



Federal Motor Carrier Safety Administration Regulations and Interlining Transportation for Rural Transit Providers

Rural transit often requires providers to be flexible in the type of service they provide to their community. With a diverse population spread out over wide service areas, single transit systems may often provide various types of transportation, including: public transportation, paratransit, and non-emergency medical transportation.

In addition, many public transit agencies also operate routes across state lines or feeder routes to urban and interstate transportation. When a public transit agency operates in these conditions there are often complex rules and regulations that oversee this type of transportation and can often be confusing to navigate.

This brief is intended to give an overview of the Federal Motor Carrier Safety Administration (FMCSA) regulations that affect rural systems as well as an introduction into interlining agreements and oversight for community transportation providers.

FMCSA Overview

The Federal Motor Carrier Safety Administration (FMCSA) was established as a separate modal administration within the U.S. Department of Transportation pursuant to the Motor Carrier Safety Improvement Act of 1999. FMCSA's primary mission is to reduce crashes, injuries, and fatalities involving large trucks and buses.

Specifically, the FMCSA regulates interstate commerce, while the Federal Transit Administration (FTA) regulates public transportation. When these areas overlap, such as when a public transportation provider operates service between states or a public transportation provider interlines with an intercity bus carrier, public transportation providers, including Section 5310, 5311, and 5316 (JARC) grant recipients, may also be subject to FMCSA regulation.

Determining when FMCSA Regulations Apply

The initial test to determine whether or not a public transportation provider is subject to FMCSA regulations is based on the manufacturer's specified loaded weight of the vehicle used to provide the service and the number of passengers that vehicle is designed or used to transport. There are two specific criteria used to determine applicability:

1. If the vehicle used to transport passengers has a weight of more than 10,000 pounds AND/OR
2. The vehicle is designed or used to transport 9 or more passengers (including the driver), the service may be subject to regulation by the FMCSA.

If the service meets either of the criteria in 2 above, and the service offered by the public transportation provider operates between two or more states, or if the service interlines with an intercity bus carrier, then the service is generally subject to FMCSA regulation.

Complying with Regulations

If FMCSA regulations apply, then operators must comply with FMCSA rules pertaining to Operating Authority, Financial Responsibility, Commercial Drivers License (federally required at 15+ passengers), etc. Both recipients of Section 5310, 5311, and 5316 (JARC) grants and governmental entities must comply with the foregoing regulations, and private companies must also comply with additional FMCSA regulations.

Interlining

Interlining is generally defined as transportation that is provided by two or more carriers, under a single through ticket, at a single through fare, and the revenue derived from each passenger is divided between the participating carriers at a rate agreed upon by the participating carriers.

In order to interline with an intercity bus company, a public transportation provider must enter into an interline agreement with that intercity bus company, and must join the National Bus Traffic Association. Membership in NBTA is the required because NBTA is the industry association, through which, basic interline rules and procedures are agreed to between all participating intercity carriers. Since passengers often must use the services of more than two carriers to complete their travel, bilateral agreements between carriers are not sufficient. Rather the agreements must be multilateral, and that is the purpose that is serviced by common membership in NBTA.

Terminal access, required levels of insurance, quotation of service and fares, division of revenues, marketing arrangements and other arrangements between a public transportation provider and an intercity bus company with whom it interlines are all areas that must be negotiated between the involved parties.

Additional Resources

FMCSA - <http://www.fmcsa.dot.gov/>

Federal Motor Carrier Safety Regulations – http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguide.asp?section_type=A

Federal Transit Administration – <http://www.fta.dot.gov>

Motor Carrier Regulations (CTAA) – <http://web1.ctaa.org/webmodules/webarticles/anviewer.asp?a=344>

FMCSA Regulations as They Apply to FTA Section 5310/5311 Providers: A Handbook Research Results Digest 311 –

http://onlinepubs.trb.org/onlinepubs/nchrp/nchrp_rrd_311.pdf

Transportation Research e-Circular Number E-C117 (May 2007) – The Domain of Truck and Bus Safety Research –

<http://onlinepubs.trb.org/onlinepubs/circulars/ec117.pdf>

For additional questions call the National RTAP Resource and Communication Center Hotline: 888 589 6821 or email info@nationalrtap.org. You can also visit the RTAP website for more resources at www.nationalrtap.org