR 392.2 (relating to applicable operating rules) incorporated by reference.

§ 231.103. Ill or fatigued operation.

49 CFR 392.3 (relating to ill or fatigued operator) incorporated by reference.

§ 231.104. Narcotics, amphetamines and other dangerous substances.

49 CFR 392.4 (relating to drugs and other substances) incorporated by reference.

§ 231.105. Intoxicating beverage.

49 CFR 392.5 (relating to intoxicating beverage) incorporated by reference.

§ 231.106. Schedules to conform with speed limits.

49 CFR 392.6 (relating to schedules to conform with speed limits) incorporated by reference.

§ 231.107. Equipment, inspection and use.

49 CFR 392.7 (relating to equipment, inspection and use) incorporated by reference.

§ 231.108. Emergency equipment, inspection and use.

49 CFR 392.8 (relating to emergency equipment, inspection and use) incorporated by reference.

§ 231.109. Safe loading.

49 CFR 392.9 (relating to safe loading) incorporated by reference.

§ 231.110. Corrective lenses to be worn.

49 CFR 392.9a (relating to corrective lenses to be worn) incorporated by reference.

§ 231.111. Hearing aid to be worn.

49 CFR 392.9b (relating to hearing aid to be worn) incorporated by reference.

DRIVING OF VEHICLES

§ 231.121. Railroad grade crossings; stopping required.

49 CFR 392.10 (relating to railroad grade crossings; stopping required) incorporated by reference.

§ 231.122. Railroad grade crossings; slowing down required.

49 CFR 392.11 (relating to railroad grade crossings; slowing down required) incorporated by reference.

§ 231.123. Drawbridges; stopping of buses.

49 CFR 392.12 (relating to drawbridges; stopping of buses) incorporated by reference.

§ 231.124. Drawbridges; slowing down of other vehicles.

49 CFR 392.13 (relating to drawbridges; slowing down of other vehicles) incorporated by reference.

§ 231.125. Hazardous conditions; extreme caution.

49 CFR 392.14 (relating to hazardous conditions; extreme caution) incorporated by reference.

§ 231.126. Required and prohibited use of turn signals.

49 CFR 392.15 (relating to required and prohibited use of turn signals) incorporated by reference.

§ 231.127. Use of seat belts.

49 CFR 392.16 (relating to use of seat belts) incorporated by reference.

STOPPED VEHICLES**§ 231.131. Unattended vehicles; precautions.**

49 CFR 392.20 (relating to unattended vehicles; precautions) incorporated by reference.

§ 231.132. Stopped vehicles not to interfere with other traffic.

49 CFR 392.21 (related to stopped vehicles not to interfere with other traffic) incorporated by reference.

§ 231.133. Emergency signals; stopped vehicles.

49 CFR 392.22 (relating to emergency signals; stopped vehicles) incorporated by reference.

§ 231.134. Emergency signals; flame producing.

49 CFR 392.24 (relating to emergency signals; flame producing) incorporated by reference.

§ 231.135. Emergency signals; dangerous cargoes.

49 CFR 392.25 (relating to emergency signals; dangerous cargoes) incorporated by reference.

USE OF LIGHTED LAMPS AND REFLECTORS**§ 231.141. Lighted lamps; moving vehicles.**

49 CFR 392.30 (relating to lighted lamps; moving vehicles) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.209 (relating to lamps of motor carrier vehicles with projecting loads).

§ 231.142. Lighted lamps; stopped or parked vehicles.

49 CFR 392.31 (relating to lighted lamps; stopped or parked vehicles) incorporated by reference.

§ 231.143. Upper and lower headlamp beams.

49 CFR 392.32 (relating to upper and lower headlamp beams) incorporated by reference.

§ 231.144. Obscured lamps or reflectors.

49 CFR 392.33 (relating to obscured lamps or reflectors) incorporated by reference.

**ACCIDENTS AND LICENSE REVOCATION;
DUTIES OF DRIVER**

§ 231.151. All accidents.

49 CFR 392.40 (relating to all accidents) incorporated by reference.

§ 231.152. Striking unattended vehicle.

49 CFR 392.41 (relating to striking unattended vehicle) incorporated by reference.

§ 231.153. Notification of license revocation.

49 CFR 392.42 (relating to notification of license revocation) incorporated by reference.

FUELING PRECAUTIONS

§ 231.161. Ignition of fuel; prevention.

49 CFR 392.50 (relating to ignition of fuel; prevention) incorporated by reference.

§ 231.162. Reserve fuel.

49 CFR 392.51 (relating to reserve fuel) incorporated by reference.

§ 231.163. Buses; fueling.

49 CFR 392.52 (relating to buses; fueling) incorporated by reference.

PROHIBITED PRACTICES**§ 231.171. Unauthorized persons not to be transported.**

49 CFR 392.60 (relating to unauthorized persons not to be transported) incorporated by reference.

§ 231.172. Driving by unauthorized person.

49 CFR 392.61 (relating to driving by unauthorized person) incorporated by reference.

§ 231.173. Bus driver; distraction.

49 CFR 392.62 (relating to bus driver; distraction) incorporated by reference.

§ 231.174. Towing or pushing loaded buses.

49 CFR 392.63 (relating to towing or pushing loaded buses) incorporated by reference.

§ 231.175. Riding within closed vehicles without proper exits.

49 CFR 392.64 (relating to riding within closed vehicles without proper exits) incorporated by reference.

§ 231.176. Sleeper berth; transfer to or from.

49 CFR 392.65 (relating to sleeper berth; transfer to or from) incorporated by reference.

§ 231.177. Carbon monoxide; use of vehicle when detected.

49 CFR 392.66 (relating to carbon monoxide; use of vehicle when detected) incorporated by reference.

§ 231.178. Heater, flame-producing; on vehicle in motion.

49 CFR 392.67 (relating to heater, flame-producing; on vehicle in motion) incorporated by reference.

§ 231.179. Motive power not to be disengaged.

49 CFR 392.68 (relating to motive power not to be disengaged) incorporated by reference.

§ 231.180. Sleeper berth, occupation.

49 CFR 392.69 (relating to sleeper berth, occupation) incorporated by reference.

§ 231.181. Radar detectors; use or possession, or both.

49 CFR 392.71 (relating to radar detectors; use and/or possession) incorporated by reference.

Source

The provisions of this § 231.181 adopted June 24, 1994, effective June 25, 1994, 24 Pa.B. 3128.

Notes of Decisions*Seizure*

Warrantless seizure of a radar detector would have been permissible under the plain view doctrine when the officer, who responded to a dispatch informing him of an accident and who approached a truck involved in the accident to assure that the emergency brake was set, viewed the radar detector on the truck's dashboard from his lawful vantage point outside of the truck; the seizure was not rendered impermissible because it was delayed until a time when the truck was impounded. *Commonwealth v. Petroll*, 738 A.2d 993 (Pa. 1999).

**Subchapter D. PARTS AND ACCESSORIES
NECESSARY FOR SAFE OPERATION****GENERAL**

Sec.

231.191. Additional equipment and accessories.

**LIGHTING DEVICES, REFLECTORS AND ELECTRICAL
EQUIPMENT**

- 231.201. Lamps operable.
- 231.202. Lamps and reflectors, small buses and trucks.
- 231.203. Lamps and reflectors, large buses and trucks.
- 231.204. Lamps and reflectors, truck tractors.
- 231.205. Lamps and reflectors, large semitrailers and full trailers.
- 231.206. Lamps and reflectors, small semitrailers and full trailers.
- 231.207. Lamps and reflectors, pole trailers.
- 231.208. Lamps and reflectors, combinations in driveaway-towaway operation.
- 231.209. Lamps of motor carrier vehicles with projecting loads.
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§ 231.191. Additional equipment and accessories.

49 CFR 393.2 (relating to additional equipment and accessories) incorporated by reference.

LIGHTING DEVICES, REFLECTORS AND ELECTRICAL EQUIPMENT

§ 231.201. Lamps operable.

49 CFR 393.9 (relating to lamps operable) incorporated by reference.

§ 231.202. Lamps and reflectors, small buses and trucks.

49 CFR 393.11 (relating to lamps and reflectors, small buses and trucks) incorporated by reference.

§ 231.203. Lamps and reflectors, large buses and trucks.

49 CFR 393.12 (relating to lamps and reflectors, large buses and trucks) incorporated by reference.

§ 231.204. Lamps and reflectors, truck tractors.

49 CFR 393.13 (relating to lamps and reflectors, truck tractors) incorporated by reference.

§ 231.205. Lamps and reflectors, large semitrailers and full trailers.

49 CFR 393.14 (relating to lamps and reflectors, large semitrailers and full trailers) incorporated by reference.

§ 231.206. Lamps and reflectors, small semitrailers and full trailers.

49 CFR 393.15 (relating to lamps and reflectors, small semitrailers and full trailers) incorporated by reference.

§ 231.207. Lamps and reflectors, pole trailers.

49 CFR 393.16 (relating to lamps and reflectors, pole trailers) incorporated by reference.

§ 231.208. Lamps and reflectors, combinations in driveaway-towaway operation.

