***\*Question 9:*** Are mobile cranes operating in interstate commerce considered CMVs, and are they subject to the FMCSRs?

*Guidance:* The definition of CMV encompasses mobile cranes. Unlike the off-road motorized construction equipment discussed in Guidance Questions 7 and 8 above, mobile cranes are readily capable of traveling at highway speeds, over extended distances, and in the mixed traffic of public highways. Although the functions a crane performs are distinct from the transportation provided by a truck, the ready mobility of the crane depends on its permanent integration with a truck chassis. The truck chassis is equipped with wheels, tires, brakes, a suspension system, and other components. This guidance was confirmed by the 10th Circuit Court of Appeals in Midwest Crane and Rigging v. FMCSA, 603 F.3d 837 (2010). The mobile crane itself, like an empty CMV (see Guidance Question 6), is considered property.