

ADVISORY 23.2 U.S. DEPARTMENT OF TRANSPORTATION (D.O.T.) REGULATIONS GOVERNING USE OF 9-15 PASSENGER VANS

The U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) implemented a final rule on April 13, 2001 concerning the operation of passenger vans that are designed or used commercially to transport between 9 and 15 passengers. The final rule was published as 49 CFR 390. It may be viewed in its entirety at:

<http://www.fmcsa.gov/rulesregs/fmcsr/final/011101.pdf>

This rule requires interstate "hire for compensation" operators of vans or small buses carrying 9 to 15 passengers including the driver to file a vehicle identification report, mark the vehicles with a Department of Transportation (DOT) identification number, and maintain an accident register. A "hire-for-compensation" condition exists when the owner of the van seeks to recover the cost of providing the driver.

The final rule in 49 CFR 390 would apply to 9-15 passenger vans owned by the University of Cincinnati only if all of the following conditions are met:

- The van is rented to a group not affiliated with the University of Cincinnati, and
- The driver is a University of Cincinnati employee, and
- The University or department employing the driver charges the group renting the van for the driver's time and expense, and
- The trip crosses the Ohio border into another State

Administrators and/or supervisors of University of Cincinnati colleges, departments, or offices that own 9-15 passenger vans and seek to use them in a "hire for compensation" manner are required to contact Transportation Services, 556-4424, for assistance in complying with the U.S. Department of Transportation regulation in 49 CFR 390.