49 CFR 393.17 (relating to lamps and reflectors, combinations in driveaway-towaway operation) incorporated by reference.

§ 231.209. Lamps of motor carrier vehicles with projecting loads.

A motor vehicle transporting a load which extends beyond the width or which has projections beyond the rear of the vehicle shall be equipped with the lamps listed in this section in addition to other required lamps. See § 231.292 (relating to flags on projecting loads) for flags on vehicles.

(1) *Loads projecting beyond sides of motor vehicles.*

(i) The foremost edge of the projecting load at its outermost extremity shall be marked with an amber lamp visible from the front and side.

(ii) The rearmost edge of the projecting load at its outermost extremity shall be marked with a red lamp visible from the rear and side.

(iii) If a portion of the projecting load extends beyond both the foremost and rearmost edge, it shall be marked with an amber lamp visible from the front, side and rear.

(iv) If the projecting load does not measure over 3 feet from front to rear, it shall be marked with an amber lamp visible from the front, side and rear except that if the projection is located at or near the rear, it shall be marked by a red lamp visible from the front, side and rear.

(2) *Projections beyond rear of motor vehicles.* A motor vehicle which transports loads extending over 4 feet beyond the rear of the motor vehicle or which has tailboards or tailgates extending over 4 feet beyond the body shall have these projections marked:

(i) On each side of the projecting load one red lamp, visible from the side located to indicate maximum overhang.

(ii) On the rear of the projecting load two red lamps, visible from the rear, one at each side and two red reflectors visible from the rear, one at each side, located to indicate maximum width.

(3) *Exemptions.* A vehicle with projecting loads which operates during those times of the day when lighted lamps are not required under § 231.141 (relating to lighted lamps; moving vehicles) shall be required to use flags only under § 231.292.

§ 231.210. Requirements for turn signaling systems.

49 CFR 393.19 (relating to requirements for turn signaling systems) incorporated by reference.

§ 231.211. Clearance lamps to indicate extreme width and height.

49 CFR 393.20 (relating to clearance lamps to indicate extreme width and height) incorporated by reference.

§ 231.212. Combination of lighting devices and reflectors.

49 CFR 393.22 (relating to combination of lighting devices and reflectors) incorporated by reference.

§ 231.213. Lighting devices to be electric.

49 CFR 393.23 (relating to lighting devices to be electric) incorporated by reference.

§ 231.214. Requirements for head lamps and auxiliary road lighting lamps.

49 CFR 393.24 (relating to requirements for head lamps and auxiliary road lighting lamps) incorporated by reference.

§ 231.215. Requirement for lamps other than headlamps.

49 CFR 393.25 (relating to requirement for lamps other than headlamps) incorporated by reference.

§ 231.216. Requirements for reflectors.

49 CFR 393.26 (relating to requirements for reflectors) incorporated by reference.

§ 231.217. Wiring specifications.

49 CFR 393.27 (relating to wiring specifications) incorporated by reference.

§ 231.218. Wiring to be protected.

49 CFR 393.28 (relating to wiring to be protected) incorporated by reference.

§ 231.219. Grounds.

49 CFR 393.29 (relating to grounds) incorporated by reference.

§ 231.220. Battery installation.

49 CFR 393.30 (relating to battery installation) incorporated by reference.

§ 231.221. Overload protective devices.

49 CFR 393.31 (relating to overload protective devices) incorporated by reference.

§ 231.222. Detachable electrical connections.

49 CFR 393.32 (relating to detachable electrical connections) incorporated by reference.

§ 231.223. Wiring, installation.

49 CFR 393.33 (relating to wiring, installation) incorporated by reference.

BRAKES**§ 231.231. Required brake systems.**

49 CFR 393.40 (relating to required brake systems) incorporated by reference.

§ 231.232. Parking brake system.

49 CFR 393.41 (relating to parking brake system) incorporated by reference.

§ 231.233. Brakes required on all wheels.

49 CFR 393.42 (relating to brakes required on all wheels) incorporated by reference.

§ 231.234. Breakaway and emergency braking.

49 CFR 393.43 (relating to breakaway and emergency braking) incorporated by reference.

§ 231.235. Front brake lines, protection.

49 CFR 393.44 (relating to front brake lines, protection) incorporated by reference.

§ 231.236. Brake tubing and hose, adequacy.

49 CFR 393.45 (relating to brake tubing and hose, adequacy) incorporated by reference.

§ 231.237. Brake tubing and hose connections.

49 CFR 393.46 (relating to brake tubing and hose connections) incorporated by reference.

§ 231.238. Brake lining.

49 CFR 393.47 (relating to brake lining) incorporated by reference.

§ 231.239. Brakes to be operative.

49 CFR 393.48 (relating to brakes to be operative) incorporated by reference.

§ 231.240. Single valve to operate all brakes.

49 CFR 393.49 (relating to single valve to operate all brakes) incorporated by reference.

§ 231.241. Reservoirs required.

49 CFR 393.50 (relating to reservoirs required) incorporated by reference.

§ 231.242. Warning devices and gauges.

49 CFR 393.51 (relating to warning devices and gauges) incorporated by reference, except that the manufacturer's gross weight rating of 49 CFR 393.51(g)(2)(ii) shall be 17,000 pounds or less.

Cross References

This section cited in 55 Pa. Code Chapter 231 Appendix B (relating to vehicle out-of-service criteria).

§ 231.243. Brake performance.

49 CFR 393.52 (relating to brake performance) incorporated by reference.

GLAZING AND WINDOW CONSTRUCTION

§ 231.251. Glazing in specified openings.

49 CFR 393.60 (relating to glazing in specified openings) incorporated by reference.

§ 231.252. Window construction.

49 CFR 393.61 (relating to window construction) incorporated by reference.

§ 231.253. Window obstructions.

49 CFR 393.62 (relating to window obstructions) incorporated by reference.

§ 231.254. Windows, markings.

49 CFR 393.63 (relating to windows, markings) incorporated by reference.

FUEL SYSTEMS**§ 231.261. All fuel systems.**

49 CFR 393.65 (relating to all fuel systems) incorporated by reference.

§ 231.262. Liquid fuel tanks.

49 CFR 393.67 (relating to liquid fuel tanks) incorporated by reference.

§ 231.263. Liquefied petroleum gas systems.

49 CFR 393.69 (relating to liquefied petroleum gas systems) incorporated by reference.

COUPLING DEVICES AND TOWING METHODS**§ 231.271. Coupling devices and towing methods, except for driveaway-towaway operations.**

49 CFR 393.70 (relating to coupling devices and towing methods, except for driveaway-towaway operations) incorporated by reference.

§ 231.272. Coupling devices and towing methods, driveaway-towaway operations.

49 CFR 393.71 (relating to coupling devices and towing methods, driveaway-towaway operations) incorporated by reference.

MISCELLANEOUS PARTS AND ACCESSORIES**§ 231.281. Tires.**

(a) *Fabric.* No motor vehicle may be operated on a tire that has fabric exposed through the tread or sidewall.

(b) *Front wheels.* A tire on the front wheels of a bus, truck or truck tractor shall have a tread groove pattern depth of at least 4/32 of an inch when measured at a point on a major tread groove. The measurements may not be made where tie bars, humps or fillets are located.

(c) *Measurement.* Except as provided in subsection (b), tires shall have a tread groove pattern depth of at least 2/32 of an inch when measured in a major tread groove. The measurement may not be made where tie bars, humps or fillets are located.

(d) *Regrooved, recapped or retreaded tires.* No bus may be operated with regrooved, recapped or retreaded tires on the front wheels.

(e) *Trucks.* No truck or truck tractor may be operated with regrooved tires on the front wheels which have a load-carrying capacity equal to or greater than that of 8.25-20 8 ply-rating tires.

(f) *Tire load rating.*

(1) *Front wheels—general rule.* No motor vehicle may be operated with tires on the front wheels which carry a greater weight than that specified for the tires in the publications of the standardizing bodies listed in FMVSS No. 119 and marked on the sidewall of the tire. If the load does not exceed rated capacity, tires not marked in accordance with FMVSS No. 119 may be used on the front axles of single-unit-property carrying vehicles.

(2) *Other than front wheels.* After September 30, 1976, no motor vehicle may be operated with tires on wheels other than the front wheels which carry a greater weight than that specified for the tire in the publications of the standardizing bodies listed in Federal Motor Vehicle Safety Standard No. 119.

(3) *Conflict.* If a conflict exists on allowable tire loads and pressures among the manufacturer or a standards organization, FMVSS No. 119 governs.

(4) *Tire pressure.* No motor vehicle may be operated on a tire which has a cold inflation pressure less than that specified for the load being carried.

(5) *Inflation pressure.* If the inflation pressure of the tire has been increased by heat because of the recent operation of the vehicle, the cold inflation pressure shall be estimated by subtracting the inflation buildup factor shown in Table No. I from the measured inflation pressure.

