

Am I Even Regulated?

Question zero: are you for-hire, or private?

- **For-hire:** you haul someone else's freight for compensation. You need operating authority (an MC number), a BOC-3 process agent, and the financial-responsibility filings that go with it. Everything in this book applies to you.
- **Private:** you haul your own materials, equipment, or product in furtherance of your own business (the excavating company moving its own machine; the landscaper's dump truck; the ag operation's grain hauler). You generally need a **USDOT number but not operating authority**, so the authority/BOC-3/IFTA-style material in Chapter 8 is largely not yours. The driver-qualification, drug-and-alcohol, hours-of-service, maintenance, and roadside chapters apply to you **exactly the same as to a trucking company**, and that's the part private fleets most often don't know.

Chapter map for private fleets: Chapters 1–7 and 9–11 apply in full. Chapter 8 is partly for-hire (operating authority, BOC-3, the for-hire insurance filings); the accident register, MCS-150 updates, and state permits in that chapter still apply to you.

Now: what's the weight?

1. Is the vehicle's weight *rating* (or its actual loaded weight) 10,001 lbs or more, used in interstate commerce?

Read that as two questions, because the rule does. The definition uses the rating *or* the actual weight, **whichever is greater**. So a truck with a 9,900-lb rating that rolls across the scale at 10,500 loaded is a commercial motor vehicle, sticker notwithstanding. Count the trailer's weight only when you're actually pulling one. An unhitched power unit isn't measured against its combination rating

→ YES to either: you are a regulated motor carrier under the FMCSRs. You need a USDOT number, driver qualification files, vehicle maintenance files, hours-of-service compliance (exceptions below), insurance minimums and marking. Continue to 2. → NO to both, and no hazmat or passengers: the federal safety rules generally don't reach you, but your STATE may regulate intrastate operation. See the intrastate wrinkle below.

If you answered NO, weigh one loaded truck before you believe it. This is the single question on this page most likely to be answered wrong, and it's wrong in the direction that costs the most: a hotshot or service fleet running a light-rated truck heavy reads "the rules don't reach you," closes the book, and finds out at a scale house.

2. GVWR/GCWR of 26,001 lbs or more (or towing over 10,000 lbs)? → YES: CDL territory. Continue to 3. → NO: no CDL required, but everything from step 1 still applies; this is the zone (10,001–26,000 lbs: hotshots, box trucks, service fleets) where most people are regulated and don't know it. Skip to 4.
3. CDL required? Then the full drug-and-alcohol regime attaches: DOT testing program (Part 382), Clearinghouse registration and queries, and pre-employment tests. Chapter 4 is mandatory reading. Continue to 4.
4. Hours of service: do you need an ELD? Common exceptions that matter to small operators: short-haul (150 air-mile radius + return within 14 hours → no ELD, time records instead) · pre-2000 engine → ELD-

exempt, paper logs · 8-days-in-30 paper-log allowance. If no exception fits: ELD required.

5. **Passengers (9+/16+) or placarded hazmat?** Separate regimes attach (Parts 380/397, registration). Beyond this book's scope; get specialist help.

The intrastate wrinkle: never crossing state lines doesn't mean unregulated; most states adopt the FMCSRs (with tweaks) for intrastate carriers, and intrastate CDL/medical thresholds vary by state. Check your state's DOT.

The one-sentence summary: *If the truck (or truck + trailer) can weigh over 10,000 lbs and it works for your business, assume you're regulated until the tree says otherwise.*