

**Federal Motor Carrier Safety Administration, DOT**

**§ 372.117**

*Flour*  
*Forest products:*  
    Resin products, such as turpentine  
*Fruits and Berries:*  
    Bananas, fresh, dried, dehydrated, or frozen  
    Canned  
    Frozen  
    Hulls of oranges after juice extractions  
    Juice, fruit, plain or concentrated  
    Pies, frozen  
    Preserved, such as jam  
    Purees, strawberry and other, frozen  
*Grains:*  
    Oils extracted from grain  
    Popcorn, popped  
    Rice, precooked  
    Wheat germ  
*Gravel*  
*Hair, hog or other animal, product of slaughter of animal*  
*Hay, sweetened with 3 percent molasses by weight*  
*Hemp fiber*  
*Hides, green and salted*  
*Insecticides*  
*Limestone, agricultural*  
*Livestock:*  
    Monkeys  
    Race horses  
    Show horses  
    Zoo animals  
*Lumber, rough sawed or planed*  
*Maple syrup*  
*Meal:*  
    Alfalfa  
    Copra  
    Cottonseed  
    Fish  
    Flaxseed  
    Linseed  
    Peanut  
    Soybean  
*Meat and meat products, fresh, frozen or canned*  
*Milk and Cream:*  
    Chocolate  
    Condensed  
    Sterilized in hermetically sealed cans  
*Molasses*  
*Nuts (including peanuts):*  
    Peanut meal  
    Roasted or boiled  
*Oil, mint*  
*Oil, extracted from vegetables, grain, seed, fish or other commodity*  
*Pelts*  
*Pies, frozen*  
*Pigeons, racing*  
*Pulp, beet*

*Pulp, sugar cane*  
*Rock (except natural crushed, vesicular rock to be used for decorative purposes)*  
*Rubber, crude, in bales*  
*Rubber, latex, natural, liquid, from which water has been extracted and to which ammonia has been added*  
*Sand*  
*Seeds:*  
    Oil extracted from seeds  
*Skins, animal*  
*Soil, potting*  
*Soil, top*  
*Soup, frozen*  
*Sugar*  
*Sugar cane pulp*  
*Sugar raw*  
*Syrup, cane*  
*Syrup, maple*  
*Tea*  
*Tobacco:*  
    Cigars and cigarettes  
    Homogenized  
    Smoking  
*Top Soil*  
*Trees:*  
    Sawed into lumber  
*Vegetables:*  
    Candied sweet potatoes, frozen  
    Canned  
    Cooked  
    French fried potatoes  
    Oil, extracted from vegetables  
    Soup, frozen  
    Soybean meal  
*Wool imported from a foreign country*  
*Wool tops and noils*  
*Wool waste (carded, spun, woven, or knitted)*  
*Wool yarn*

NOTE 1: Under 49 U.S.C. 13506(a)(6)(D), any listed fish or shellfish product that is not intended for human consumption is *exempt*.

NOTE 2: Under 49 U.S.C. 13506(a)(6)(E), any listed livestock feed, poultry feed, agricultural seeds, or plants that are transported to a site of agricultural production or to a business enterprise engaged in the sale to agricultural producers of goods used in agricultural production is *exempt*

[53 FR 17707, May 18, 1988, as amended at 62 FR 15421, Apr. 1, 1997]

**§ 372.117 Motor transportation of passengers incidental to transportation by aircraft.**

(a) *Passengers having an immediately prior or subsequent movement by air.* The transportation of passengers by motor vehicle is transportation incidental to transportation by aircraft provided (1)

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that it is confined to the transportation of passengers who have had or will have an immediately prior or immediately subsequent movement by air and (2) that the zone within which motor transportation is incidental to transportation by aircraft, except as it may be individually determined as provided in paragraph (c) of this section, shall not exceed in size the area encompassed by a 25-mile radius of the boundary of the airport at which the passengers arrive or depart and by the boundaries of the commercial zones (as defined by the Secretary) of any municipalities any part of whose commercial zones falls within the 25-mile radius of the pertinent airport.

(b) *Substituted motor-for-air transportation due to emergency conditions.* Transportation of passengers by motor vehicle is transportation incidental to transportation by aircraft if it constitutes substituted motor-for-air service performed at the expense of the air carrier in emergency situations arising from the inability of the air carrier to perform air transportation due to adverse weather conditions, equipment failure, or other causes beyond the control of the air carrier.

(c) *Individual determination of exempt zones.* Upon its own motion or upon petition filed by any interested person, the Secretary may in an appropriate proceeding, determine whether the area within which the transportation by motor vehicle of passengers having an immediately prior or subsequent movement by air must be performed, in order to come within the provisions of paragraph (a) of this section, should be individually determined with respect to any particular airport or city served by an airport, and whether there should be established therefor appropriate boundaries differing in extent from this defined in paragraph (a)(2) of this section.

(d) *Exempt zones and operations—(1) Dulles and Baltimore-Washington International Airports.* The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between Dulles International Airport, near Chantilly, Va., and Baltimore-Washington International Airport, near Baltimore, Md.,

is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

(2) *Savannah, Ga., Airport.* The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between Savannah, Ga., Airport and all points on Hilton Head Island, SC, is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

(3) *Chicago O'Hare International Airport (Chicago, Ill.).* The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between O'Hare International Airport, at Chicago, Ill., on the one hand, and, on the other, points in Indiana on and north of U.S. Highway 30 and on and west of Indiana Highway 49, is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

[32 FR 20036, Dec. 20, 1967, as amended at 37 FR 5252, Mar. 11, 1972; 42 FR 10003, Feb. 18, 1977; 42 FR 15705, Mar. 23, 1977; 62 FR 15421, Apr. 1, 1997; 78 FR 58478, Sept. 24, 2013]

**Subpart B—Commercial Zones**

SOURCE: 41 FR 56653, Dec. 29, 1976, unless otherwise noted. Redesignated at 61 FR 54708, Oct. 21, 1996.

**§ 372.201 Albany, NY.**

The zone adjacent to, and commercially a part of Albany, N.Y., within which transportation by motor vehicle, in interstate or foreign commerce, not under common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such zone, is partially exempt from regulations under 49 U.S.C. 13506(b)(1) includes and is comprised of all points as follows:

(a) The municipality of Albany, N.Y., itself.

(b) All points within a line drawn eight miles beyond the municipal limits of Albany.

(c) All points in that area more than eight miles beyond the municipal limits of Albany bounded by a line as follows: Beginning at that point on the western boundary of Cohoes, N.Y., where it crosses the line described in paragraph (b) of this section, thence