**TABLE I—INFLATION PRESSURE MEASUREMENT
CORRECTION FOR HEAT**

Average speed of tire in miles per hour	Minimum inflation pressure buildup	
	Tires with 4,000 lb. (1,814 kg) Maximum load rating or less	Tires with over 4,000 lb. (1,814 kg) load rating
41 to 55 mi/h (66 to 88.5 km/h)	5 lb/in (0.36 bar)	15 lb/in (1.07 bars)

(g) *Exception.* A vehicle permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires) is not subject to the requirements of this section.

§ 231.282. Sleeper berths.

49 CFR 393.76 (relating to sleeper berths) incorporated by reference.

§ 231.283. Heaters.

49 CFR 393.77 (relating to heaters) incorporated by reference.

§ 231.284. Windshield wipers.

49 CFR 393.78 (relating to windshield wipers) incorporated by reference.

§ 231.285. Defrosting device.

49 CFR 393.79 (relating to defrosting device) incorporated by reference.

§ 231.286. Rear-vision mirrors.

49 CFR 393.80 (relating to rear-vision mirrors) incorporated by reference.

§ 231.287. Horn.

49 CFR 393.81 (relating to horn) incorporated by reference.

§ 231.288. Speedometer.

49 CFR 393.82 (relating to speedometer) incorporated by reference.

§ 231.289. Exhaust system location.

(a) *Exhaust system of a motor vehicle.* No part of the exhaust system of a motor vehicle may be so located as would be likely to result in burning, charring or damaging the electrical wiring, the fuel supply or a combustible part of the motor vehicle.

(b) *Exhaust system of a bus.* The exhaust system of a bus powered by a gasoline engine shall discharge to the atmosphere at an outside edge of the vehicle. The exhaust system of a bus powered by other than a gasoline engine shall discharge to the atmosphere at an outside edge of the vehicle.

(c) *Exhaust system of a truck or truck tractor.* The exhaust system of a truck or truck tractor shall discharge to the atmosphere at a location to the rear of the cab, or if the exhaust projects above the cab, at a location near the rear of the cab.

§ 231.290. Floors.

49 CFR 393.84 (relating to floors) incorporated by reference.

§ 231.291. Rear-end protection.

49 CFR 393.86 (relating to rear-end protection) incorporated by reference.

§ 231.292. Flags on projecting loads.

A motor vehicle which has a load which extends beyond the sides or more than 4 feet beyond the rear shall have the extremities of the load marked with a red flag, not less than 12 inches square.

Cross References

This section cited in 67 Pa. Code § 231.209 (relating to lamps of motor carrier vehicles with projecting loads).

§ 231.293. Television receivers.

49 CFR 393.88 (relating to television receivers) incorporated by reference.

§ 231.294. Buses, driveshaft protection.

49 CFR 393.89 (relating to buses, driveshaft protection) incorporated by reference.

§ 231.295. Buses, standee line or bar.

49 CFR 393.90 (relating to buses, standee line or bar) incorporated by reference.

§ 231.296. Buses, aisle seats prohibited.

49 CFR 393.91 (relating to buses, aisle seats prohibited) incorporated by reference.

§ 231.297. Buses, marking emergency doors.

49 CFR 393.92 (relating to buses, marking emergency doors) incorporated by reference.

§ 231.298. Seats, seat belt assemblies and seat belt assembly anchorages.

49 CFR 393.93(a)—(c) (relating to seats, seat belt assemblies and seat belt assembly anchorages) incorporated by reference.

§ 231.299. Vehicle interior noise levels.

49 CFR 393.94 (relating to vehicle interior noise levels) incorporated by reference.

EMERGENCY EQUIPMENT**§ 231.301. Emergency equipment on all power units.**

49 CFR 393.95 (relating to emergency equipment on all power units) incorporated by reference.

**PROTECTION AGAINST SHIFTING
OR FALLING CARGO**

§ 231.311. General rules for protection against shifting or falling cargo.

49 CFR 393.100 (relating to general rules for protection against shifting or falling cargo) incorporated by reference.

§ 231.312. Securement systems.

49 CFR 393.102 (relating to securement systems) incorporated by reference.

§ 231.313. Blocking and bracing.

49 CFR 393.104 (relating to blocking and bracing) incorporated by reference.

§ 231.314. Front-end structure.

49 CFR 393.106 (relating to front-end structure) incorporated by reference.

Cross References

This section cited in 67 Pa. Code Chapter 231 Appendix B (relating to vehicle out-of-service criteria).

Subchapter E. HOURS OF SERVICE OF DRIVERS

GENERAL

Sec.
231.331. Definitions.

DRIVERS SERVICE TIME

- 231.341. Maximum driving and on-duty time.
- 231.342. Travel time.
- 231.343. Driver's record of duty status.
- 231.344. Adverse driving conditions.
- 231.345. Emergency conditions.
- 231.346. Relief from regulations.
- 231.347. Drivers declared out-of-service.

Cross References

This subchapter cited in 67 Pa. Code § 231.2 (relating to scope).

GENERAL**§ 231.331. Definitions.**

- (a) *General.* 49 CFR 395.2 (relating to definitions) incorporated by reference.
- (b) *Additions or modifications to definitions.* In addition to subsection (a), the following words and terms have the following meanings, unless the context clearly indicates otherwise:

Incidental driver—An employe whose primary employment by a private carrier of property by motor vehicle is not as a driver and who:

- (i) Drives as an incidental part of his primary employment.
- (ii) Drives within a 100 air mile radius of the point to which he reports to duty.
- (iii) Devotes not more than 50% of his hours of duty to driving.

Cross References

This section cited in 67 Pa. Code § 231.341 (relating to maximum driving and on-duty time); and 67 Pa. Code § 231.343 (relating to driver's record of duty status).

DRIVERS SERVICE TIME**§ 231.341. Maximum driving and on-duty time.**

- (a) *Maximum driving and on-duty time.* 49 CFR 395.3 (relating to maximum driving and on-duty time) incorporated by reference.

(b) *Additions or modifications to maximum driving and on-duty time.* In addition to the requirements of subsection (a), the following apply:

- (1) The maximum driving and on-duty time provisions relating to a driver who is driving a motor vehicle in Alaska are deleted.
- (2) The reference to "gross weight of 10,000 pounds" appearing in 49 CFR 395.3 is modified to refer to "gross weight of 17,000 pounds."
- (3) The provisions relating to maximum driving and on-duty time appearing in subsection (a) do not apply to an incidental driver, as defined in § 231.331 (relating to definitions).

§ 231.342. Travel time.

49 CFR 395.7 (relating to travel time) incorporated by reference.

§ 231.343. Driver's record of duty status.

- (a) A motor carrier shall require a driver used by the motor carrier to record his duty status, in duplicate, for each 24-hour period. A driver who operates a motor vehicle shall record his duty status, in duplicate, for each 24-hour period. The duty status time shall be recorded on a specified grid, as shown in subsection (g). The grid and the requirements of subsection (d) may be combined with company forms.

(b) The duty status shall be recorded as follows:

- (1) "Off-duty" or "OFF."
- (2) "Sleeper berth" or "SB"—only if a sleeper berth used.
- (3) "Driving" or "D."
- (4) "On-duty not driving" or "ON."

(c) For a change of duty status (such as, the place of reporting for work, starting to drive, on-duty not driving and where released from work), the name of the city, town or village, with State abbreviation, shall be recorded. If a change of duty status occurs at a location other than a city, town or village, show one of the following:

- (1) The highway number and nearest milepost followed by the name of the nearest city, town or village and State abbreviation.
- (2) The highway number and the name of the service plaza followed by the name of the nearest city, town or village and State abbreviation.
- (3) The highway numbers of the nearest two intersecting roadways followed by the name of the nearest city, town or village and State abbreviation.

(d) The following information shall be included on the form in addition to the grid:

- (1) The date.
- (2) The total miles driving today.
- (3) The truck or tractor and trailer number.
- (4) The name of carriers.
- (5) The driver's signature/certification.
- (6) The twenty-four hour period starting time (such as, midnight, 9 a.m., noon, 3 p.m.).
- (7) The main office address.
- (8) Remarks.
- (9) The total mileage today.
- (10) The name of the co-driver.
- (11) The home terminal address.
- (12) The total hours—far right edge of grid.
- (13) The shipping document number, or name of the shipper and commodity.
- (14) The origin.
- (15) The destination or turnaround points.

(e) Failure to complete the record of duty activities, failure to preserve a record of the duty activities, or making of false reports in connection with the duty activities makes the driver or carrier, or both, liable to prosecution.

(f) The driver's activities shall be recorded in accordance with the following:

- (1) *Entries to be current.* A driver shall keep a record of duty status current to the time shown for the last change of duty status.
- (2) *Entries made by driver only.* Entries relating to driver's duty status shall be legible and in the driver's own handwriting.

(3) *Date.* The month, day and year for the beginning of each 24-hour period shall be shown on the form containing the driver's duty status record.

(4) *Total mileage driven.* Total mileage driven during the 24-hour period shall be recorded on the form containing driver's duty status record.

