

**WAC 480-15-560 Vehicle and driver safety requirements. (1)**

Household goods carriers must ensure that all vehicles and drivers used to provide household goods comply with all federal, state, and local laws and rules, and commission orders, governing licensing, vehicle safety, and driver safety. Carriers must also comply with 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 480-15-999.

<b>49 C.F.R. Part:</b>		<b>Notes:</b>
Part 40 -	Procedure for Transportation Workplace Drug and Alcohol Testing	Entire Part 40 is adopted and applies to Washington intrastate operations.
Part 375 -	Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations	Applies only to interstate operations.
Part 379 -	Preservation of Records	Entire Part 379 is adopted and applies to Washington intrastate operations.
Part 380 -	Special Training Requirements	Entire Part 380 is adopted and applies to Washington intrastate operations.
Part 382 -	Controlled Substance and Alcohol Use and Testing	Entire Part 382 is adopted and applies to Washington intrastate operations.
Part 383 -	Commercial Driver's License Standards; Requirements and Penalties	Entire Part 383 is adopted and applies to Washington intrastate operations.
Part 385 -	Safety Fitness Procedures	Entire Part 385 is adopted and applies to Washington intrastate operations.
Part 390 -	Safety Regulations, General	Entire Part 390 is adopted and applies to Washington intrastate operations, with the following exceptions:
		(1) The terms "motor carrier," "motor vehicle," "commercial motor vehicle," "exempt motor carrier," and "private carrier" are not adopted. Instead, where those terms are used in 49 C.F.R., they have the meanings assigned to them in WAC 480-15-020.
		(2) Whenever the term "director" is used in 49 C.F.R., it means the commission.
Part 391 -	Qualifications of Drivers	Entire Part 391 is adopted and applies to Washington intrastate operations, with the following exceptions:
		(1) 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 they are at least 18 years of age.
		(2) A driver who operates exclusively in intrastate commerce 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.
Part 392 -	Driving of Motor Vehicles	Entire Part 392 is adopted and applies to Washington intrastate operations.
Part 393 -	Parts and Accessories Necessary for Safe Operation	Entire Part 393 is adopted and applies to Washington intrastate operations.
Part 395 -	Hours of Service of Drivers	Entire Part 395 is adopted and applies to Washington intrastate operations.
Part 396 -	Inspection, Repair, and Maintenance	Entire Part 396 is adopted and applies to Washington intrastate operations.

49 C.F.R. Part:		Notes:
Part 397 -	Transportation of Hazardous Materials, Driving and Parking Rules	Entire Part 397 is adopted and applies to Washington intrastate operations.

(2) Companies must:

(a) Maintain all vehicles in a safe and sanitary condition.

(b) Ensure that vehicles are in proper working condition and repair all identified defects or deficiencies likely to result in an accident or breakdown.

(c) All motor vehicles must be equipped with fenders, covers, mud flaps, or splash aprons which effectively reduce the spray or splash of water from the road. All such devices must be as wide as the tires on which they are mounted and must extend from the top of the tires down to at least the center of the axle.

(3) All motor vehicles and drivers operating under the provisions of this chapter and used to provide permitted services are always subject to inspection by the commission or its duly authorized representatives. The commission will place out-of-service for the provision of household goods moving service any motor vehicle or the driver of that vehicle if the vehicle or driver meets any condition listed in the *North American Uniform Out-of-Service Criteria*. A company must not require or permit a vehicle or driver that has been placed out-of-service to operate until the condition(s) causing the out-of-service violation is corrected. Information about the *North American Uniform Out-of-Service Criteria* is set out in WAC 480-15-999.

[Statutory Authority: RCW 80.01.040, 81.01.010, 81.04.160, 81.80.290, and 81.77.030. WSR 23-15-054 (Docket T-220252, General Order R-607), § 480-15-560, filed 7/13/23, effective 8/13/23. 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), § 480-15-560, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.250, 81.28.040, 81.80.120, 81.80.130 and 81.80.290. WSR 08-02-049 (Docket TV-070466, General Order R-547), § 480-15-560, filed 12/27/07, effective 1/27/08. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. WSR 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-15-560, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 81.04.160, 81.04.250, 81.28.040, 81.80.090, 81.80.120, 81.80.130, 81.80.290, 81.80.211, and 80.01.040. WSR 00-14-010 (General Order No. R-471, Docket No. TV-991559), § 480-15-560, filed 6/27/00, effective 7/28/00. Statutory Authority: RCW 81.04.160 and 80.01.040. WSR 99-01-077 (Order R-454, Docket No. TV-971477), § 480-15-560, filed 12/15/98, effective 1/15/99.]