

I am a Mexico-domiciled motor carrier and am interested in getting “long-haul” operating authority and want to know more about the requirements and how to apply

What transportation does “long-haul” operating authority permit a Mexico-domiciled motor carrier to perform? Long-haul operating authority allows a Mexico-domiciled motor carrier to transport international cargo between Mexico and points in the United States beyond the U.S.-Mexico border commercial zones. International cargo means cargo transported from a foreign country to the United States or from the United States to a foreign country.

Are there prohibitions, special terms and restrictions to “long haul” operating authority? Yes, the terms and conditions for a Mexico-domiciled motor carrier granted operating authority **DO NOT** allow:

- Point-to-point transportation services, including express delivery services, within the United States for goods other than international cargo (*International cargo means cargo transported from a foreign country to the United States or from the United States to a foreign country*);
- Transportation of hazardous materials, as defined in [49 CFR 171.8](#), in any amount required to be placarded in accordance with [49 CFR 172 – Subpart F](#), beyond the U.S.-Mexico border commercial zones of the United States;
- Transportation of passengers in the United States; and
- Transportation by packaging and courier services.

How should I go about applying for a US DOT Number and operating authority so that I can operate long haul beyond the municipalities and commercial zones along the U.S-Mexico border? You will need to complete three forms:

1. Application for US DOT number – Form [MCS-150 and Instructions– Motor Carrier Identification Report](#)
2. Application for Long-Haul Operating Authority (*English and Spanish*) – Instruction and Form [OP-1\(MX\) - Application to Register Mexican](#)

[Carriers for Motor Carrier Authority To Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.- Mexico Border](#)

3. Designation of Agents for Service of Process – Form [BOC-3 – Designation of Agents-Motor Carriers, Brokers and Freight Forwarders](#)

To obtain copies:

- To download the forms go to: <http://www.fmcsa.dot.gov/mission/forms> or,
- To request the forms by telephone: You can call 1-800-832-5660 to have a form(s) mailed to you.
- Once you have completed the MCS-150, OP-1 (MX) and BOC-3 forms, you must print the completed forms, sign them, and mail them to the address indicated in the instructions for each form.
- There is a \$300 non-refundable fee for the requested long-haul operating authority. Payment instructions can be found on the OP-1(MX).

After the FMCSA receives my application, what will happen next?

Once FMCSA confirms that the application is complete, it will conduct safety and security vetting of the company and complete a Pre-Authorization Safety Audit (PASA).

The PASA confirms that the applicant has safety management systems in place to be able to comply with the following Federal Motor Carrier Safety Regulations:

- [49 CFR Part 382](#) – Controlled Substances and Alcohol testing;
- [49 CFR Part 383](#) – Commercial Driver’s License Standards; Requirements and Penalties;
- [49 CFR Part 387](#) – Minimum Levels of Financial Responsibility for Motor Carriers;
- [49 CFR Part 390](#) – Federal Motor Carrier Safety Regulations – General;
- [49 CFR Part 391](#) – Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors;
- [49 CFR Part 392](#) – Driving of Commercial Motor Vehicles;
- [49 CFR Part 393](#) – Parts and Accessories Necessary for Safe Operations;
- [49 CFR Part 395](#) – Hour of Service of Drivers;
- [49 CFR Part 396](#) – Inspection, Repair and Maintenance; and

- [Federal Hazardous Material Regulations](#) (if applicable)

After FMCSA completes a PASA and the applicant has failed the PASA, what will happen next? FMCSA will deny an application for provisional operating authority if a Mexico-domiciled motor carrier fails the PASA. If a Mexico-domiciled motor carrier fails the PASA, it may reapply for provisional operating authority after 30 days and must pay the required \$300 non-refundable filing fee again.

