



# Inspection Bulletin

## North American Standard Inspection Program

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### 2021-03 – Identifying the Motor Carrier

Created: April 29, 2021

#### Summary

When completing an inspection report, a citation or a collision report, the inspector must correctly identify the motor carrier. The motor carrier does not necessarily own the truck. The motor carrier is the person or company contracted to move that load from one point to the next. The motor carrier is responsible for the truck, the driver and the load. This bulletin defines motor carriers and provides guidance on how to correctly identify and document a motor carrier on an inspection report.

#### Definitions (Part 390)

**For-hire motor carrier** means a person engaged in the transportation of goods or passengers for compensation.

**Motor carrier** is a for-hire motor carrier or private motor carrier. The term includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning or dispatching of drivers, and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of this subchapter, this definition includes the terms “employer” and “exempt motor carrier.”

**Private motor carrier** means a person who provides transportation of property or passengers by commercial motor vehicle (CMV) and is not a for-hire motor carrier.

#### Background

Proper identification of the motor carrier is essential because the vehicle inspection report will be of limited value if the incorrect carrier is entered on the report. Also, the carrier profile system data will not be entered correctly if the incorrect carrier is entered on the report. Incorrect carrier assignment has compounding negative effects on motor carriers, such as increased insurance rates, lost contracts, unnecessary federal investigations or incorrectly assigned fines to the carrier.

#### Sources of Information

Inspectors should never use one source of information to identify the motor carrier. Use details from examining all documentation, interviewing the driver, and considering the following sources:

- vehicle identification (company name displayed)
- vehicle registration
- shipping documents/bills of lading

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- lease or rental agreement (trip or term)
- proof of insurance
- U.S. Department of Transportation (USDOT) number/operating authority
- Canada's National Safety Code (NSC), Ontario's Commercial Vehicle Operator's Registration (CVOR), Quebec's Numéro d'Identification du Registre (NIR)
- driver's record of duty status
- fuel permits
- driver interview (see below)
- periodic inspection documentation
- permit book for indication of motor carrier

### Driver Interview

The driver interview is often the most important source of information for many purposes, including identifying the motor carrier. Inspectors should ask questions and document the responses on their inspection report. Questions such as:

- What company do you work for?
- Does the company have any other names/subsidiaries?
- Where is the main office located (city and state)?
- Who signs your paycheck/issues your pay?
- How long have you worked for this company?
- Where do you report for work or where do you pick up the vehicle?
- What type of work does the company do?
- Who is responsible for safety on this trip?
- If you were involved in a crash or had a breakdown, who would you call?
- At the conclusion of this trip, to whom or where do you turn in receipts, invoices, travel expenses, etc.?
- If you traveled by plane, train, or bus to pick up the vehicle, who paid for the fare?
- If you stayed in a hotel, who paid for the hotel?
- Is there a broker for this load?
- Does your company have a USDOT/NSC/CVOR/NIR number?
- How long has this company been in business? Note: If the company is new, the USDOT number should be a high number. If they produce a low number, that should be cause for concern that it may not be the right carrier.
- Who dispatches you?
- Does the dispatcher work for the same boss/company where you work or do they only get you loads?
- Have you ever been inspected before? If so, what state/province/territory?
- Have you ever had a license from another state/province/territory? Note: This may help in finding prior inspections as well.

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## Further Investigation Options

If the documents and interview do not clearly provide evidence of the motor carrier, other investigation options available are:

- Contact the shipper for the load and inquire who they brokered the load through or who is supposed to pick up the load; however, some shippers simply work through a broker and do not know who will pick up the load.
- Ask the driver to call their boss, dispatcher, or safety manager to inquire about the name and USDOT/NSC/CVOR/NIR number.
- Check the state/province/territory business entity listing or business license directory (some states have all businesses listed on their Secretary of State websites)
- Check CVIEW, Safety and Fitness Electronic Records (SAFER), Query Central, Motor Carrier Management Information System (MCMIS) or the Canadian equivalent for the carrier, past inspections on the truck/trailer, and past inspections on the driver.
- Check social media sites/internet for the carrier and/or owner of the company, or the company phone number.
- Check if the driver is wearing a uniform, or any type of company shirt or hat.
- Check if any equipment on the CMV features a company name or logo.

If multiple carrier names or USDOT/NSC/CVOR/NIR numbers are discovered during the inspection, record that information in the notes in the event a carrier assignment issue is raised at a later date. If, after considering all available documentation, interviewing the driver and other investigations, the inspector is still unsure of the motor carrier, it should be noted on the inspection report. Some carriers may be under investigation or may owe fines. To avoid enforcement action or fines, they may obtain a new USDOT/NSC/CVOR/NIR number in an attempt to dissolve the old company and associated fines. This is illegal and referred to as a “chameleon carrier.”