(5) *Vehicle identification.* The carrier's vehicle number or State and license number of each truck, truck tractor and trailer operated during that 24-hour period shall be shown on the form containing the driver's duty status record.

(6) *Name of carrier.* The name of the motor carrier for which work is performed shall be shown on the form containing the driver's duty status record. When work is performed for more than one motor carrier during the same 24-hour period, the beginning and finishing time, showing a.m. or p.m., worked for each carrier shall be shown after each carrier name. A driver of leased vehicles shall show the name of the motor carrier performing the transportation.

(7) *Signature/certification.* The driver shall certify to the correctness of entries by signing the form containing the driver's duty status record with his legal name of record. The driver's signature shall certify that entries required by this section made by the driver are true and correct.

(8) *Time base to be used.*

(i) The driver's duty status record shall be prepared, maintained and submitted using the time standard in effect at the driver's home terminal, for a 24-hour period beginning with the time specified by the motor carrier for that driver's home terminal.

(ii) The term "7 or 8 consecutive days" means the 7 or 8 consecutive 24-hour periods as designated by the carrier for the driver's home terminal.

(iii) The 24-hour period starting time shall be identified on the driver's duty status record. One-hour increments shall appear on the graph, be identified and preprinted. The words "Midnight" and "Noon" shall appear above or beside the appropriate 1-hour increment.

(9) *Main office address.* The motor carrier's main office address shall be shown on the form containing the driver's duty status record.

(10) *Recording days off-duty.* Two or more consecutive 24-hour periods off-duty may be recorded on one duty status record.

(11) *Total mileage today.* Total mileage today shall be that mileage traveled while driving, on-duty not driving and resting in a sleeper berth, as defined in § 231.331 (relating to definitions) during the day covered by the record of duty status.

(12) *Home terminal.* The driver's home terminal address shown shall be that at which the driver normally reports for duty.

(13) *Total hours.* The driver's daily duty status shall be recorded in the driver's daily log form as follows: off-duty other than in a sleeper berth; off-duty in a sleeper berth; driving; and on-duty not driving. Entries shall be

entered on the grid, and the total hours in each duty status shall be entered in the column to the right of the grid. The total of the entries shall equal 24 hours.

(14) *Shipping document numbers, or name of shipper and commodity.* The shipping document number or name of the shipper and commodity shall be shown on the driver's record of duty status.

(15) *Origin and destination.* The name of the place where a trip begins and the final destination or farthest turnaround point shall be shown. If a trip requires more than 1 calendar day, the record of duty status for each day shall show the origin and final destination. If a driver departs from and returns to the same place on any day, the destination shall be indicated by entering the farthest point reached followed by the words "and return".

(g) The graph grid shall be as specified in 49 CFR 395.8(g) (relating to driver's record of duty status).

(h) The graph grid may be used horizontally or vertically and shall be completed as follows:

(1) *Off-duty.* Except for time spent resting in a sleeper berth, a continuous line shall be drawn between the appropriate time markers to record the period of time when the driver is not on-duty, is not required to be in readiness to work or is not under a responsibility for performing work.

(2) *Sleeper berth.* A continuous line shall be drawn between the appropriate time markers to record the period of time off-duty resting in a sleeper berth, as defined in § 231.331. If a nonsleeper berth operation, sleeper berth need not be shown on the grid.

(3) *Driving.* A continuous line shall be drawn between the appropriate time markers to record the period of time on duty driving a motor vehicle, as defined in § 231.331.

(4) *On-duty not driving.* A continuous line shall be drawn between the appropriate time markers to record the period of time on-duty not driving specified in § 231.331.

(5) *Location—Remarks.* The name of the city, town or village, with state abbreviation where each change of duty status occurs shall be recorded. If a change of duty status occurs at a location other than a city, town or village show one of the following:

(i) The highway number and nearest milepost followed by the name of the nearest city, town or village and state abbreviation.

(ii) The highway number and name of the service plaza followed by the name of the nearest city, town or village and state abbreviation.

(iii) The highway numbers of the nearest two intersecting roadways followed by the name of the nearest city, town or village and state abbreviation.

(i) The driver shall submit or forward by mail the original driver's record of duty status to the regular employing motor carrier within 13 days following the completion of the form.

(j) A driver used by more than one motor carrier is governed by the following:

(1) When the services of a driver are used by more than one motor carrier during any 24-hour period in effect at the driver's home terminal, the driver shall submit a copy of the record of duty status to each motor carrier. The record shall include:

- (i) Duty time for the entire 24-hour period.
- (ii) The name of each motor carrier served by the driver during that period.
- (iii) The beginning and finishing time, including a.m. or p.m., worked for each carrier.

(2) A motor carrier, when using a driver for the first time or intermittently, shall obtain from the driver a signed statement giving the total time on-duty during the immediately preceding 7 days and the time at which the driver was last relieved from duty prior to beginning work for the motor carriers.

(k) Retention of driver's record of duty status is as follows:

(1) Driver's records of duty status for each calendar month may be retained at the driver's home terminal until the 20th day of the succeeding calendar month. The records shall then be forwarded to the carrier's principal place of business where they shall be retained with supporting documents for a period of 6 months from date of receipt.

(2) Upon written request to, and with the approval of, the Secretary, a motor carrier may forward and maintain the records at a regional or terminal office.

(3) The driver shall retain a copy of each record of duty status for the previous 7 consecutive days which shall be in his possession and available for inspection while on-duty.

(l) Exemptions—100 air-mile radius driver. A driver is exempt from the requirements of this section if:

(1) The driver operates within a 100 air-mile radius of the normal work reporting location.

(2) The driver, except a driver salesperson, returns to the work reporting location and is released from work within 12 hours or is an employe of a public transportation authority and returns to the normal work reporting location and is released within 15 hours.

(3) At least 8 consecutive hours off-duty separate each 12 or 15 hours on-duty.

(4) The driver does not exceed 10 hours maximum driving time following 8 consecutive hours off-duty.

(5) The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:

- (i) The time the driver reports for duty each day.
- (ii) The total number of hours the driver is on-duty each day.

- (iii) The time the driver is released from duty each day.
- (iv) The total time for the preceding 7 days under subsection (j)(2) for drivers used for the first time or intermittently.

§ 231.344. Adverse driving conditions.

49 CFR 395.10 (relating to adverse driving conditions) incorporated by reference.

§ 231.345. Emergency conditions.

49 CFR 395.11 (relating to emergency conditions) incorporated by reference.

§ 231.346. Relief from regulations.

This chapter does not apply to a carrier subject thereto when transporting passengers or property to or from a section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence or other calamitous visitation or disaster. Personnel providing services relating to the public health or safety on an emergency basis shall also be provided the regulatory relief afforded by this section.

§ 231.347. Drivers declared out-of-service.

(a) *Authorization.* Upon finding at the time and place of examination, that a driver has violated the driver out-of-service criteria set forth in §§ 231.431 and 231.432 (relating to application; and adoption of Federal standards), a qualified Commonwealth employe or a State Police officer who is involved in a systematic vehicle inspection program or who has probable cause to believe that a driver is not in compliance with the driver out-of-service criteria as set forth in §§ 231.431 and 231.432 is authorized to declare a driver out-of-service and to notify the motor carrier of that declaration.

(b) *Responsibilities of motor carriers.*

(1) No motor carrier may:

(i) Require or permit a driver who has been declared out-of-service to operate a motor vehicle until that driver may lawfully do so under this chapter.

(ii) Require a driver, who has been declared out-of-service for failure to prepare a record of duty status, to operate a motor vehicle until that driver has been off-duty for 8 consecutive hours and is in compliance with this chapter. The consecutive 8 hours off-duty period may include sleeper berth time.

(2) A motor carrier shall complete the "Motor Carrier Certification of Action Taken" portion of the "Driver Vehicle Compliance Report" form and deliver the copy of the report either personally or by mail to the address shown on the form within 15 days following the date of examination. If the motor carrier mails the form, delivery is made on the date it is postmarked.

(c) *Responsibilities of the driver.*

(1) No driver, who has been declared out-of-service, may lawfully operate a motor vehicle until that driver may lawfully do so under this chapter.

(2) No driver, who has been declared out-of-service for failing to prepare a record of duty status, may operate a motor vehicle until the driver has been off-duty for 8 consecutive hours and is in compliance with this chapter.

(3) A driver, who has been declared out-of-service, shall, within 24 hours thereafter, deliver or mail the copy of the "Driver-Vehicle Compliance Report" to a person or place designated by the motor carrier to receive it.

(4) This section does not alter the hazardous materials requirements in § 231.384 (relating to attendance and surveillance of motor vehicles).

**Subchapter F. INSPECTION, REPAIR
AND MAINTENANCE**

Sec.

231.361. Inspection, repair and maintenance.

231.362. Lubrication.

231.363. Unsafe operations forbidden.

231.364. Inspection of motor carrier vehicles in operation.

231.365. Driver vehicle inspection reports.

231.366. Driver inspection.

231.367. Driveaway-towaway operations, inspections.

§ 231.361. Inspection, repair and maintenance.

