

Federal Motor Carrier Safety Administration

34. Application by Certain Mexico-Domiciled Motor Carriers to Operate Beyond U.S. Municipalities and Commercial Zones on the U.S.-Mexico Border

Popular Title: Mexico-Domiciled Motor Carriers

RIN 2126-AA34

Stage: Undetermined

Abstract: This rulemaking would change FMCSA regulations to govern applications by Mexican carriers to operate beyond municipalities and commercial zones at the United State-Mexico border. It would also revise the application form, OP-1MX, to be filed by these Mexican motor carriers. The revised form would require additional information about the applicant's business and operating practices to allow the FMCSA to determine if the applicant can meet the safety standards established for operating in interstate commerce in the United States. Carriers that had previously submitted an application would have to submit the updated form. These changes are needed to implement part of the North American Free Trade Agreement (NAFTA). On January 16, 2003, the Ninth Circuit Court remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents as ruled by the Ninth Circuit. FMCSA originally planned to publish a final rule by November 20, 2003.

Dates for Undetermined:

Action	Publication Date(s)	FR Cite
Next Action Undetermined	00/00/0000	

Federal Motor Carrier Safety Administration

35. Safety Monitoring System and Compliance Initiative for Mexico-Domiciled Motor Carriers Operating in the United States

Popular Title: Safety Monitoring

RIN 2126-AA35

Stage: Undetermined

Abstract: This rule would implement a safety monitoring system and compliance initiative designed to evaluate the continuing safety fitness of all Mexico-domiciled carriers within 18 months after receiving a provisional Certificate of Registration or provisional authority to operate in the United States. It also would establish suspension and revocation procedures for provisional Certificates of Registration and operating authority, and incorporate criteria to be used by FMCSA in evaluating whether Mexico-domiciled carriers exercise basic safety management controls. The interim rule included requirements that were not proposed in the NPRM but which are necessary to comply with the FY-2002 DOT Appropriations Act. On January 16, 2003, the Ninth Circuit Court of Appeals remanded this rule, along with two other NAFTA-related rules, to the agency, requiring a full environmental impact statement and an analysis required by the Clean Air Act. On June 7, 2004, the Supreme Court reversed the Ninth Circuit and remanded the case, holding that FMCSA is not required to prepare the environmental documents. FMCSA originally planned to publish a final rule by November 28, 2003.

Dates for Undetermined:

Action	Publication Date(s)	FR Cite
Next Action Undetermined	00/00/0000	

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Federal Motor Carrier Safety Administration

36. Consumer Complaint Information

Popular Title: Consumer Complaint Information

RIN 2126-AB01

Stage: Undetermined

Federal Motor Carrier Safety Administration

Abstract: The rulemaking would require each motor carrier of household goods to submit a quarterly report of specific identified information regarding complaints that each receives from shippers and consumers to the Agency. This rule responds to Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Dates for Undetermined:

Action	Publication Date(s)	FR Cite
Next Action Undetermined	00/00/0000	

Federal Motor Carrier Safety Administration

37. New Entrant Safety Assurance Process: Implementation of Section 210(b) of the Motor Carrier Safety Improvement Act of 1999

Popular Title: MCSIA 210(b) New Entrant Knowledge Test

RIN 2126-AB17

Stage: SANPRM

Abstract: This rulemaking would consider methods for ensuring a new applicant carrier is knowledgeable about the applicable safety requirements before being granted New Entrant authority. The agency is considering whether to implement a proficiency examination as part of its revised New Entrant Safety Assurance Process as well as other alternatives. This rulemaking responds to issues raised in a petition from Advocates for Highway and Auto Safety regarding new entrant applicant knowledge.

Dates for Undetermined :

Action	Publication Date(s)	FR Cite
SANPRM	07/30/2024	

Federal Motor Carrier Safety Administration

38. MAP-21 Enhancements and Other Updates to the Unified Registration System

Popular Title: URS 2

RIN 2126-AB56

Stage: NPRM

Abstract: FMCSA proposes to implement several provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21) that relate to the FMCSA's Unified Registration System (URS) as well as update and codify the Agency's procedures for granting, suspending, and revoking registration. These procedures would apply to all entities required to register under the Agency's commercial or safety jurisdiction. Many of the proposed provisions codify existing Agency practices, while others improve on existing processes and procedures. FMCSA proposes this rule to achieve greater transparency, uniformity, efficiency, and predictability with respect to granting, suspending, or revoking registration.

