

FACT SHEET

Federal Motor Carrier Out-of-Service Suspension & Restoration Process

OVERVIEW

This fact sheet will explain the process when a Pennsylvania motor carrier or registrant, responsible for vehicle safety, has been suspended under a Federal Out-of-Service Order. When the Federal Motor Carrier Safety Administration (FMCSA) has issued an out-of-service order on a motor carrier or registrant, all vehicles registered with the same US Department of Transportation (USDOT) number shall be suspended. The registration suspension shall remain in place until all FMCSA requirements and PennDOT restoration fees have been satisfied. If either requirement has not been satisfied, the vehicle(s) shall remain suspended. The motor carrier or registrant USDOT owner with an out-of-service order may not change their authority in the attempt to avoid FMCSA enforcement sanctions. A registrant leased to a motor carrier with an out-of-service order may change their authority provided they satisfy the departmental restoration fee and supply a valid lease agreement.

PROCEDURES

When FMCSA places an out-of-service order on a USDOT number holder, PennDOT is notified electronically by FMCSA and all vehicles associated with the out-of-service order, and which have the same USDOT number, are suspended. PennDOT will issue correspondence to the motor carrier or registrant whose USDOT is out-of-service. The correspondence identifies the Motor Carrier Safety Improvement Process (MCSIP) code and the effective out-of-service order date. An administrative stop code associated with the FMCSA suspension shall be placed on all affected vehicle records.

The motor carrier or registrant is encouraged to contact the FMCSA office provided on the correspondence to satisfy the vehicle safety requirements. The FMCSA may issue a restoration notice to the motor carrier or registrant. The FMCSA will electronically transmit restoration information to PennDOT. It is important to note that motor carriers or registrants who have satisfied their FMCSA requirements are still under suspension until PennDOT receives and processes the electronic restoration notice from the FMCSA and the restoration fee is paid and processed for each vehicle being restored.

The payment may be submitted by mail to the Bureau of Motor Vehicles, Commercial Registration Section, PO Box 68285, Harrisburg, PA 17106-6885, or paid in person at PennDOT's Commercial Registration Customer Service Counter. PennDOT will issue a restoration letter to the motor carrier or registrant responsible for vehicle safety.

NOTE: In some cases, the vehicle owner may not be the motor carrier responsible for vehicle safety. The vehicle owner may have a lease agreement with a motor carrier who has been issued an out-of-service order. If the vehicle owner (lessee) is suspended as the result of a motor carrier's (lessor) out-of-service order, the vehicle owner may elect to lease on with a different motor carrier. The vehicle owner may provide PennDOT with a valid copy of the new lease agreement. In this case, the vehicle owner will not be required to serve a suspension or pay a restoration fee. However, if the vehicle owner continues their lease agreement with the motor carrier under sanction the suspension will remain in effect.

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REQUIREMENTS

The motor carrier or registrant with the USDOT number who is responsible for vehicle safety must update their USDOT profile file biennially with FMCSA at www.fmcsa.dot.gov/BiennialUpdate. Failure to comply with the biennial update requirements will result in penalties and USDOT number deactivation.

FEES

The restoration fee is required for each suspended vehicle. Checks should be made payable to "Commonwealth of PA." It is also recommended to list the Apportioned or PA Fleet account number on the check.