49 CFR 396.3 (relating to inspection, repair and maintenance) incorporated by reference.

§ 231.362. Lubrication.

49 CFR 396.5 (relating to lubrication) incorporated by reference.

§ 231.363. Unsafe operations forbidden.

49 CFR 396.7 (relating to unsafe operations forbidden) incorporated by reference.

§ 231.364. Inspection of motor carrier vehicles in operation.

(a) *Inspection of vehicles involved in intrastate commerce.* As provided in 75 Pa.C.S. § 4704 (relating to inspection by police or Commonwealth personnel) qualified Commonwealth employees, State Police officers and local police officers are authorized to inspect motor carrier vehicles involved in intrastate commerce.

(b) *Prescribed inspection report.* The Driver-Vehicle Compliance Report will be used to record results of motor vehicle inspections conducted by personnel authorized in subsection (a).

(c) *Motor carrier vehicles declared out-of-service.*

(1) Personnel authorized by subsection (a) shall declare and mark out-of-service motor carrier vehicles which, by reason of mechanical condition or loading, would likely cause an accident or breakdown. An out-of-service sticker approved by the Department shall be used to mark motor carrier vehicles out-of-service. The criteria to be used in placing a motor carrier vehicle out-of-service is contained in §§ 231.451—231.453 (relating to vehicle out-of-service criteria).

(2) No motor carrier may require or permit a person to operate a motor carrier vehicle declared and marked “out-of-service” until repairs required by the out-of-service notice have been satisfactorily completed. The term “operate” includes towing the vehicle, except that vehicles marked out-of-service may be towed away by means of a vehicle using a crane or hoist. A vehicle combination consisting of an emergency towing vehicle and an out-of-service vehicle may not be operated unless the combination meets the performance requirements of this subchapter, except for those conditions noted on the Driver-Vehicle Compliance Report.

(3) No person may remove the out-of-service sticker from a motor carrier vehicle prior to completion of repairs required by the out-of-service notice.

(4) The person completing the repairs required by the out-of-service notice shall sign the Certification of Repairman under the terms prescribed, entering the name of the shop or garage and the date and time the repairs were completed. If the driver completed the repairs, the driver shall sign and complete the Certification of Repairman.

(d) *Motor carrier disposition.*

(1) Upon arrival at the next terminal or facility, the driver of a motor carrier vehicle receiving an inspection report shall deliver it to the motor carrier. If the driver is not scheduled to arrive at a terminal or facility of the motor carrier operating the vehicle within 24 hours, the driver shall immediately mail the report to the motor carrier.

(2) Motor carriers shall examine the report. Violations or defects noted thereon shall be corrected.

(3) Within 15 days following the date of the inspection, the motor carrier shall:

(i) Complete the Motor Carrier Certification of Action Taken under the terms prescribed thereon.

(ii) Return the completed report to the Department at the address shown thereon.

§ 231.365. Driver vehicle inspection reports.

49 CFR 396.11 (relating to driver vehicle inspection reports) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 179.10 (relating to general conditions).

§ 231.366. Driver inspection.

49 CFR 396.13 (relating to driver inspection) incorporated by reference.

§ 231.367. Driveaway-towaway operations, inspections.

49 CFR 396.15 (relating to driveaway-towaway operations, inspections) incorporated by reference.

Subchapter G. TRANSPORTATION OF HAZARDOUS MATERIALS; DRIVING AND PARKING RULES

Sec.

- 231.381. Application of the rules in the subchapter.
- 231.382. Compliance with Federal motor carrier safety regulations.
- 231.383. State and local laws, ordinances and regulations.
- 231.384. Attendance and surveillance of motor vehicles.
- 231.385. Parking.
- 231.386. Routes.
- 231.387. Fires.
- 231.388. Smoking.
- 231.389. Fueling.
- 231.390. Tires.
- 231.391. Instructions and documents.
- 231.392. Marking of vehicles operated by private carriers.

§ 231.381. Application of the rules in the subchapter.

49 CFR 397.1 (relating to application of the rules in this part) incorporated by reference.

§ 231.382. Compliance with Federal motor carrier safety regulations.

49 CFR 397.2 (relating to compliance with Federal motor carrier safety regulations) incorporated by reference.

§ 231.383. State and local laws, ordinances and regulations.

49 CFR 397.3 (relating to state and local laws, ordinances and regulations) incorporated by reference.

§ 231.384. Attendance and surveillance of motor vehicles.

49 CFR 397.5 (relating to attendance and surveillance of motor vehicles) incorporated by reference.

Cross References

This section cited in 67 Pa. Code § 231.347 (relating to drivers declared out-of-service).

§ 231.385. Parking.

49 CFR 397.7 (relating to parking) incorporated by reference.

§ 231.386. Routes.

49 CFR 397.9 (relating to routes) incorporated by reference.

§ 231.387. Fires.

49 CFR 397.11 (relating to fires) incorporated by reference.

§ 231.388. Smoking.

49 CFR 397.13 (relating to smoking) incorporated by reference.

§ 231.389. Fueling.

49 CFR 397.15 (relating to fueling) incorporated by reference.

§ 231.390. Tires.

49 CFR 397.17 (relating to tires) incorporated by reference.

§ 231.391. Instructions and documents.

49 CFR 397.19 (relating to instructions and documents) incorporated by reference.

§ 231.392. Marking of vehicles operated by private carriers.

49 CFR 397.21 (relating to marking of vehicles operated by private carriers) incorporated by reference.

Subchapter H. STATEMENTS OF POLICY

Sec.

231.411. Adoption of interpretations of Federal Motor Carrier Safety Regulations, Federal Highway Administration, United States Department of Transportation.

§ 231.411. Adoption of interpretations of Federal Motor Carrier Safety Regulations, Federal Highway Administration, United States Department of Transportation.

(a) *Adoption of interpretations.* The Department adopts, as statements of policy, interpretations of the Federal Motor Carrier Safety Regulations, Parts 390—397 published at 42 Fed. Reg. 60078 (1977) and Part 396 published at 45 Fed. Reg. 46425 (1980).

(b) *Exception.* The interpretation relating to Part 390 of the Federal Motor Carrier Safety Regulations is deleted.

Subchapter I. DRIVER OUT-OF-SERVICE CRITERIA

Sec.
231.431. Application.
231.432. Adoption of Federal standards.

§ 231.431. Application.

In determining whether a driver of a motor carrier vehicle will be placed out-of-service under 75 Pa.C.S. § 4704(c) (relating to inspection by police or Commonwealth personnel), State Police and qualified Commonwealth employees will use the criteria set forth in this subchapter.

Cross References

This section cited in 67 Pa. Code § 231.347 (relating to drivers declared out-of-service).

§ 231.432. Adoption of Federal standards.

(a) The driver out-of-service criteria contained in Appendix A of the Federal Highway Administration's *National Uniform Driver-Vehicle Inspection Manual* are incorporated by reference under 45 Pa.C.S. § 727(9) (relating to matter not required to be published), upon approval of the Legislative Reference Bureau.

(b) The *National Uniform Driver-Vehicle Inspection Manual* may be obtained by contacting: Department of Transportation, Motor Carrier Safety Division, Center for Highway Safety, 215 Transportation and Safety Building, Harrisburg, Pennsylvania 17120, (717) 787-7445.

Cross References

This section cited in 67 Pa. Code § 231.347 (relating to drivers declared out-of-service).

Subchapter J. VEHICLE OUT-OF-SERVICE CRITERIA

Sec.
231.451. Application.
231.452. Adoption of Federal standards.
231.453. Additional standards.

§ 231.451. Application.

In determining whether motor carrier vehicles will be placed out-of-service under 75 Pa.C.S. § 4704(c) (relating to inspection by police or Commonwealth personnel), police officers and qualified Commonwealth employees will use the criteria set forth in this subchapter.

Cross References

This section cited in 67 Pa. Code § 231.364 (relating to inspection of motor carrier vehicles in operation).

§ 231.452. Adoption of Federal standards.

(a) The vehicle out-of-service criteria contained in Appendix B of the Federal Highway Administration's *National Driver-Vehicle Inspection Manual* are incorporated by reference under 45 Pa.C.S. § 727(9) (relating to matter not required to be published), upon approval of the Legislative Reference Bureau, with the following exceptions:

- (1) 1.a.(6)(c) (relating to brake lining).
- (2) 1.b.(3) (relating to steering axle brakes).
- (3) 1.b.(4)(c) (relating to steering axle brake lining).
- (4) 1.e.(2)(4) (relating to brake hose).
- (5) 1.j.(2)(3) (relating to air compressor).
- (6) 1.l.(1)(4) (relating to hydraulic brakes).
- (7) 3.(b) (relating to bus exhaust).
- (8) 7.b. (relating to steering column).
- (9) 7.c. (relating to front axle beam).
- (10) 7.f. (relating to power steering).
- (11) 8.b.(6) (relating to spring assembly).
- (12) 8.c. (relating to torque, radius or tracking components).
- (13) 8.f. (relating to adjustable axle assemblies).
- (14) 9.a.(4) (relating to steering axle tires).
- (15) 9.b.(7) (relating to other than steering axle tires).

