

DEPARTMENT OF MOTOR VEHICLES

Motor Carrier Safety Regulations

Section 14-163c-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-163c-1. Adoption of regulations

(a) The following parts of the Code of Federal Regulations, Title 49, are incorporated by reference thereto as regulations of the Department of Motor Vehicles:

- (1) Part 382, "Controlled Alcohol Use and Testing", as amended;
- (2) Part 383, "Commercial Driver's License Standards; Requirements and Penalties," inclusive, as amended;
- (3) Part 384, "State Compliance with Commercial Driver's License Program," inclusive, as amended;
- (4) Part 385, "Safety Fitness Procedures," inclusive, as amended;
- (5) Part 386, "Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings," inclusive, as amended;
- (6) Part 387, "Minimum Levels of Financial Responsibility for Motor Carriers," inclusive, as amended;
- (7) Part 388, "Cooperative Agreements with States," inclusive, as amended;
- (8) Part 390, "Federal Motor Carrier Safety Regulations; General," inclusive, as amended;
- (9) Part 391, "Qualifications of Drivers and Longer Combination Vehicle (LCV) Driver Instructors," inclusive, as amended, except as provided in subsection (b) of this section;
- (10) Part 392, "Driving of Commercial Motor Vehicles," inclusive, as amended;
- (11) Part 393, "Parts and Accessories Necessary for Safe Operation," inclusive, as amended;
- (12) Part 394, "Removed and Reserved," inclusive, as amended;
- (13) Part 395, "Hours of Service of Drivers," inclusive, as amended;
- (14) Part 396, "Inspection, Repair and Maintenance," inclusive, as amended; and
- (15) Part 397, "Transportation of Hazardous Materials; Driving and Parking Rules," inclusive, as amended.

(b) The incorporation of the Code of Federal Regulations, Title 49, Part 391, Subpart E – "Physical Qualifications for Drivers," Sections 391.41 through 391.49, inclusive, does not include the exemptions that are provided by federal law for individuals who do not operate a commercial motor vehicle in interstate commerce.

Statement of purpose: To clarify that all applicants for, and holders of, a commercial driver's license must meet the minimum health and fitness standards established by the United States Department of Transportation.

Summary of main provisions: Individuals who operate commercial motor vehicles exclusively in intrastate commerce must demonstrate the same qualifications for health and fitness as operators of commercial motor vehicles in interstate commerce.

Legal effects of the regulation: Exemptions provided in Code of Federal Regulations, Title 49, Part 391 are not incorporated by reference in section 14-163c-1 subsection (9) of the Regulations of Connecticut State Agencies.

Be it known that the foregoing regulations are amended as hereinabove stated by the aforesaid agency pursuant to Sec. 14-163c of the General Statutes.

Wherefore, the foregoing regulations are hereby amended as hereinabove stated, effective when filed with the Secretary of the State.

In Witness Whereof: August 18, 2007, Robert M. Ward, Commissioner.

Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, Connecticut General Statutes: February 21, 2008.

Approved by the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes: May 27, 2008.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Sec. 4-172, as amended, of the General Statutes, Secretary of the State: June 5, 2008.