Date For NPRM:

Action	Publication Date(s)	FR Cite
NPRM	05/30/2024	

Federal Motor Carrier Safety Administration

39. Heavy Vehicle Speed Limiters

Popular Title: Commercial Motor Vehicle Speed Limiters

RIN 2126-AB63

Stage: SNPRM

Abstract: FMCSA intends to proceed with a motor carrier-based speed limiter rulemaking by preparing a supplemental notice of proposed rulemaking (SNPRM) to follow up on the National Highway Traffic Safety Administration's (NHTSA) and FMCSA's jointly issued, 2016 notice of proposed rulemaking (NPRM) on this subject. FMCSA proposes to require owners or operators of commercial motor vehicles (CMVs) with a gross vehicle weight or gross vehicle weight rating (GVWR) of more than 11,793.4 kilograms (26,000 pounds), whichever is greater, operating in interstate commerce and manufactured after model year 2003, to set the engine control unit (ECU) to a maximum speed of 68 miles per hour (mph). This SNPRM will help to ensure that CMVs subject to its requirements are operated safely. The SNPRM supercedes the NPRM jointly issued by FMCSA and the NHTSA published in 2016.

Dates for SNPRM:

Action	Publication Date(s)	FR Cite
SNPRM	12/29/2023	

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Federal Motor Carrier Safety Administration

40. Broker and Freight Forwarder Financial Responsibility

Popular Title: Broker Trust Funds and Surety Bonds

RIN 2126-AC10

Stage: Final Rule

Abstract: FMCSA implements certain requirements under the Moving Ahead for Progress in the 21st Century Act (MAP21). Previously, FMCSA implemented the MAP21 requirement to increase the financial security amount for brokers from \$25,000 to \$75,000 for household brokers and from \$10,000 to \$75,000 for all other property brokers and, for the first time, established financial security requirements for freight forwarders. The agency implements regulations in five separate areas: Assets readily available; immediate suspension of broker/freight forwarder operating authority; surety or trust responsibilities in cases of broker/ freight forwarder financial failure or insolvency; enforcement authority; and entities eligible to provide trust funds for form BMC85 trust fund filings.

Dates for Final Rule:

Action	Publication Date(s)	FR Cite
NPRM	01/05/2023	88 FR 830
Final Rule	03/29/2024	

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Federal Motor Carrier Safety Administration

41. Application for Employment

Popular Title: Application for Employment

RIN 2126-AC13

Stage: ANPRM

Abstract: FMCSA is considering changes to the requirement to have prospective drivers complete an employment application. FMCSA requests comment on the value of and need for this requirement. Comment also is sought on ways the requirement for an employment application could be changed to reduce the associated paperwork burdens for drivers and motor carriers, including but not limited to the complete elimination of the requirement.

Dates for ANPRM:

Action	Publication Date(s)	FR Cite
Next Action Undetermined	00/00/0000	

Federal Motor Carrier Safety Administration

42. Safe Integration of Automated Driving Systems-Equipped Commercial Motor Vehicles

Popular Title: ADS CMVs

RIN 2126-AC17

Stage: NPRM

Abstract: FMCSA proposes to amend certain Federal Motor Carrier Safety Regulations (FMCSRs) to ensure the safe introduction of automated driving systems (ADS)-equipped commercial motor vehicles (CMVs) onto the Nation's roadways. The proposed changes to the CMV operations, inspection, repair, and maintenance regulations prioritize safety and security, promote innovation, foster a consistent regulatory approach to ADS-equipped CMVs, and recognize the difference between human operators and ADS.

