**Part 390**

**§ 390.9 State and local laws, effect on**

***Question 1***

Editorial Category: Enforcement

Editorial Type: Significant Regulatory Guidance

Unique Identifier: FMCSA-RG-390.9-Q001

Mode: General

Topic: Regulations enforced by State officers

Subject: Enforcement

Keywords: State, Motor Carrier Safety Assistance Program, Regulations, 390.9

Tags: State, Motor Carrier Safety Assistance Program, Regulations, 390.9

Regulatory Topic: Regulations enforced by State officers

**§390.9 State and local laws, effect on.**

***Question 1:*** If an interstate driver gets stopped by a State enforcement officer for an inspection, would the inspecting officer be enforcing the Federal regulations or State regulations?

*Guidance:* A State enforcement officer can only enforce State laws. However, under the Motor Carrier Safety Assistance Program, quite often State laws are the same as or similar to the FMCSRs.

Issued date: APRIL 4, 1997

EFFECTIVE DATE: APRIL 4, 1997

|  |  |  |
| --- | --- | --- |
| Program Review |  |  |
| Legal Review | Charles Medalen | 2/17/20 |
|  | Sue lawless | 2/19/20 |
| Modified from original guidance | NO |  |
| Other information |  |  |
|  |  |  |