(b) The *National Uniform Driver-Vehicle Inspection Manual* may be obtained by contacting: Department of Transportation, Motor Carrier Safety Division, Center for Highway Safety, 215 Transportation and Safety Building, Harrisburg, Pennsylvania 17120, (717) 787-7445.

Cross References

This section cited in 67 Pa. Code § 231.364 (relating to inspection of motor carrier vehicles in operation).

§ 231.453. Additional standards.

The following additional vehicle out-of-service criteria applies:

- (1) A vehicle's brake linings or pads shall be declared out-of-service if:
 - (i) Bonded linings are less than 2/32-inch at thinnest point.
 - (ii) Riveted linings are less than 1/32-inch above rivet head at thinnest point.
 - (iii) Bolted lining is worn to less than 1/8-inch at center of shoe.
- (2) A bus shall be declared out-of-service if the exhaust system is leaking or not discharging at an outside edge of the vehicle.

(3) A vehicle shall be declared out-of-service if a tire is marked "Not for Highway Use" or otherwise marked and having like meaning, except vehicles permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires).

Cross References

This section cited in 67 Pa. Code § 231.364 (relating to inspection of motor carrier vehicles in operation).

APPENDIX A DRIVER OUT-OF-SERVICE CRITERIA

A driver found to be in violation of Part 395 Hours of Service of Drivers is to be declared out-of-service for whatever period of time necessary to comply with this Part.

The alpha and numeric identifiers following the FMCSR section number distinguish between violations having the same section number, which permits the selective storage and retrieval of data in the Management Information System.

	VIOLATION IDENTIFICATION CODE
1. Driving more than 10 hours following 8 consecutive hours off duty: To be placed out of service for 8 consecutive hours or until such time as eligibility to drive is reestablished.	395.3A1
2. Driving for any period after having been on duty 15 hours following 8 consecutive hours off duty: To be placed out of service for 8 consecutive hours or until such time as eligibility to drive is reestablished.	395.3A2
a. Non-sleeper berth operation. Violation of item 1. or 2., 8 hours out-of-service.	
b. Sleeper berth operation. The length of out-of-service time will be computed to the nearest quarter hour as follows:	

VIOLATION
IDENTIFICATION
CODE

(1) If the next turn in the sleeper berth will restore the driver's eligibility to drive, this period of time will constitute the hours out-of-service. Example: Following 8 consecutive hours off duty, a driver drives 5 hours, enters the sleeper berth for 3 1/2 hours and then drives 6 hours, resulting in a 1-hour violation of the 10-hour rule. Four and one-half hours in the sleeper berth will restore the driver's eligibility to drive for 4 additional hours.

(2) If the next turn in the sleeper berth does not restore the driver's eligibility to drive, the driver is out-of-service for 8 consecutive hours. Example: Following 8 consecutive hours off duty, a driver drives 6 hours, enters the sleeper berth 6 hours and then drives for 10 hours—resulting in a 6-hour violation of the 10-hour rule and 1-hour violation of the 15-hour rule. Since a 2 hour period in the sleeper berth will not restore the driver's eligibility to drive, the driver is out-of-service for 8 consecutive hours.

3. Driving after having been on duty more than 60 or 70 hours in 7 or 8 consecutive days (combined driving and on-duty time): To be placed out-of-service until on-duty time in 8 consecutive days totals less than 70 hours. (Time to be released from out-of-service starts at 12:01 a.m. on the following day or each succeeding 24-hour period until hours are available). 395.3B

4. No record of duty status in possession when one is required [see 100 air mile radius exceptions in 49 CFR 395.8(1)]: To be placed out-of-service for 8 consecutive hours. 395.8A1

5. A record of duty status not in conformance with CFR Title 49 Part 395.13(b)(3): To be placed out-of-service for 8 consecutive hours. (Note: Driver shall be given the opportunity to complete record of duty status for current day and prior day if records of duty status for 6 previous days are completed). 395.8F

VIOLATION
IDENTIFICATION
CODE

6. Driver who has prepared record of duty status for the current day and the prior day, but has not prepared records for the preceding 5 days will be placed out of service for 8 consecutive hours.

395.13A

NOTE: (1) A driver involved in sleeper berth operation (sleeper team) placed out-of-service for hours violations can be replaced by a co-driver, if the co-driver has hours available to drive.

NOTE: (2) A solo driver using a sleeper berth to obtain rest, who exceeds the hours of service limitations shall be placed out-of-service until the driver has hours available to drive. (e.g., 5 hours driving, 4 hours sleeper berth, 6 hours driving to be placed out-of-service in sleeper berth for 4 hours; at this time the driver will have 4 hours driving time available.)

APPENDIX B
VEHICLE OUT-OF-SERVICE CRITERIA

The criteria set forth in this appendix shall be governing and unequivocally observed in declaring and marking vehicles "out-of-service."

The alpha and numeric identifiers following the FMCSR or HMR section number distinguish between violations having the same section number, which permits the selective storage and retrieval of data in the Management Information System.

VIOLATION
IDENTIFICATION
CODE

1. BRAKE SYSTEM.

Vehicle(s) are out-of-service when one or a combination of a or b exist.

231-44

	VIOLATION IDENTIFICATION CODE
a. Defective Brakes. The number of defective brakes is equal to or greater than 20 percent of brakes on the vehicle or combination. A defective brake includes any brake that meets one of the following criteria: (Note: Check steering axle brakes under par. 1b)	
(1) Absence of braking action upon application of the service brakes (such as brake shoe(s) failing to move upon application of a wedge, s-cam, cam, or disk brake).	393.48A
(2) Missing or broken mechanical components including: shoes, springs, anchor pins, spiders, cam rollers, push-rods, and cam shaft support brackets.	393.48A
(3) Loose brake components including air chambers, spiders, and cam shaft support brackets.	393.48A
(4) Audible air leak at brake chamber (ruptured diaphragm). Note: Also check under air loss rate.	396.3AA
(5) Readjustment limits. (Note: 20% or more of a vehicle's brakes must be out of adjustment as defined below).	
(a) One brake at 1/4 inch or more beyond the readjustment limit. (Example: Type 30 measured at 2 1/4 inch would be one defective brake). See Table B-1.	396.3E
(b) Two brakes less than 1/4 inch beyond the readjustment limit also equal one defective brake. (Example: two Type 30 brake chamber push rods measured at 2 1/8 inch would be one defective brake.) See Table B-1.	396.3E
(6) Brake linings or pads.	
(a) Cracked so that lining or pad is not firmly attached to the shoe.	393.47A
(b) Saturated with oil, grease, or brake fluid, or	393.47A
(c) Thickness less than:	393.47A
(i) 2/32-Inch at thinnest point if bonded.	
(ii) 1/32-Inch above rivet head at thinnest point if riveted.	

	VIOLATION IDENTIFICATION CODE
(iii) 1/8-Inch at center of shoe if bolted.	
(7) Missing brake on any axle required to have brakes.	393.42A
b. Unbalanced Steering Axle Brakes.	
Note: Steering axle brakes include power unit, full trailer, or dolly.	
(1) Absence of braking action on one wheel on the steering axle of any vehicle including a dolly and front axle of a full trailer, when the other wheel has an operative brake.	393.48A
(2) Adjustment balance. When the difference in brake push-rod stroke between each side of a motor vehicle steering axle is 1/2 inch or more, or when one of the steering axle brakes is 1/4 inch or more beyond the readjustment limit. See Table B-1.	396.3E
(3) Brake Linings or Pads:	
(a) cracked so that lining or pad is not firmly attached to the shoe.	393.47A
(b) saturated with oil, or grease, or brake fluid, or	393.47A
(c) thickness less than:	393.47A
(i) 2/32-Inch at thinnest point if bonded.	
(ii) 1/32-Inch above rivet head at thinnest point if riveted.	
(iii) 1/8-Inch at center of shoe if bolted.	
c. Parking Brake System. No brakes on the vehicle or combination are applied upon actuation of the parking brake control. Including driveline hand controlled parking brake.	393.41
d. Brake Drums or Rotors.	
(1) With any external crack or cracks that open upon brake application. (Note: Do not confuse short hairline heat check cracks with flexural cracks.)	396.3A1

	VIOLATION IDENTIFICATION CODE
(2) Any portion of the drum or rotor missing or in danger of falling away.	396.3A1
e. Brake Hose.	
(1) Hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply). (Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Any damage to inner color is out-of-service). (Note: See example in Appendix E. Damage must be through outer casing and one ply of fabric).	393.45A
(2) Hose with audible leak at other than a proper connection.	396.3AA
(3) Air hose cracked, broken or crimped.	393.45A
f. Brake Tubing.	
(1) Tubing with an audible leak at other than a proper connection.	396.3AA
(2) Tubing cracked, damaged by heat, broken or crimped.	393.45A
g. Low Pressure Warning Device. Missing, inoperative, or does not operate at 55 psi and below. (Note: Check exemptions in 67 Pa. Code § 231.242 (relating to warning devices and gauges).)	393.51A
	LEAKS AT CONNECTIONS
h. Air Loss Rate, if an air leak is discovered and the reservoir pressure is not maintained when: governor is cut-in,	393.46A
	LEAKS AT OTHER THAN CONNECTIONS
reservoir pressure is between 80 and 90 psi.	396.3AA