After FMCSA completes a PASA and the applicant has passed the PASA, what will happen next? Mexico-domiciled motor carriers who successfully pass a PASA must file required proof of financial responsibility (*i.e. insurance*) with FMCSA, (see [49 CFR Part 387.301](#)) and may also be required to file an updated form [BOC-3 – Designation of Agents-Motor Carriers, Brokers and Freight Forwarders](#) designating a person to accept service of process in each of the 48 contiguous States (*if they were not already designated on the BOC-3 submitted with the OP-1(MX) application*). This requirement is outlined in [49 CFR Part 366 – Designation of Process Agent](#). After FMCSA approves the carrier's application, FMCSA will publish a summary of the application in the FMCSA Register to give notice to the public in case anyone wishes to oppose the application. If no one opposes the application, the provisional operating authority will become effective. Opposed applications will be handled in accordance with the protest procedures in 49 CFR Part 365, subparts A and B.

Do I also need to file for authority to operate within the municipalities and commercial zones along the border in the U.S.? No, long-haul operating authority also allows a motor carrier to operate within the commercial zones. However, if you only want to operate in the commercial zones, there is a different application and process. You should follow the instructions and complete the Form – [OP-2 –Application for Mexican Certificate of Registration for Foreign Motor Carriers and Foreign Motor Private Carriers under 49 U.S.C. 13902](#). You will also need to submit the Application for US DOT number – Form [MCS-150 and Instructions– Motor Carrier Identification Report](#) and Designation of Agents for Service of Process – Form [BOC-3 – Designation of Agents-Motor Carriers, Brokers and Freight Forwarders](#). Once you have completed the forms, you must print the

completed forms, sign them, and mail them to the address indicated in the instructions for each form.

What other specific regulations for Mexico-domiciled motor carriers do I need to be familiar with if I am granted provisional operating authority?

In addition to familiarity with the Federal Motor Carrier Safety Regulations, Mexico-domiciled motor carriers granted provisional operating authority must be familiar with the following regulations:

- [49 CFR Part 365 Subpart E – Special Rules for Certain Mexico-domiciled Carriers; and](#)
- [49 CFR Part 385 Subpart B – Safety Monitoring System for Mexico-Domiciled Carriers.](#)

What is the difference between provisional operating authority registration and standard operating authority registration granted to Mexico-domiciled motor carriers to operate beyond the U.S.-Mexico border commercial zones and municipalities?

- a. Provisional operating authority registration is the authority granted to Mexico-domiciled motor carriers for at least the first 18 months of operations and until a compliance review conducted in accordance with [Appendix B to 49 CFR Part 385](#) results in a satisfactory safety rating.
- b. Standard operating authority registration is granted after a motor carrier has operated for at least 18 months with provisional operating authority registration, has received a satisfactory safety rating from a compliance review, and has no pending enforcement or safety improvement actions.

If granted provisional or standard operating authority to operate long-haul in the United States, are there additional safety requirements to be aware of?

Yes, motor carriers must comply with the Federal Motor Carrier Safety Regulations and all other applicable laws, rules and regulations of the United States including but not limited to the following requirements:

- c. All drivers of the motor carrier operating commercial motor vehicles in the United States:

- i. must have a valid U.S. issued commercial driver's license or a Licencia Federal de Conductor (see [49 CFR Part 383](#));
 - ii. must be subject to controlled substance and alcohol testing (see [49 CFR Part 382](#));
 - iii. must meet English Language Proficiency requirements (see [49 CFR 391.11\(b\)\(2\)](#))
- d. All drivers must operate in compliance with the U.S. Department of Transportation hours of service requirements (see [49 CFR Part 395](#));
- e. All vehicles must be marked with an X suffix to the assigned US DOT number (see [49 CFR Part 365.507\(e\)](#)); and
- f. All vehicles must display a valid Commercial Vehicle Safety Alliance (CVSA) decal on all power units while operating under a provisional operating authority (see [49 CFR Part 385.103\(c\)](#)) and then until the motor carrier has successfully completed three consecutive years with standard operating authority (See [49 CFR Part 365.511](#)).