# Small Passenger-Carrying Vehicles

## Overview

The Federal Motor Carrier Safety Administration (FMCSA) has safety regulatory oversight of commercial van operations and for-hire operators of small passenger-carrying vehicles that engage in interstate commerce.  Motor carriers are subject to regulatory oversight when their vehicles are used on a highway in interstate commerce to transport passengers if the vehicle is designed or used to transport 9 to 15 passengers (including the driver) for compensation.  The specific safety regulations applicable to such operations depends upon the form of the compensation received by the operator for the transportation services provided (i.e., in the form of either direct compensation or not for direct compensation).  Direct compensation means payment made to the motor carrier by the passengers or the individual acting on behalf of the passengers for the transportation services provided, and not included in a total package charge or other assessment for highway transportation services.

### ****Direct Compensation****

Motor carriers operating 9 to 15 passenger-carrying commercial motor vehicles for direct compensation, regardless of the distance traveled, are subject to the safety standards in part 385 and parts 390 through 396 of the Federal Motor Carrier Safety Regulations.  These carriers are required to file a motor carrier identification report (section 390.19) and mark their commercial motor vehicles with the USDOT identification number and the legal name or single trade name of the operator (section 390.21).

Among other requirements, these carriers are also subject to safety fitness procedures and new entrant safety assurance procedures (part 385); accident register recordkeeping (section 390.15); driver qualification and medical examination requirements (part 391); required to maintain and update driver qualification files (section 391.51); required to comply with maximum driving time standards (section 395.5); required to maintain records of duty status (section 395.8) or time records (for drivers covered by the short-haul exemption in section 395.1(e)(1)); and recordkeeping for inspection, repair, and maintenance (part 396).  Motor carriers are subject to these same regulations when their vehicle has a gross vehicle weight or gross vehicle weight rating of 10,001 or more pounds and is used on a highway in interstate commerce to transport passengers, even if the vehicle is designed and used to transport 8 or less passengers.

### ****Not For Direct Compensation****

Motor carriers operating 9 to 15 passenger-carrying commercial motor vehicles **not** for direct compensation provided the vehicle does not otherwise meet the definition of a commercial vehicle, regardless of the distance traveled, are required to:

Title 49: Transportation CFR 390 Federal Motor Carrier 390.3 General applicability.

(f) Exceptions. Unless otherwise specifically provided, the rules in this subchapter do not apply to?

(6) The operation of commercial motor vehicles designed or used to transport between 9 and 15 passengers (including the driver), not for direct compensation, except that motor carriers and drivers operating such vehicles are required to comply with the following of this chapter:

1. 49 CFR 390.15 Assistance in investigations and special studies (accident register)
2. 49 CFR 390.19-Motor carrier identification report
3. 49 CFR 390.21 (a) and (b) Marking of CMVs. (mark their commercial motor vehicles with the USDOT identification number)
4. 49 CFR 391.15 (e) and (f) Disqualification of drivers . Drivers of CMVs, Restricting the Use of Cellular Phones
5. 49 CFR 392.80 Prohibition against texting
6. 49 CFR 392.82-Using a hand-held mobile telephone

For online motor carrier identification report filing and registration for a USDOT identification number, go to [http://safer.fmcsa.dot.gov](http://safer.fmcsa.dot.gov/).