## Motor Carrier Identification Report Form (MCS-150) – U.S.

Per Title 49 Code of Federal Regulations (CFR) Part 390.19T(a) and 392.9b, all commercial carriers are required to complete the Motor Carrier Identification Report Form (MCS-150) based on their operations. Part 390.21T(b)(1) requires that a vehicle be marked with the legal name or a single trade name in accordance with the MCS-150 form. The legal name or single trade name(s) listed on the MCS-150 can be found by searching the carrier’s USDOT number in ASPEN, CVIEW, Query Central, SAFER or MCMIS.

U.S Department of Transportation Federal Motor Carrier Safety Administration	<b>MOTOR CARRIER IDENTIFICATION REPORT (Application for U.S. DOT NUMBER)</b>
<b>REASON FOR FILING (Check Only One)</b>	
<input type="checkbox"/> NEW APPLICATION	<input checked="" type="checkbox"/> BIENNIAL UPDATE OR CHANGES
<input type="checkbox"/> OUT OF BUSINESS NOTIFICATION	<input type="checkbox"/> REAPPLICATION (AFTER REVOCATION OF NEW ENTRANT)
<b>1. NAME OF MOTOR CARRIER</b>	<b>2. TRADE OR D.B.A. (DOING BUSINESS AS) NAME</b>
THE DAVEY TREE EXPERT COMPANY	DAVEY WOLF HARTNEYGRAYMONT MAIERTREE JONESBROS WICKES-ARBORIST ARBORGUARD CORTESE NORTH AMERICAN TREE SERVICE CHIPPERS

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Section 1 of the MCS-150 form must identify the legal name of the motor carrier. Section 2, if applicable, is strictly for the trade or DBA (Doing Business As) name that a motor carrier may use and mark a vehicle with. Section 2 is not limited to only one name and may consist of several single trade names and does not have a requirement to space out or separate these names. With the limited character spacing available in Section 2 of the MCS-150 form, you may see many names listed without separation such as, but not limited to, spacing or the following characters: , - ; /.

The Federal Motor Carrier Safety Administration (FMCSA) provided guidance to its intent of Title 49 CFR Part 390.19 and 390.21T, outlining that a vehicle must be marked with either the legal name or a single trade name from those listed on the MCS-150 form. It does not mean that only one trade name/DBA can be listed on the MCS-150 form. A motor carrier may list more than one name in Section 2; however, the motor carrier may only mark a vehicle with a name matching one listed in Section 1 or 2. If a motor carrier chooses to display a trade name or DBA name in lieu of the full legal name as listed on the MCS-150, only one of the trade names or DBA names is required to be displayed.

Per FMCSA guidance, there may be instances where motor carriers with several DBA names will display names on their CMVs that do not appear in the FMCSA databases (ASPEN, Query Central, CVIEW, MCMIS). Due to the limited number of characters available in FMCSA databases, some DBA names may not be listed in some carrier profiles.

For example, pictured right, below and the following page are examples of how the motor carrier may be identified differently in FMCSA's databases.

The screenshot shows the 'Pre-Screen' interface with three tabs: 'Carrier', 'Driver', and 'Past Inspections'. The 'Carrier' tab is active. Under 'Carrier Search by Number', the search type is 'USDOT#' and the number is '00093861'. Under 'Carrier Search by Name', the carrier information is displayed: Name: THE DAVEY TREE EXPERT COMPANY; DBA: DAVEY WOLF HARTNEYGRAYMONT MAIERTREE JONESBROS WICKES-ARBOR; Street: 1500 N MANTUA STREET; City: KENT; State: OH; Zip: 44240; Phone: (330)673-9515; Country of Domicile: UNITED STATES.

ASPEN

Legal Name:	THE DAVEY TREE EXPERT COMPANY	USDOT#:	93861
DBA Name:	DAVEY WOLF HARTNEYGRAYMONT MAIERTREE JONESBROS WICKES-ARBORIST ARBORGUARD CORTESE NORTH AMERICAN TREE SERVICE CHIPPERS	MC/MX#:	
Physical Address:	1500 N MANTUA STREET	Phone#:	(330)673-9515
Country of Domicile:	KENT, OH 44240 UNITED STATES	Fax#:	(330)552-2686
Mailing Address:	1500 N MANTUA STREET	Status of USDOT #:	ACTIVE
	KENT, OH 44240	Entity:	CARRIER

