Definitions and References

The Federal Motor Carrier Safety Regulation (FMCSR) are found at 49 CFR Parts 382-398. The definition for "commercial motor vehicle" is in Part 390.

A "commercial motor vehicle" is:

Any self-propelled or towed motor vehicle used on a highway in commerce to transport passengers or property when the vehicle—

- Has a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight in excess of 10,000 pounds; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport more than 15 passengers (including the driver) and is not used to transport passenger for compensation; or
- Is used in transporting hazardous materials requiring placards

Who Needs A DOT Number

Every Commercial Motor Vehicle used in commerce with a

- gross vehicle weight rating in excess of 10,000 pounds or
- gross combination weight rating in excess of 10,000 pounds or
- gross vehicle weight in excess of 10,000 pounds or
- gross combination weight in excess of 10,000 pounds or
- to all trucks required to be placarded pursuant to State Statute 75-364

To apply for a DOT Number:

Intrastate Carrier: obtain an application from our internet web site:
www.nsp.state.ne.us
or call the Nebraska State Patrol Carrier Enforcement Office at (402) 471-0105

Interstate Carrier: call the Federal Motor Carrier Safety Administration at (402) 437-5986 or apply on-line at:
www.safersys.org

You may need a CDL if you answer **yes** to any of the following:

- Is it a combination vehicle with combined weight ratings greater than 26,000 lbs. (towed vehicle has GVWR greater than 10,000 lbs.)?
- Is it a single straight vehicle with a GVWR greater than 26,000 lbs?
- Is the vehicle designed to carry 16 or more passengers including the driver?
- Is the vehicle required to display a hazardous materials placard?

For additional assistance or information contact the following agencies:
Department of Motor Vehicles:

Nebraska One Stop Shop Service
(888) 622-1222 (toll free)

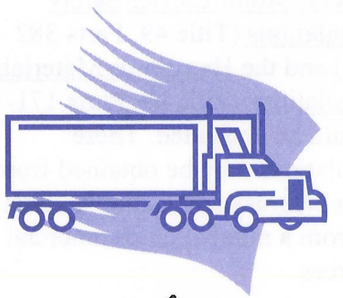
Nebraska Permit Office: (402) 471-0034
www.dor.state.ne.us

Nebraska CDL Examining: (402) 471-3861

Nebraska Licensing: (402) 471-4435

Nebraska State Patrol Carrier Enforcement: (402) 471-0105

Who Must Comply with Nebraska's Motor Carrier Safety Regulations?



Who Must Comply with the Intrastate Motor Carrier Safety Regulations? (Interstate Motor Carriers must comply with all the FMCSR's)

In 1986, the Nebraska Legislature adopted the Federal Motor Carrier Safety Regulations as part of state law (§75-363 to §75-368). These regulations apply to both interstate motor carriers and intrastate motor carriers operating vehicles meeting any of the criteria listed.

This brochure is intended as a guide for intrastate operations. It identifies principal regulatory areas and the types of truck and bus operations covered by each. It provides only a summary of these regulatory areas. For more detailed information, the Federal Motor Carrier Safety Regulations (Title 49, Parts 382 – 398) and the Hazardous Materials Regulations (Title 49, Parts 171-180) should be consulted. These regulations may be obtained from your Nebraska Trucking Association, or from a number of commercial sources.

If you are uncertain whether your truck or bus operation is subject to these regulations, please call the Nebraska State Patrol, Carrier Enforcement Division for **Intrastate** questions at (402) 471-0105 and the Federal Motor Carrier Safety Administration for **Interstate** questions at (402) 437-5986 or on line at: www.fmcsa.dot.gov

1. I operate a pickup pulling a trailer (over 10,000 lbs. combined weight*) within the State of Nebraska

2. I operate a truck (over 10,000 lbs.*) within the State of Nebraska (intrastate).

3. I operate a pickup pulling a trailer, a truck, or a truck/tractor-semi trailer requiring a class A, B, or C Commercial Drivers License (CDL) within the State of Nebraska (intrastate).

4. I haul hazardous material in a quantity requiring placarding within the State of Nebraska (intrastate).

5. I am a Nebraska Farmer with trucks displaying farm plates and registered for more than 16 tons operating strictly within the State of Nebraska (intrastate).

* See Definitions and References

These Motor Carrier Safety Regulations apply to your operation(s) if you **do not need a CDL** license for the vehicle:
Part **385** Safety Fitness Procedures,
Part **387** Insurance (for hire motor carriers, and/or motor carriers hauling certain Hazardous Materials).
Part **390** Federal Motor Carrier Safety Regulation General (including applying for a DOT number),
Part **393** Parts and Accessories Necessary for Safe Operation,
Part **396** Inspection, Repair and Maintenance.

These Motor Carrier Safety Regulations apply to your operation(s) if **you need a CDL** license for the vehicle:
Part **382** Alcohol and Drug Testing Requirements,
Part **385** Safety Fitness Procedures,
Part **387** Insurance (for hire motor carriers, and/or motor carriers hauling certain Hazardous Materials).
Part **390** Federal Motor Carrier Safety Regulation General (including applying for a DOT number),
Part **391** Driver Qualifications (Physical qualifications shall not apply to drivers who hold or have held a NE CDL issued prior to 07/30/96),
Part **392** Driving of Motor Vehicles,
Part **393** Parts and Accessories Necessary for Safe Operation,
Part **395** Hours of Service for Drivers,
Part **396** Inspection, Repair and Maintenance,
Part **397** Transportation of Hazardous Materials

These Motor Carrier Safety Regulations apply to your operation(s):
Part **382** Alcohol and Drug Testing Requirements, for drivers of vehicles requiring CDL's (this applies to all farm truck-tractors; and any farm truck, requiring a CDL when operated beyond the 150 mile radius),
Part **385** Safety Fitness Procedures,
Part **390** Federal Motor Carrier Safety Regulation General (excluding applying for a DOT number),
Part **392** Driving of Motor Vehicles,
Part **393** Parts and Accessories Necessary for Safe Operation,
Part **396** Inspection, Repair and Maintenance,
Part **397** Transportation of Hazardous Materials

NOTE: Fertilizer/Agricultural Chemical Application/Distribution Equipment with a capacity of 3,500 gallons or less, not required to be placarded pursuant to 75-364 and Farm Trucks registered for 16 Tons or less are not required to comply with the motor carrier safety regulation when used strictly in INTRA-STATE operations.