



Roadability Briefing

The Federal Motor Carrier Safety Administration (FMCSA) final "Roadability" regulations (Docket No. FMCSA-2005-23315) were published on December 17, 2008. Effective June 17, 2009, the FMCSA requires all Intermodal Equipment Providers (IEP's) to ensure that equipment interchanged to Motor Carriers is safe and in proper operating condition.

Although equipment marking components of the regulation (Part 390.21) are not required until December 17, 2010, equipment marking in early 2010 will prove necessary in order to comply with the Driver Vehicle Inspection Reporting (DVIR) requirements which become mandatory on June 30, 2010.

[Click here](#) for a link to the final FMCSA ruling.

In support of the Regulations, the IEP and Motor Carrier have the following responsibilities:

Intermodal Equipment Provider (IEP)

- Establish systematic inspection, repair and maintenance programs and recordkeeping systems.
- Register their Company with the DOT and apply for a US DOT Number using Form MCS-150C. This number, in turn, will be associated with any piece of intermodal trailing equipment that is tendered by the IEP.
- Intermodal equipment must be marked in accordance to 49 CFR Part 390.21, regardless of the current identification system. The Global Intermodal Equipment Registry (GIER) is an electronic alternative to physical equipment marking.
- Each IEP must establish a system for motor carriers and drivers to report to it any damage, defects, or deficiencies of intermodal equipment discovered by, or reported to, the motor carrier or driver which would:
 - Affect the safety of operation of the intermodal equipment, or
 - Result in its mechanical breakdown while transported on public roads.
- Any damage, defects or deficiencies reported by the driver must be repaired by the IEP prior to allowing or permitting a motor carrier to transport a piece of intermodal equipment.
- IEPs must certify on the Driver Vehicle Inspection Report (DVIR) that the reported damage, defects, or deficiencies have been repaired, or that the repair is unnecessary, before the vehicle is operated again.
- All DVIR documentation including certification of repairs on all intermodal equipment must be maintained by the IEP, available for a potential FMCSA Roadability Review, for a period of three months.
- IEPs must annually inspect intermodal equipment and retain documentation of the inspection, maintenance and repair. Documentation must be retained for 14 months from the date of the inspection report.
- Ensure that individuals performing annual inspections of equipment are qualified under the provisions of the Regulations.
- Refrain from placing intermodal equipment in service on public highways if equipment has been found to pose an imminent hazard.

Motor Carrier

- The motor carrier must require its drivers to provide a Driver Vehicle Inspection Report (DVIR) to the IEP or its agent, upon the completion of each day's work or the termination of the intermodal equipment.
- The DVIR, containing the following information, must be completed even if no defects are found in the inspection:
 - Motor Carrier Name
 - Motor Carrier USDOT number
 - IEP USDOT number
 - Equipment identification number (alpha numeric)
 - Date and time of the report
 - Driver Signature
 - Indication of equipment damage, defect or deficiency regarding the following parts and accessories:
 - 01 – Brakes
 - 02 – Lights
 - 03 – Wheel
 - 04 – Air Line
 - 05 – Coupling
 - 06 – Frame
 - 07 – Bolster
 - 08 – Fastener
 - 09 – Slider
 - 00 – No defects

DVIR Background

Originally, DVIR reporting was required beginning on December 17, 2009. The following day, the Federal Motor Carrier Safety Administration (FMCSA) announced the release of several technical amendments and responses to petitions to the final roadability rule. Importantly, the deadline for formal submission of Driver Vehicle Inspection Reports (396.11 & 396.12) and Driver Vehicle Examination Reports (396.9) was extended until June 30, 2010. All other provisions of the December 17, 2009, compliance date remained unchanged.

In support, the IANA facilitated the documentation of the industry's recommended DVIR practices and developed the IANA Driver Vehicle Inspection Report Processing System. The system assists motor carriers, intermodal equipment providers (IEPs), facility operators, and maintenance & repair vendors with regulatory compliance and identification of defective equipment. As an industry benefit, IANA waived all DVIR processing fees in 2009 and 2010.

[Click Here](#) for a detailed overview of IANA's DVIR Processing System.

[Click Here](#) to view a copy of the industry's DVIR Recommended Practices.

On August 20, 2010, the Federal Motor Carrier Safety Administration (FMCSA) announced in the Federal Register that it would extend the compliance date, with respect to the No Defect Driver Vehicle Inspection report (DVIR) submission requirement, outlined in section 390.42 (b), until June 30, 2011.

The FMCSA has determined that a Notice of Proposed Rulemaking (NPRM) will be issued to the roadability docket (2005-23315) in order to seek public comments on the proposal to eliminate the portion of 390.42 (b) that requires motor carriers to prepare and transmit a DVIR to the Intermodal Equipment Provider upon return of the intermodal equipment, when the equipment has no known damage, defects or deficiencies. Pending further FMCSA action, if intermodal equipment does not have a reportable defect (as listed in 396.11 (a) (2)), upon return of the equipment, a DVIR is not required.

[Click Here](#) to download the Federal Register notice.

GIER Background

Equipment marking components of the regulation (Part 390.21) are required on December 17, 2010. IANA officially launched the Global Intermodal Equipment Registry (GIER) in November of 2009. This equipment-marking alternative was developed by IANA with the support of both intermodal industry partners and roadside enforcement agencies. GIER eliminates the need for IEPs to physically capture and mark intermodal equipment in order to meet the roadability compliance guidelines.

Intermodal equipment is registered in GIER using the existing alphanumeric equipment marking, the vehicle identification number (VIN) and the vehicle registration (license plate number). GIER provides a searchable database that links these commonly found equipment marks to the Intermodal Equipment Provider (IEP) responsible for the equipment. This includes identification of the newly required IEP DOT number.

In order to identify the appropriate IEP, the roadability regulation initially offered four physical options for marking intermodal equipment. The industry petitioned FMCSA for reconsideration of the final roadability rule. As a result, the agency announced in November 2009 that it would amend the regulations to allow a fifth technology based intermodal equipment marking alternative.

It is estimated that GIER will save the intermodal industry approximately \$60 million dollars.

As an added benefit, GIER provides the critical IEP information needed to enable electronic processing of DVIRs also required by the FMCSA's final roadability regulations. GIER has also been embedded into the FMCSA's ASPEN software used by roadside enforcement personnel for the processing of Driver Vehicle Examination Reports (DVER). The industry found that equipment marking in early 2010 proved necessary in order to comply with the June 30, 2010 Driver Vehicle Inspection Reporting (DVIR) requirements.

IEPs may register their equipment in GIER by visiting GierRegistry.com and following the registration instructions. Based on ongoing discussions with IEPs, IANA estimates that nearly 650,000 pieces of intermodal equipment will be registered by the December 17, 2010 compliance deadline. This represents an estimated 90% of the total equipment population.

As an industry benefit, IANA waived all GIER registration fees in 2009 and 2010. For more information visit GIERregistry.com.