LEAKS AT
OTHER THAN
CONNECTIONS

engine is at idle, and service brakes are fully applied. (Note: all four conditions apply)	
i. Air Check Valve. Inoperable or missing air supply one way check valve(s) on power unit.	393.50C
j. Air Compressor. (Normally to be inspected when readily visible.) Compressor drive belts in condition of impending or probable failure.	396.3AC
k. Electric Brakes. Absence of braking action on 20 percent or more of the braked wheels of a vehicle or combination of vehicles.	393.48A
l. Hydraulic Brakes. (Including: Power assist vacuum-over hydraulic and engine driven hydraulic booster.)	
(1) No pedal reserve with engine running except by pumping pedal.	396.3Y2
(2) Power assist unit fails to operate.	393.3Y3
(3) Missing or inoperative check valve.	396.3Y4
(4) Has any visually observed leaking hydraulic fluid in the brake system.	CONNECTIONS 393.46A
	OTHER THAN CONNECTIONS
	396.3Y5
(5) Has hydraulic hose(s) abraded (chafed) through outer cover-to-fabric layer. Fluid lines or connections leaking, restricted, crimped, cracked or broken.	393.45A
(6) Brake failure or low fluid warning light on.	393.48A
m. Vacuum Systems. Any vacuum system which:	
(1) Has insufficient vacuum reserve to permit one full brake application after engine is shut off.	393.50B

OTHER THAN
CONNECTIONS

(2) Has vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover to cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied.

393.45A

(3) Lacks an operative low-vacuum warning device as required. (Note: Check for exemption in 49 CFR 393.51(g)).

393.51A

2. COUPLING DEVICES.

a. Tow-bar, Fifth Wheel, Saddlemount and Pintle Hook:

(1) Any adjustable tow-bar or fifth wheel with one-fourth or more of the locking pins missing or out of position.

393.70A

(2) Any adjustable fifth wheel locking mechanism that does not remain in the locked position.

393.70A

(3) Any leakage in adjustable fifth wheel locking mechanisms dependent on fluid energy or air pressure.

393.70A

(4) Any crack, break or damaged part in the stress or load-bearing areas of a coupling device.

LOWER HALF
393.70A
UPPER HALF
393.70B
FULL TRAILER
393.70C

DRIVEAWAY/
TOWAWAY

393.71A

EXCEPTIONS:

(a) Crack in a ramp or on the horn of fifth wheel.

(b) Casting shrinkage cracks in the ribs of the body of a cast fifth wheel.

- (5) Mounting plates and brackets, including bolts, nuts, welds, rivets and pins (but not including adjustable features) which are loose, worn or broken so as to permit 1/4 inch or more observable relative motion between the mounting components and the frame of the vehicle. 393.70A
- (6) Fifth wheel and tow-bar play:
- (a) Play lengthwise of the vehicle exceeding 1 inch between the upper and lower fifth wheel halves. 393.70A
- (b) Where provision is made for adjustment of a fifth wheel lower half or tow bar, relative to the vehicle frame, there is more than 1 inch of play lengthwise of the vehicle in any such adjustment when locked or latched in position. FIFTH WHEEL
393.70A
FULL TRAILER
393.70C
DRIVEAWAY/
TOWAWAY
393.71A
- (7) Safety Devices. A safety chain, cable or other device missing, not properly attached or is worn, abraded or otherwise damaged to the extent that it is no longer reliable to hold the towed unit. 393.70C
3. EXHAUST SYSTEM.
- (a) Gasoline or LPG-powered truck or truck tractor exhaust system determined to be leaking or discharging at a point forward of or directly below the driver/sleeper compartment. 393.83C
- (b) A bus exhaust system leaking or not discharging to the atmosphere at an outside edge of the vehicle. 393.83B1
4. FUEL SYSTEM.
- a. A fuel system with a visible leak at any point. 393.67D
- b. A fuel tank filler cap missing. 393.67C
- c. A fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or brackets. (Note: Some fuel tanks use springs or rubber bushings to permit movement). 393.65C
5. LIGHTING DEVICES.

a. During the period of 1/2 hour after sunset to 1/2 hour before sunrise:

(1) Head Lamps—The single vehicle or towing vehicle does not have at least one head lamp operative on low beam. 393.9

(2) Lamps on rear—Bus, truck, truck tractor and towed vehicle (including driveaway-towaway operation) not having at least one steady burning red lamp on the rear-most vehicle, visible from 500 feet. 393.9A

(3) Lamps on projecting loads—There is not at least one operative steady burning red or amber lamp on the rear of loads projecting more than 4 feet beyond the vehicle body, visible from 500 feet. 393.9B

b. At anytime day or night:

(1) Does not have at least one operative stop lamp on the rear of a single unit vehicle or the rearmost vehicle of a combination of vehicles. 393.9C

(2) Does not have operative turn signal on each side of the rear of a single unit vehicle or the rearmost vehicle of a combination of vehicles. 393.19

6. SAFE LOADING.

a. Part(s) of vehicles or condition of loading such that the spare tire or any part of the load or dunnage can fall onto the roadway. 392.9A

b. Protection against shifting cargo—Any vehicle without a front-end structure or equivalent device as required by 67 Pa. Code § 231.314 (relating to front-end structure). 393.106A

7. STEERING MECHANISM.

a. Steering wheel free play: 396.3A5

Steering Wheel Diameter 16" 18" 20" 21" 22"

Manual System Movement 30° or 4 1/2"+ 4 3/4"+ 5 1/4"+ 5 1/2"+ 5 3/4"+

Power System Movement 45° or 6 3/4"+ 7 1/8"+ 7 7/8"+ 8 1/4"+ 8 5/8"+

Note: For power systems, if steering wheel movement exceeds 45° before steering axle tires move, proceed as follows: rock steering wheel left to right between points of power steering valve resistance. If that motion exceeds 30° (or the inch movement values shown for manual steering) vehicle shall be placed out-of-service.

- | | |
|---|---------|
| b. Steering Gear Box. | 396.3A5 |
| (1) Any mounting bolt(s) loose or missing. | |
| (2) Any crack(s) in gear box or mounting brackets. | |
| c. Pitman Arm: Any looseness of the pitman arm on the steering gear output shaft. | 396.3A5 |
| d. Ball and Socket Joints. | 396.3A5 |
| (1) Any movement of a stud nut under steering load. | |
| (2) Any motion, other than rotational, between any linkage member and its attachment point of more than 1/4 inch. | |
| e. Tie Rods and Drag Links. | 396.3A5 |
| (1) Loose clamp(s) or clamp bolt(s) on tie rods or drag links. | |
| (2) Any looseness in any threaded joint. | |
| f. Nut(s) loose or missing on tie rods, pitman arm, drag link, steering arm or tie rod arm. | 396.3A5 |
| g. Steering System. Any modification or other condition that interferes with free movement of any steering component. | 396.3A5 |
| 8. SUSPENSION. | |
| a. Any U-bolt(s), spring hanger(s) or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position. Note: After a turn, lateral axle displacement is normal with some suspensions. Forward or rearward operation in a straight line will cause the axle to return to alignment. | 396.3L |
| b. Spring Assembly. | |

(1) One-fourth or more of the leaves in any leaf spring assembly broken or missing.	396.3M1
(2) Broken main leaf in a leaf spring assembly.	396.3M1
(3) Coil spring broken.	396.3M5
(4) Rubber spring missing.	396.3M6
(5) One or more leaves displaced in a manner that could result in contact with a tire, rim, brake drum or frame.	396.3M2
c. Frame.	
(1) Any cracked, loose, sagging or broken frame member permitting shifting of the body onto moving parts or other condition indicating an imminent collapse of the frame.	396.3S
(2) Any cracked, loose or broken frame member adversely affecting support of functional components such as steering gear, fifth wheel, engine, transmission, body parts and suspensions.	396.3S
(3) One and 1/2 inch or longer crack in frame web which is directed toward bottom flange.	396.3S
(4) Any crack extending from the frame web around the radius and into the bottom flange.	396.3S
(5) One inch or longer crack in bottom flange.	396.3S
d. Tire and Wheel Clearance. Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assemblies, at the time of inspection.	396.3T
9. TIRES.	
a. Any tire on any steering axle of a power unit:	
(1) With less than 2/32 inch tread when measured in any two adjacent major tread grooves at any location on the tire.	393.75B
(2) When any part of the breaker strip or casing ply is showing in the tread.	393.75A

