

Overview of the 17 Provisions in the MAP-21 Omnibus Final Rule

Specifically, the provisions implemented in this final rule in Title 49, United States Code, are from the following sections of MAP-21:

- § 32102 Safety fitness of new operators: Reduces length of time from 18 months to 12 months for new entrant safety reviews.
- § 32108 Increased penalties for operating without registration: Increases penalties for violating the reporting and recordkeeping requirements.*
- § 32110 Revocation of registration and other penalties for failure to respond to subpoena: Increases civil penalties and authorizes Secretary to suspend, revoke, or amend the registration of a motor carrier, broker, or freight forwarder.*
- § 32111 Fleetwide out-of-service order for operating without required registration: Allows Agency to place a motor carrier out of service for operating vehicles without registration.
- § 32203 State reporting of foreign commercial driver convictions: Adds the definition of a “foreign commercial driver.”
- § 32204 Authority to disqualify foreign commercial drivers: Clarifies Secretary’s authority to suspend a foreign commercial driver’s license for committing a disqualifying offense.
- § 32205 Revocation of foreign motor carrier operating authority for failure to pay civil penalties: Authorizes Agency to suspend, amend, and revoke foreign motor carrier operating authority registration.*
- § 32307 Employer responsibilities: Prohibits employers from allowing employees to drive when the employer knows or should know that drivers CDL is suspended or revoked.
- § 32501 Inspection demand and display of credentials: Clarifies the Agency’s authority to demand to inspect a motor carrier or broker’s land, building, equipment and records.
- § 32503 Penalties for violation of operation out of service orders: Adds a \$25,000 penalty for motor carriers operating CMVs in violation of an out-of-service order issued following a determination that the carrier is unfit or an imminent hazard.*
- § 32505 Increased penalties for evasion of regulations: Increases penalties against motor carriers for operating following a determination of unfitness.*
- § 32506 Violations relating to commercial motor vehicle safety regulation and operators: Removes “ability to pay” from the list of considerations in determining penalty levels.*
- § 32507 Emergency disqualification for imminent hazard: Changes the meaning of “imminent hazard” to include the definition at 49 U.S.C. 521.
- § 32601 Motor carrier safety assistance program: Identifies local government agencies as MCSAP partners and establishes four program goals.

- § 32913 Waivers, exemptions, and pilot programs: Requires the Agency publish notices of pilot programs on the Agency's website, but removed the requirement that they be published in the Federal Register.
- § 32918 Financial security of brokers and freight forwarders: Sets a minimum financial security of \$75,000 and extended the bond requirement to freight forwarders.
- § 33010 Civil penalties: Provides for penalties of up to \$75,000 for violations of regulations related to the transportation of hazardous materials and \$175,000 in the event of death, serious illness, severe injury or substantial destruction of property.*

* The Uniform Fine Assessment User Manual is available online at the following link:

<http://www.fmcsa.dot.gov/regulations/enforcement/uniform-fine-assessment-software-40-user-manual>.