Describes FMCSA enforcement authority against service agents.

## Question:

Investigation of Third Parties and Other Service Agents: Does the FMCSA have authority to investigate consortium third party administrators (C/TPA’s) and other service agents?

## Answer:

Yes. FMCSA has authority to investigate service agents’ compliance with parts [40](http://www.dot.gov/odapc/part40) and 382. [See §40.331 and §382.405].  Under the Moving Ahead for Progress in the 21st Century Act, P.L. 112-141 (MAP-21), Congress expanded FMCSA’s civil penalty enforcement authority to include service agent violations of the regulations implementing the CDL Drug and Alcohol Clearinghouse. [See 49 U.S.C. 31306a(k)].