

## Chapter Trans 302

### APPENDIX I

#### § 390.21 Marking of commercial motor vehicles.

(a) General. Every self-propelled commercial motor vehicle operated in interstate commerce and subject to the rules of subchapter B of this chapter must be marked as specified in paragraphs (b), (c) and (d) of this section. Self-propelled commercial motor vehicles operated by for-hire motor carriers under authority issued by the Interstate Commercial Commission (ICC) may meet the requirements of this section by complying with the marking requirements set forth in 49 CFR Part 1058.

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

- (1) The name or trade name of the motor carrier operating the self-propelled commercial motor vehicle.
- (2) The city or community and State (name abbreviated), in which the carrier maintains its principal place of business or in which the commercial motor vehicle is customarily based.
- (3) The motor carrier identification number, if issued by the FHWA, preceded by the letters "USDOT".
- (4) If the name of any person other than the operating carrier appears on the commercial motor vehicle operated under its own power, either alone or in combination, the name of the operating carrier shall be followed by the information required by paragraphs (b)(1), (2), and (3) of this section, and be preceded by the words "operated by."
- (5) Other identifying information may be displayed on the commercial motor vehicle if it is not inconsistent with the information required by this paragraph.

(c) Size, shape, location, and color of marking. The marking must—

- (1) Appear on both sides of the self-propelled commercial motor vehicle;
- (2) Be in letters that contrast sharply in color with the background on which the letters are placed;
- (3) Be readily legible, during daylight hours, from a distance of 50 feet while the commercial motor vehicle is stationary; and
- (4) Be kept and maintained in a manner that retains the legibility required by paragraph (c)(3) of this section.

(d) Construction and durability. The marking may be painted on the commercial motor vehicle or may consist of a removable device, if that device meets the identification and legibility requirements of this section, and such marking shall be maintained in such a manner as to remain legible as required by this section.

(e) Rented commercial motor vehicles. A motor carrier operating a self-propelled commercial motor vehicle under a rental agreement having a term not in excess of 30 calendar days may meet the requirements of this section in either one of two ways:

(1) The commercial motor vehicle is marked in accordance with the provisions of paragraphs (b) through (d) of this section; or

(2) The commercial motor vehicle is marked as set forth below:

(i) The name or trade name of the lessor is displayed in accordance with paragraphs (c) and (d) of this section;

(ii) The city or community and State (name abbreviated), in which the lessor maintains its principal place of business or in which the commercial motor vehicle is customarily based is displayed in accordance with paragraphs (c) and (d) of this section;

(iii) The lessor's identification number, issued by the FHWA, preceded by the letters "USDOT" is displayed in accordance with paragraphs (c) and (d) of this section; and

(iv) The rental agreement entered into by the lessor and the renting motor carrier conspicuously contains the following information:

(A) The name and complete physical address of the principal place of business of the renting motor carrier;

(B) The identification number issued the renting motor carrier by the Federal Highway Administration, preceded by the letters "USDOT," if the motor carrier has been issued such a number.

In lieu of the identification number required in this paragraph, the following may be shown:

(1) Information which will indicate if the motor carrier is engaged in "interstate" or "intrastate" commerce; and

(2) Information which will indicate if the renting motor carrier is transporting hazardous materials in the rented commercial motor vehicle;

(C) The sentence: "This lessor cooperates with all federal, state, and local law enforcement officials nationwide to provide the identity of customers who operate this rental commercial motor vehicle;" and

(v) The rental agreement entered into by the lessor and the renting motor carrier is carried on the rental commercial motor vehicle during the full term of the rental agreement.