

AMENDATORY SECTION (Amending Docket TV-070466, General Order R-547, filed 12/27/07, effective 1/27/08)

**WAC 480-15-560 Equipment safety requirements.** (1) All carriers must comply with all of the following requirements:

- (a) Maintain all vehicles in a safe and sanitary condition.
- (b) Maintain vehicles free of defects likely to result in an accident or breakdown.
- (c) Maintain vehicles consistent with the *North American Uniform Out-Of-Service Criteria* as adopted in WAC 480-15-999.
- (d) Make vehicles available for inspection by commission representatives at any time upon request.

(2) A household goods carrier must display its permit name and number, as registered with the commission, on both the driver and passenger doors of all power units.

- (a) All markings on the power unit must be:
  - (i) Clearly legible.
  - (ii) No less than three inches high.
  - (iii) In a color that contrasts with the background color.
  - (iv) Permanent. *Exception:* Carriers may use temporary markings on vehicles operated under a lease.

(b) Carriers with both intrastate and interstate authority must display either the commission permit number, federal permit number or both on the power unit.

(3) Carriers must comply with all of the following requirements:

(a) All state and local motor vehicle safety laws and rules including, but not limited to, those contained in this chapter.

(b) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter on the date specified in WAC 480-15-999:

(i) 49 CFR Part 390: Safety Regulations, General; except the following definitions will apply:

(A) Exempt motor carrier: Any person operating a motor vehicle exempt from certain provisions of RCW Title 81 as defined in RCW 81.80.040.

(B) Motor carrier: Any common carrier, exempt carrier and private carrier as defined in WAC 480-15-020.

(C) Motor vehicle: Any vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power, or any combination of such vehicles, used on the public roads to transport household goods.

(D) Private carrier: Persons who transport their own household goods, transport household goods bought or sold by them or transport household goods purely as an incidental adjunct to an established business.

(E) Commercial motor vehicle: Any motor vehicle used by a

household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more.

(F) Director: The commission.

(ii) 49 CFR Part 392: Driving of Commercial Motor Vehicles.

~~((A))~~ (iii) 49 CFR Part 379: Preservation of Records.

(iv) 49 CFR Part 385: Safety Fitness Procedures.

(v) 49 CFR Part 397: Transportation of Hazardous Materials.

(vi) 49 CFR Part 393: Parts and Accessories Necessary for Safe Operation.

~~((B))~~ (vii) 49 CFR Part 396: Inspection, Repair, and Maintenance.

~~((C))~~ (viii) 49 CFR Part 375: Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations. However, 49 CFR Part 375 does not apply to intrastate operations. 49 CFR Part 375 applies only to interstate operations.

(ix) 49 CFR Part 380: Special Training Requirements.

(c) All motor vehicles must be equipped with mud flaps which effectively reduce the spray or splash of water from the road.

~~((D))~~ (d) Mud flaps must be as wide as the tires on which they are mounted, and must extend from the top of the tires down to at least the center of the axle.

AMENDATORY SECTION (Amending Docket TV-070466, General Order R-547, filed 12/27/07, effective 1/27/08)

**WAC 480-15-570 Driver safety requirements.** (1) No household goods carrier shall employ or allow any driver to operate a motor vehicle who fails to meet minimum criteria related to all of the following requirements:

(a) All state and local laws and rules governing driver safety, including, but not limited to, the rules in this chapter.

(b) The *North American Uniform Out-Of-Service Criteria* as adopted in WAC 480-15-999.

(c) The following parts of Title 49 of the Code of Federal Regulations (49 CFR), as adopted by reference in this chapter on the date specified in WAC 480-15-999:

(i) 49 CFR Part 390: Safety Regulations, General; except the following definitions will apply:

(A) Exempt motor carrier: Any person operating a motor vehicle exempt from certain provisions of RCW Title 81 as defined in RCW 81.80.040.

(B) Motor carrier: Any common carrier, exempt carrier and private carrier as defined in WAC 480-15-020.

(C) Motor vehicle: Any vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power, or any

combination of such vehicles, used on the public roads to transport household goods.

(D) Private carrier: Persons who transport their own household goods, transport household goods bought or sold by them or transport household goods purely as an incidental adjunct to an established business.

(E) Commercial motor vehicle: Any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more.

(F) Director: The commission.

(ii) 49 CFR Part 382: Controlled Substance and Alcohol Use and Testing.

(iii) 49 CFR Part 383: Commercial Driver's License Standards; Requirements and Penalties.

(iv) 49 CFR Part 391: Qualification of Drivers.

(v) 49 CFR Part 395: Hours of Service of Drivers.

(vi) 49 CFR Part 40: Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

(vii) 49 CFR Part 385: Safety Fitness Procedures.

(viii) 49 CFR Part 397: Transportation of Hazardous Materials.

(ix) 49 CFR Part 375: Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations.

(x) 49 CFR Part 380: Special Training Requirements.

(2) Operations that are exclusively intrastate commerce are not subject to the following provisions:

(a) 49 CFR Part 391.11 (b)(1): Minimum age requirements. The minimum age for drivers of motor carriers operating solely intrastate is eighteen years of age rather than the twenty-one years of age required to operate in interstate commerce.

(b) 49 CFR Part 391.49: Waiver of certain physical defects. This part does not apply if the driver has obtained from the Washington department of licensing a driver's license with endorsements and/or restrictions allowing operation of the motor vehicle they are driving.

AMENDATORY SECTION (Amending Docket A-081419, General Order R-554, filed 12/23/08, effective 1/23/09)

**WAC 480-15-999 Adoption by reference.** In this chapter, the commission adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the commission branch of the Washington state library. The publications, effective dates, references within this chapter, and availability of the resources are as follows:

(1) **North American Standard Out-of-Service Criteria** (OOSC) is published by the Commercial Vehicle Safety Alliance (CVSA).

(a) The commission adopts the version in effect on April 1, ~~((2008))~~ 2010.

(b) This publication is referenced in WAC 480-15-560 (Equipment safety requirements).

(c) The *North American Out-of-Service Criteria* is a copyrighted document. Copies are available from CVSA in Washington, D.C.

(2) **Title 49 Code of Federal Regulations**, cited as 49 CFR, including all appendices and amendments is published by the United States Government Printing Office.

(a) The commission adopts the version in effect on ~~((December 31, 2007))~~ June 30, 2010, except that for 49 CFR Part 40, the commission adopts the version in effect on October 1, 2010.

(b) This publication is referenced in WAC 480-15-560 (Equipment safety requirements) and WAC 480-15-570 (Driver safety requirements).

(c) Copies of Title 49 Code of Federal Regulations are available from the U.S. Government Online Bookstore, <http://bookstore.gpo.gov/>, and from various third-party vendors.