***Question 5:*** A driver used by a motor carrier operates a CMV to and from his/her residence out of State. Is this considered interstate commerce?

*Guidance:* If the driver is operating a CMV at the direction of the motor carrier, it is considered interstate commerce and is subject to the FMCSRs. If the motor carrier is allowing the driver to use the vehicle for private personal transportation, such transportation is not subject to the FMCSRs.