- | | |
|--|---------|
| (3) When sidewall is cut, worn or damaged to the extent the ply cord is exposed. | 393.75A |
| (4) Labeled "Not for Highway Use" or otherwise marked and having like meaning, except vehicles permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires.) | 393.75E |
| (5) A tube-type radial tire without radial tube stem markings. These markings include a red band around the tube stem, the word "radial" embossed in metal stems, or the word "radial" molded in rubber stems. | 393.75F |
| (6) Mixing bias and radial tires on the same axle. | 393.75G |
| (7) Tire flap protrudes through valve slot in rim and touches stem. | 393.75H |
| (8) Regrooved tire except motor vehicle used solely in urban or suburban service. Note: See exception 49 CFR 393.75(e). | 393.75I |
| (9) Visually observable bump, bulge or knot apparently related to tread or sidewall separation. | 393.75E |
| (10) Boot, blowout patch or other ply repair. | 393.75E |
| (11) Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure. | 393.75J |
| (12) Tire is flat or has noticeable (e.g., can be heard or felt) leak. | 393.75E |
| (13) Any bus equipped with recapped or retreaded tire(s). | 393.75D |
| (14) So mounted or inflated that it comes in contact with any part of the vehicle. | 393.75E |
| b. All tires other than those found on the steering axle of a powered vehicle. | |
| (1) Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air pressure. | 393.75J |
| (2) Tire is flat or has noticeable (e.g., can be heard or felt) leak. | 393.75E |

(3) Bias Ply Tire: When more than one ply is exposed in the tread area or sidewall or when the exposed area of the top ply exceeds 2 square inches.	393.75A
(4) Radial Ply Tire: When two or more plies are exposed in the tread area or damaged cords are evident in the sidewall or when the exposed area exceeds 2 square inches, tread or sidewall.	393.75A
(5) Single tires on any position with visually observable bump or knot apparently related to tread or sidewall separation.	393.75E
(6) So mounted or inflated that it comes in contact with any part of the vehicle.	393.75E
(7) Is marked "Not for Highway Use" or otherwise marked and having like meaning, except vehicles permitted to operate with oversize wheels and tires under 75 Pa.C.S. § 4969 (relating to permit for movement of vehicles with oversize wheels and tires).	393.75E
(8) So worn that less than 1/32 inch tread remains when measured in any two adjacent major tread grooves at any location on the tire. EXCEPTION: On dual wheels, both tires must have less than 1/32 inch tread.	393.75C
10. WHEELS AND RIMS.	
a. Lock or Side Ring. Bent, broken, cracked, improperly seated, sprung or mismatched ring(s).	396.3H
b. Rim Cracks. Any circumferential crack except at valve hole.	396.3H
c. Disc Wheel Cracks. Cracked between:	396.3I
(1) hand hole and another hole, or between,	
(2) stud holes, or both.	
d. Stud Holes (disc wheels). 50 percent or more elongated stud holes (fasteners tight).	396.3I
e. Spoke Wheel Cracks. Two or more cracks more than 1 inch long across spoke or hub section.	396.3J
f. Tubeless Demountable Adapter Cracks. Cracks at three or more spokes.	396.3K

g. Fasteners. Fastener positions (both spoke and disc wheels) ineffective as follows: for 10 fastener positions: 3 anywhere, 2 adjacent; for 8 fastener positions or less (including spoke wheels): 2 anywhere.	396.3K
h. Welds.	
(1) Any crack in welds attaching disc wheel disc to rim.	396.3I
(2) Any crack in welds attaching tubeless demountable rim to adapter.	396.3K
(3) Any welded repair on aluminum wheel(s) on a steering axle.	396.3I
(4) Any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the power unit steering axle.	396.3I
11. WINDSHIELD WIPERS. Any power unit that has an inoperative wiper or missing or damaged parts that render it ineffective on the driver's side. (Applicable only in inclement weather requiring use of windshield wipers.)	393.78
12. HAZARDOUS MATERIALS OUT-OF-SERVICE CRITERIA FOR PLACARDED VEHICLES ONLY.	
a. Shipping papers. When transporting hazardous materials not accompanied by a shipping paper which indicates the hazardous materials being transported.	177.817A
b. Placarding. When 50 percent or more of the required placards for a hazard class are missing or misrepresent the H/M being transported.	MISSING 177.823A1 IMPROPER 177.823A2
c. Cargo Tanks.	
(1) When the emergency discharge valve(s) (commonly called the internal valve) is missing or in the open position.	FLAMMABLE LIQUID 177.837E2 CORROSIVE LIQ. 177.839D2 POISON 177.841D2

(2) When transporting hazardous materials in a cargo tank not authorized for the material being transported.	173.33
(3) When transporting hazardous material in a cargo tank which is missing the required certification plate.	173.33
(4) When any hazardous materials being transported in a cargo tank with open or unsecured manhole cover(s).	FLAMMABLE LIQ. 177.837E1 CORROSIVE LIQ. 177.839D1 POISON 177.841D1
See exceptions for combustible liquids found in 49 CFR 173.118a.	
(5) When transporting hazardous materials in a cargo tank when 50 percent or more of the required ID numbers are missing or misrepresent the material being transported.	177.823B2
d. Packaging.	
(1) Hazardous materials/waste leaking in or from a transport vehicle. Note: Use 49 CFR 396.7 for combustible liquids which are excepted in 49 CFR 173.118a.	177.801A
(2) Unauthorized packaging, including portable tanks, for the H/M transported.	177.801A
e. Loading and securement.	
(1) Transporting explosives, radioactive materials, flammable liquids, flammable solids, oxidizing materials, corrosive materials, compressed gases or poisons which are not blocked or braced to prevent motion relative to vehicle while in transit.	177.834A
(2) Transporting incompatible commodities as listed in the Loading and Storage Chart of 49 CFR 177.848.	177.848
(3) Transporting packages bearing poison labels in the same vehicle with foodstuffs, feed or other edible material intended for consumption by humans or animals. (See the exception found in 49 CFR 177.841.)	177.841E

(4) Transporting unauthorized hazardous materials in a motor vehicle transporting passengers for hire.	177.870
f. Route Plan.	
(1) Failure of the driver to have in possession a written route plan while transporting Class A or B Explosives.	397.9B
(2) Failure of the driver to have in possession a written route plan while transporting a Highway Route Controlled Quantity of RAM.	177.825A
g. Radioactive Materials Radiation Levels.	
(1) Exclusive use vehicles. (See definition and requirements in 49 CFR 173.403(i) & 173.441):	
(a) When measurement exceeds 1,000 mrem/hr at accessible surface of vehicle, or	173.441B2
(b) When measurement exceeds 20 mrem/hr at 2 meters from surface of vehicle, or	173.441B3
(c) When measurement exceeds 20 mrem/hr in a space normally occupied by a person(s).	173.441B4
(2) Nonexclusive use vehicles: When the minimum separation distance (See 49 CFR 177.842) is less than authorized and when radiation levels exceed those listed in (a) through (c) under Exclusive Use Vehicles.	177.842B

TABLE B-1

Brake Adjustment. Shall not meet or exceed those specifications contained hereunder relating to maximum stroke at which brakes should be readjusted. (Dimensions in inches.)

BOLT TYPE BRAKE CHAMBER DATA

TYPE	EFFECTIVE AREA (SQ. IN.)	OUTSIDE DIAMETER	MAXIMUM STROKE	MAXIMUM STROKE WITH BRAKES ADJUSTED	MAXIMUM STROKE AT WHICH BRAKES SHOULD BE READJUSTED
A	12	6-15/16	1-3/4	Should be	1-3/8
B	24	9-3/16	2-1/4	as short as	1-3/4
C	16	8-1/16	2-1/4	possible	1-3/4
D	6	5-1/4	1-5/8	without	1-1/4
E	9	6-3/16	1-3/4	brakes	1-3/8

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TYPE	EFFECTIVE AREA (SQ. IN.)	OUTSIDE DIAMETER	MAXIMUM STROKE	MAXIMUM STROKE WITH BRAKES ADJUSTED	MAXIMUM STROKE AT WHICH BRAKES SHOULD BE READJUSTED
F	36	11	3	dragging	2-1/4
G	30	9-7/8	2-1/4		2

ROTOCHAMBER DATA

TYPE	OUTSIDE DIAMETER	MAXIMUM STROKE WITH BRAKES ADJUSTED	MAXIMUM STROKE AT WHICH BRAKES SHOULD BE READJUSTED
9	4-9/32	Should be	1-1/2
12	4-13/16	as short as	1-1/2
16	5-13/32	possible	2
20	5-15/16	without	2
24	6-13/32	brakes	2
30	7-1/16	dragging	2-1/4
36	7-5/8		2-3/4
50	8-7/8		3

CLAMP TYPE BRAKE CHAMBER DATA

6	4-1/2	Should be	1-1/4
9	5-1/4	as short as	1-3/8
12	5-11/16	possible	1-3/8
16	6-3/8	without	1-3/4
20	6-25/32	brakes	1-3/4
24	7-7/32	dragging	1-3/4 (SEE NOTE)
30	8-3/32		2
36	9		2-1/4

NOTE: 2 INCHES FOR LONG STROKE DESIGN.

WEDGE BRAKE DATA

MOVEMENT OF THE SCRIBE MARK ON THE LINING SHALL NOT EXCEED 1/16 INCH.

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