QUERY CENTRAL

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THE DAVEY TREE EXPERT COMPANY ( 93861 )		DBA: DAVEY WOLF HARTNEYGRAYMONT MAIERTREE JONESBROS WICKES-ARBORIST ARBORGUARD CORTESE NORTH AMERICAN TREE SERVICE CHIPPERS	
Last MCMIS Update: 3/17/2021		Inspect This Carrier	
USDOT:	93861	PRISM Targeted:	NO (Real-time)
USDOT Status:	A - Active (Real-time)	Federal OOS Level:	NO (Real-time)
USDOT Status Date:	1974-06-01	Class Code:	25 - PrivateProperty
Carrier Name:	THE DAVEY TREE EXPERT COMPANY	ISS2 Score:	63
DBA Name:	DAVEY WOLF HARTNEYGRAYMONT MAIERTREE JONESBROS WICKES-ARBORIST ARBORGUARD CORTESE NORTH AMERICAN TREE SERVICE CHIPPERS	Hazmat Status:	C - Carrier
		Entity Type:	C - Carrier
		Interstate:	Yes
		Intrastate (Non-HM):	No

CVIEW

Per 49 CFR Part 390.21T(b)(3), if there is more than one name on the CMV, the responsible motor carrier must meet the requirements of (b)(1) and (b)(2) and have the words “Operated By” preceding the name as listed in Section 1 or 2 of the MCS-150 form.

In these cases, the driver may provide supporting documentation that identifies additional DBAs that will not fit on the MCS-150 form.

For example, pictured right is an example of supporting documentation that the motor carrier may provide to identify its additional DBAs that do not fit on the MCS-150 form.

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**CVSA Inspection Bulletin 2021 – 03**  
**MCS-150 (Section 2) Supporting Document**

Legal Name: The Davey Tree Expert Company

Contact: [REDACTED]  
Phone: [REDACTED]  
Email: [REDACTED]

In accordance with CVSA Inspection Bulletin 2021-03 Identifying the Motor Carrier, this supporting document is provided as a list of Trade/DBA names that may or may not be listed on MCS – 150 form for this motor carrier and may not be visible or accessible on CVIEW, Query Central, ASPEN, SAFER or MCMIS.

Trade Names / DBA Names:

- Davey
- Wolf Tree
- Hartney Greymont
- Maier Tree & Lawn
- Jones Bros. Tree & Landscape
- Arboregard Tree Specialist
- Wickes - Arborist
- North American Tree Service
- AJ Tree Service
- Chippers

\*Per FMCSA guidance, only one of the listed names is required to be displayed on the commercial motor vehicle to satisfy the requirements of 49 CFR 390.21T.

This document has been prepared for The Davey Tree Expert Company.

Printed Name: [REDACTED]  
Signed: [REDACTED]

Title: [REDACTED]  
Date: [REDACTED]

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## Marking of the CMV (390.21T)

In the U.S., CMVs must be marked in a specific manner. The marking requirements are as follows:

- Nature of markings:
  - 1) the legal name or a single trade name of the motor carrier
  - 2) the USDOT number
  - 3) “operated by” precedes the operating motor carrier’s name if the name of any person other than the operating carrier appears on the CMV
- Size, shape, location and color of markings — the markings shall:
  - 1) appear on both sides of the self-propelled CMV
  - 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 CMV is stationary
  - 4) be kept and maintained in a manner that retains the legibility required
- Construction and durability of markings:
  - 1) the marking may be painted on the CMV or may consist of a removable device

### Rented CMVs

Rented CMVs may not require markings, depending on the duration of the rental term. If the rental term is for 30 days or less, the CMV may be marked with the lessor’s information, and the motor carrier’s information will be contained in a rental or lease agreement. See 390.21T(e)(1) and (2) for complete details.

A rental agreement that includes all of the information outlined in 390.21T(e) must be carried in the vehicle (390.21T(e)(2)(iv)).

A rented CMV for a term exceeding 30 days must be marked in accordance with 390.21T(b), (c) and (d).

### Driveaway Services

A removable device may be affixed on both sides or at the rear of a single driven vehicle. In a combination driveaway operation, the device may be affixed on both sides of any one unit or at the rear of the last unit. The removable device must display the legal name or a single trade name of the motor carrier and the motor carrier's USDOT number.

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### Guidance

CMVs are required to display the motor carrier's safety registration (USDOT/NSC/CVOR/NIR number), as well as the legal name or single trade name of the motor carrier. The legal name and any single trade names can be found on the MCS-150 form, or they may be viewed in the motor carrier's profile in CVIEW, Query Central, ASPEN, SAFER or MCMIS.

In instances where a CMV is marked with a DBA name that does not appear in the FMCSA databases, inspectors should follow the guidance and request additional documentation from the driver.

CMVs that properly display a USDOT number and any one of the legal names or single trade names that are listed in the databases or DBA/Tradename provided by a supporting document surrendered by the driver will be considered compliant. The inspector shall verify the displayed information meets the color, size and durability, or rented CMV requirements in 390.21T.

Remember, CMVs in the U.S. that are rented for 30 days or less may comply with the marking requirements by carrying a completed rental agreement in the vehicle. Driveaway services may comply by displaying markings on both sides of any one unit or at the rear of the last unit.

Any violations of the marking requirements outlined in 390.21T should be recorded as a single violation on an inspection report along with a detailed description of the violation(s).