

**WAC 480-70-201 Vehicle and driver safety requirements.** (1) Companies must comply with all state and local laws and rules governing vehicle and driver safety. Companies must also comply with the parts of Title 49, Code of Federal Regulations (49 C.F.R.) shown in the following chart, that are adopted by reference. Information about 49 C.F.R. regarding the version adopted and where to obtain copies is set out in WAC 480-70-999.

<b>49 C.F.R. Part Adopted:</b>		<b>Portions Not Adopted:</b>
Part 40 -	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	n/a
Part 379 -	Preservation of Records	n/a
Part 380 -	Special Training Requirements	n/a
Part 382 -	Controlled Substance and Alcohol Use and Testing	n/a
Part 383 -	Commercial Driver's License Standards; Requirements and Penalties	n/a
Part 385 -	Safety Fitness Procedures	n/a
Part 390 -	Safety Regulations, General	(1) The terms "motor vehicle," "commercial motor vehicle," and "private vehicle" are not adopted. Instead, where those terms are used in Title 49 C.F.R., they shall have the meanings assigned to them in WAC 480-70-041 (private vehicle) and WAC 480-70-196 (commercial motor vehicle).  (2) Whenever the term "director" is used in Title 49 C.F.R., it shall mean the commission.
Part 391 -	Qualification of Drivers	(1) A driver who operates exclusively within the state of Washington is not subject to the provisions of Part 391.49 (waiver of certain physical defects), if that driver has obtained from the Washington department of licensing a driver's license with endorsements and restrictions allowing operation of the motor vehicle being driven.  (2) A driver who operates exclusively in intrastate commerce is not subject to the provisions of Part 391.11(b)(1) (general qualifications - age). A driver operating exclusively in intrastate commerce may drive a motor vehicle if he or she is at least eighteen years of age.
Part 392 -	Driving of Motor Vehicles	n/a

49 C.F.R. Part Adopted:		Portions Not Adopted:
Part 393 -	Parts and Accessories Necessary for Safe Operation	n/a
Part 395 -	Hours of Service of Drivers	n/a
Part 396 -	Inspection, Repair, and Maintenance	n/a
Part 397 -	Transportation of Hazardous Materials, Driving and Parking Rules	n/a

(2) Companies must:

- (a) Maintain all motor vehicles in a safe and sanitary condition;
- (b) Ensure that vehicles are free of defects likely to result in an accident or breakdown; and
- (c) Make vehicles available for inspection by commission representatives.

(3) The commission will place out-of-service any motor vehicle having safety defects identified in the *North American Uniform Out-Of-Service Criteria*. Information about the *North American Uniform Out-Of-Service Criteria* regarding the version adopted and where to obtain copies is set out in WAC 480-70-999. A company must not operate any vehicle placed out-of-service until after proper repairs have been completed.

(4) The commission will place out-of-service any driver meeting criteria identified in the *North American Uniform Out-Of-Service Criteria*. A company must not allow a driver who has been placed out-of-service to operate a motor vehicle until such time as the conditions causing the driver to be placed out-of-service have been corrected.

[Statutory Authority: RCW 80.10.040, 80.04.160, 81.04.160, and 34.05.353. WSR 18-13-106, § 480-70-201, filed 6/19/18, effective 7/20/18. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-70-201, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 81.04.160, 81.77.030 and 80.01.040. WSR 01-08-012 (Docket No. TG-990161, General Order No. R-479), § 480-70-201, filed 3/23/01, effective 4/23/01.]