

Prohibition on Engaging in U.S. Point-to-Point Transportation -- 49 CFR 365.501(b)

The prohibition on Mexico-domiciled motor carriers from engaging in U.S. point-to-point (domestic) transportation was established in the North American Free Trade Agreement (NAFTA). Under NAFTA Annex 1, page I-U-20, a Mexico domiciled motor carrier may not provide point-to-point transportation services, including express delivery services, within the United States for goods other than international cargo. This restriction was incorporated in the Federal Motor Carrier Safety Regulations governing applications for operating authority in at 49 CFR Part 365. Section 365.101(h) specifies that applications for operating authority by Mexico-domiciled motor carriers to operate in foreign commerce between Mexico and all points in the United States is limited by this provision. This limitation is also found in 49 CFR Part 365 Subpart E– Special Rules for Certain Mexico-domiciled carriers, which outlines the scope of the rules applicable to Mexico-domiciled motor carriers granted operating authority to operate between Mexico and points in the United States beyond the municipalities and commercial zones along the U.S.-Mexico international border. Section 365.501(b) states that a Mexico-domiciled carrier may not provide point-to-point transportation services, including express delivery services, within the United States for goods other than international cargo. This limitation is included in the operating authority certificate of registration issued by the U.S. Department of Transportation and provided each Mexico-domiciled long-haul carrier.

The Department of Homeland Security (DHS) and Customs and Border Protection (CBP) maintains jurisdiction over the operations of foreign carriers, vehicles and drivers operating within the United States, including the prohibition on providing domestic point-to-point transportation. The CBP regulation that prohibits a foreign motor carrier from engaging in U.S. (domestic) point-to-point transportation is found at 19 CFR § 123.14(c).

For additional information on the prohibition for foreign carriers to provide domestic point-to-point transportation, please see the DHS publication titled [*Guidelines for Compliance of Commercial Motor Vehicles \(CMV\) and CMV Drivers Engaged in Cross-Border Traffic.*](#)