

Are



You

Racing-

Legally?

**Who needs to comply with the Federal Motor Carrier
Safety Regulations (FMCSR)?**

- **Commercial motor vehicles transporting property in commerce.**

Definition of commercial motor vehicle.

- **Gross weight rating or gross combination weight rating of 10,001 pounds or more.**

Exceptions:

- **The occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise.**

Interpretation says:

--No profit

- **Prize money is declared as ordinary income.**
- **Race activities are not deducted as a business expense for tax purposes.**

--Corporate Sponsorship is not involved.

Intrastate vs. Interstate

Intrastate - Staying In the State of Wisconsin

- Rules of Trans 327 apply and adopt FMCSR.
- Exemptions (327.09):
 1. Medical card required if single vehicle or combination GVWR over 26,000 lbs.
 - Grandfathered if CDL prior to July 29, 1996.
 2. Hours of Service – Log Book required if motor vehicle or combination GVWR over 26,000 lbs.
 - 150 air mile exception for filling out log. Must meet criteria of 327.09(5)??
 - 12 driving/16 on duty/80 total in 8 days
 3. Part 393 – General Equipment –
 - Fire Extinguisher /Warning Triangles
 - Brakes required on all axles if manufactured after 6-1-87. Breakaway brake system installed
 4. Part 396 Inspection and Repair
 - Periodic Inspection – 12 months (Copy or sticker)
 - Driver Inspection (Post Trip) - End of day report.
 - Driver Inspection (Pre Trip) – Before trip no report.
 - Record Keeping – Maintenance Records
 5. Part 382 Drug and Alcohol Testing – Federal Req.
 - Applicable if operating a vehicle requiring a CDL.
- 5. USDOT Number required.

Interstate - Outside of Wisconsin

- Rules of FMCSR's apply.
1. Medical card required.
 2. Hours of Service - Logbook required.
 - 100 air mile exception for filling out log. Must meet criteria of 395.1(e)!
 - 11 driving/14 on duty/70 total in 8 days
 3. Part 393 – General Equipment
 - Fire Extinguisher and Warning Triangles.
 - Brakes on all axles.
 4. Part 396 Inspection and Repair
 - Periodic Inspection – 12 months (Copy or sticker)
 - Driver Inspection (Post Trip) - End of day report.
 - Driver Inspection (Pre Trip) – Before trip no report.
 - Record Keeping – Maintenance Records
 5. Part 382 Drug and Alcohol Testing – Federal Req.
 - Applicable if operating a vehicle requiring a CDL.
 5. USDOT Number required.

Commercial Drivers License

1. Required if operating a single motor vehicle and the gross vehicle weight rating, actual gross weight or registered weight exceeds 26,000 pounds.
2. Required if operating a combination with a gross vehicle weight rating, actual gross weight or registered weight exceeding 26,000 pounds and the towed vehicle has a gross vehicle weight rating, actual gross weight or registered weight exceeding 10,000 pounds.
3. Required if hauling placardable (1000 pounds) HazMat. Any weight of vehicle.
4. Recreational Operator Exemption.

Example:

Truck	Trailer	Total	CDL Required
27,000			Y – Class B
26,000	8,000	34,000	N
23,000	11,000	34,000	Y- Class A

Registration of Vehicles - Intrastate

Motor Home or Mobile Home if Trailer

50% Floor Space Must Have:

- **Permanent Sleeping Facilities**
- **Permanent Dining Facilities**

In addition to the above two, four of the following six must exist.

- **Cooking Facility**
- **Ice box or Refrigeration Device**
- **Self Contained Toilet**
- **110-125 Volt Electrical Supply**
- **Space Heating or Air Conditioning System**
- **Water Supply**

Mobile Home:

- **Restricted to 45 feet.**

Cannot have motor home pulling semi trailer unless motor home meets criteria and fees are paid as if a truck including weight of semi trailer. 341.25(g).

Dealer Plates are not allowed unless for sale and empty!!

Chapter 341.47

Interstate

Apportioned Registration and Fuel Tax Required When

- Power unit has a registered or gross weight that exceeds 26,000.
- Power unit has three or more axles.
- Combination registered or actual weight exceeds 26,000 pounds.

72 hour Trip Permit is available to cover both registration and fuel tax.

IRP Section 608-266-9900

Reciprocity with following States:

Fuel Tax (30 miles)

- Minnesota and Iowa

Registration (30miles)

- Minnesota, Michigan, and Iowa

Vehicle Marking

If you are operating a commercial motor vehicle you need a USDOT number! If you comply with the guidance below you do not need to display empty weight or the city and state information. See Federal Regulation 390.21 for reference.

Interstate and Intrastate if USDOT Number is issued.

- **Name as listed on the MCS-150 form**
- **USDOT Number – example USDOT 111111**
- **Size visible at 50 feet in contrasting color.**

Hazardous Materials
Code of Federal regulations

Materials of Trade – 173.6

Exempt from regulations if the maximum is not exceeded.

Methanol- Packing Group II

- Containers up to 66 pounds or 8 gallons
- Total quantity can not exceed 440 pounds
7 pounds a gallon X 5 gallons = 35 pounds
Twelve 5 gallon cans = 420 pounds

If not exempt:

- Must placard at 1000 pounds and have HazMat CDL.
- Shipping paper in holder on drivers door.
- Label Containers

Length

348.07 and Wisconsin Administrative Code Trans 276

- 40 feet single vehicle
- 65 feet Restricted Truck Route combination of vehicles (48' trailer, 43' king pin to rear axle, no double bottoms)
- Designated Long Truck Routes Route No overall restriction (Double Bottoms allowed) (Operate 15 miles off to access services or destination)
- 75 feet Restricted Truck Route combination on all State and US Highways that are neither Restricted or a Long Truck Route (53' trailer, 43' king pin to rear axle, no double bottoms) (Operate 15 miles off to access services or destination)
- 45 feet for mobile home measured from rear of trailer to rear of power unit.
- 48 feet for a trailer or semi trailer (front to rear)
- 53 feet for a semi trailer if 43 feet from kingpin to center of axles.

For a copy of the Wisconsin Long Truck Operators Map visit this web site.

<http://www.dot.wisconsin.gov/travel/maps/docs/truck-routes.pdf>

For More Information

For copies of State Law and Transportation Rule 327 visit this site and click on research and library (top right) and then either Wisconsin statutes or transportation rules.

www.dot.state.wi.us/statepatrol/index.htm

For general D.O.T. information visit:

www.dot.state.wi.us

For copies of the federal motor carrier regulations visit this site and click on rules and regulations:

www.fmcsa.dot.gov

To apply for a US DOT Number

<http://www.fmcsa.dot.gov/registration-licensing/online-registration/onlineregdescription.htm>

For further information contact the Motor Carrier Enforcement Information System at 608-267-9762.