

**§ 390.15**

**49 CFR Ch. III (10–1–06 Edition)**

**§ 390.15 Assistance in investigations and special studies.**

(a) A motor carrier must make all records and information pertaining to an accident available to an authorized representative or special agent of the Federal Motor Carrier Safety Administration, an authorized State or local enforcement agency representative or authorized third party representative, upon request or as part of any investigation within such time as the request or investigation may specify. A motor carrier shall give an authorized representative all reasonable assistance in the investigation of any accident including providing a full, true and correct response to any question of the inquiry.

(b) For accidents that occur after April 29, 2003, motor carriers must maintain an accident register for three years after the date of each accident. For accidents that occurred on or prior to April 29, 2003, motor carriers must maintain an accident register for a period of one year after the date of each accident. Information placed in the accident register must contain at least the following:

- (1) A list of accidents as defined at § 390.5 of this chapter containing for each accident:
  - (i) Date of accident.
  - (ii) City or town, or most near, where the accident occurred and the State where the accident occurred.
  - (iii) Driver Name.
  - (iv) Number of injuries.
  - (v) Number of fatalities.
  - (vi) Whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicle involved in the accident, were released.
- (2) Copies of all accident reports required by State or other governmental entities or insurers.

(Approved by the Office of Management and Budget under control number 2126–0009)

[69 FR 16719, Mar. 30, 2004]

**§ 390.16 [Reserved]**

**§ 390.17 Additional equipment and accessories.**

Nothing in this subchapter shall be construed to prohibit the use of additional equipment and accessories, not inconsistent with or prohibited by this

subchapter, provided such equipment and accessories do not decrease the safety of operation of the commercial motor vehicles on which they are used.

[53 FR 18052, May 19, 1988, as amended at 60 FR 38744, July 28, 1995. Redesignated at 65 FR 35296, June 2, 2000]

**§ 390.19 Motor carrier identification report.**

(a) Each motor carrier that conducts operations in interstate commerce (or intrastate commerce if the carrier requires a Safety Permit as per § 385.400 of this chapter) must file a Motor Carrier Identification Report, Form MCS–150, or the Combined Motor Carrier Identification Report and HM Permit Application, Form MCS–150B for permitted carriers, at the following times:

- (1) Before it begins operations; and
- (2) Every 24 months, according to the following schedule:

USDOT Number ending in	Must file by last day of;
1 .....	January
2 .....	February
3 .....	March
4 .....	April
5 .....	May
6 .....	June
7 .....	July
8 .....	August
9 .....	September
0 .....	October

(3) If the next-to-last digit of its USDOT number is odd, the motor carrier shall file its update in every odd-numbered calendar year. If the next-to-last digit of the USDOT number is even, the motor carrier shall file its update in every even-numbered calendar year.

(b) The Motor Carrier Identification Report, Form MCS–150, and the Combined Motor Carrier Identification Report and HM Permit Application, Form MCS–150B, with complete instructions, are available from the FMCSA Web site at: <http://www.fmcsa.dot.gov> (Keyword “MCS–150” or “MCS–150B”); from all FMCSA Service Centers and Division offices nationwide; or by calling 1–800–832–5660.

(c) The completed Motor Carrier Identification Report, Form MCS–150, or Combined Motor Carrier Identification Report and HM Permit Application, Form MCS–150B, must be filed

with FMCSA Office of Information Management.

(1) The form may be filed electronically according to the instructions at the agency's web site, or it may be sent to Federal Motor Carrier Safety Administration, Data Analysis and Information Systems, MC-PSDRIS, 400 Seventh Street, SW, Washington, DC 20590.

(2) A for-hire motor carrier should submit the Form MCS-150, or Form MCS-150B, along with its application for operating authority (Form OP-1 or OP-2), to the appropriate address referenced on that form, or may submit it electronically or by mail separately to the address mentioned in this section.

(d) Only the legal name or a single trade name of the motor carrier may be used on the motor carrier identification report (Form MCS-150 or MCS-150B).

(e) A motor carrier that fails to file a Motor Carrier Identification Report, Form MCS-150, or the Combined Motor Carrier Identification Report and HM Permit Application, Form MCS-150B, or furnishes misleading information or makes false statements upon Form MCS-150 or Form MCS-150B, is subject to the penalties prescribed in 49 U.S.C. 521(b)(2)(B).

(f) Upon receipt and processing of the Motor Carrier Identification Report, Form MCS-150, or the Combined Motor Carrier Identification Report and HM Permit Application, Form MCS-150B, the FMCSA will issue the motor carrier an identification number (USDOT Number). The motor carrier must display the number on each self-propelled CMV, as defined in §390.5, along with the additional information required by §390.21.

(g) A motor carrier that registers its vehicles in a State that participates in the Performance and Registration Information Systems Management (PRISM) program (authorized under section 4004 of the Transportation Equity Act for the 21st Century [(Public Law 105-178, 112 Stat. 107)] is exempt from the requirements of this section, provided it files all the required infor-

mation with the appropriate State office.

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[65 FR 35296, June 2, 2000, as amended at 65 FR 70514, Nov. 24, 2000; 67 FR 9416, Mar. 1, 2002; 69 FR 39372, June 30, 2004]

#### § 390.21 Marking of CMVs.

(a) *General.* Every self-propelled CMV, as defined in §390.5, subject to subchapter B of this chapter must be marked as specified in paragraphs (b), (c), and (d) of this section.

(b) *Nature of marking.* The marking must display the following information:

(1) The legal name or a single trade name of the motor carrier operating the self-propelled CMV, as listed on the motor carrier identification report (Form MCS-150) and submitted in accordance with §390.19.

(2) The motor carrier identification number issued by the FMCSA, preceded by the letters "USDOT".

(3) If the name of any person other than the operating carrier appears on the CMV, the name of the operating carrier must be followed by the information required by paragraphs (b)(1), and (2) of this section, and be preceded by the words "operated by."

(4) Other identifying information may be displayed on the vehicle if it is not inconsistent with the information required by this paragraph.

(5) Each motor carrier shall meet the following requirements pertaining to its operation:

(i) All CMVs that are part of a motor carrier's existing fleet on July 3, 2000, and which are marked with an ICCMC number must come into compliance with paragraph (b)(2) of this section by July 3, 2002.

(ii) All CMVs that are part of a motor carrier's existing fleet on July 3, 2000, and which are not marked with the legal name or a single trade name on both sides of their CMVs, as shown on the Motor Carrier Identification Report, Form MCS-150, must come into compliance with paragraph (b)(1) of this section by July 5, 2005.

(iii) All CMVs added to a motor carrier's fleet on or after July 3, 2000, must meet the requirements of this