Dates for NPRM:

Action	Publication Date(s)	FR Cite
ANPRM	05/28/2019	84 FR 24449
SANPRM	02/01/2023	88 FR 6691
End of Comment Period	03/20/2023	
NPRM	12/29/2023	

Federal Motor Carrier Safety Administration

43. Hours of Service of Drivers of Commercial Motor Vehicles; Transportation of Agricultural Commodities

Popular Title: HOS - Ag Commodities

RIN 2126-AC24

Stage: Undetermined

Abstract: FMCSA clarifies the definition of the terms "any agricultural commodity," "livestock," and "non-processed food," as the terms are used in the definition of "agricultural commodity" for the purposes of the Agency's "Hours of Service (HOS) of Drivers" regulations. Under current regulations, drivers transporting agricultural commodities, including livestock, from the source of the commodities to a location within 150 air miles of the source, during harvest and planting seasons as defined by each State, are exempt from the HOS requirements. Additionally, the HOS requirement for a 30-minute rest break does not apply to drivers transporting livestock in interstate commerce while the livestock are on the commercial motor vehicle. This interim final rule (IFR) clarifies the meaning of these existing definitional terms to ensure that the HOS exemptions are utilized as Congress intended.

Dates for Undetermined:

Action	Publication Date(s)	FR Cite
Undetermined	00/00/0000	

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Federal Motor Carrier Safety Administration

44. Wearing of Face Masks While on Conveyances and at Transportation Hubs

Popular Title: Face Mask Rule

RIN 2126-AC45

Stage: Undetermined

Abstract: FMCSA requires for-hire and private carriers to comply with emergency orders, directives, or standards to protect public health and safety issued by the Centers for Disease Control and Prevention (CDC), the Transportation Security Administration (TSA), or the Occupational Safety and Health Administration (OSHA), or any other Federal agency or subagency, to the extent the orders, directives, or standards are applicable to such for-hire and private carriers.

Dates for Undetermined:

Action	Publication Date(s)	FR Cite
Next Action Undetermined	00/00/0000	

Federal Motor Carrier Safety Administration

45. Automatic Emergency Braking Systems

Popular Title: AEB Systems

RIN 2126-AC49

Stage: Final Rule

Abstract: This joint rulemaking of the National Highway Traffic Safety Administration (NHTSA) and Federal Motor Carrier administration (FMCSA) will finalize the proposal to require and/or standardize equipment performance for automatic emergency braking (AEB) systems on heavy trucks (2127-AM36). The rulemaking is expected to establish performance standards and motor carrier maintenance requirements for AEB systems on heavy trucks and accompanying test procedures for measuring the performance of the AEB systems in NHTSA compliance testing.

Dates for Final Rule:

Action	Publication Date(s)	FR Cite
NPRM	07/06/2023	88 FR 43174
End of Comment Period	09/05/2023	
Final Rule	04/30/2024	

Federal Motor Carrier Safety Administration

46. Safety Fitness Procedures

Popular Title: Safety Fitness Procedures

RIN 2126-AC52

Stage: ANPRM

Abstract: FMCSA is seeking information on how the Agency might use data and resources more effectively to identify unfit motor carriers and to remove them from the Nation's roadways. FMCSA would seek public comment about the use of available safety data, including inspection data, in determining carrier fitness to operate. The Agency would also seek public input on possible changes to the current three-tier safety fitness rating structure. The action would also include a review of the list of Federal Motor Carrier Safety Regulations (FMCSRs) that the Agency uses in its safety fitness rating methodology.

Dates for ANPRM:

Action	Publication Date(s)	FR Cite
ANPRM	08/29/2023	88 FR 59489
End of Comment Period	10/30/2023	

Federal Motor Carrier Safety Administration

47. Transparency in Property Carrier Broker Transactions

RIN 2126-AC63

Priority: Nonsignificant*

Stage: NPRM

Abstract: This rulemaking would amend FMCSA property carrier broker rules in response to petitions for rulemaking from the Owner-Operator Independent Drivers Association (OOIDA) and the Small Business in Transportation Coalition (SBTC). OOIDA requests that FMCSA require property brokers to provide an electronic copy of each transaction record automatically within 48 hours after the contractual service has been completed and prohibit explicitly brokers from including any provision in their contracts that requires a motor carrier to waive its rights to access the transaction records. SBTC requests that FMCSA prohibit brokers from coercing or otherwise requiring parties to brokers' transactions to waive their right to review the record of the transaction as a condition for doing business. SBTC also requests that FMCSA adopt regulatory language indicating that brokers' contracts may not include a stipulation or clause exempting the broker from having to comply with the transparency requirement.

Dates for NPRM:

Action	Publication Date(s)	FR Cite
NPRM	10/31/2024	

*This rule is expected to be nonsignificant but is being included in this report to correct the projected schedule provided in the Spring 2023 Unified Agenda of Regulatory and Deregulatory Actions.