

“Ask The Law”™ offers Q & A’s
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The Trucker
WHERE THE NEWS IS FIRST

**ID lights, Dispute info, Out-of-Service questions
answered by law enforcement officials as of June 2006**
Warning: Laws are subject to change without notice

Q. ID and Auxiliary Lights

Has the Federal Law changed about ID lights on van trailers?
I think your Website has great information and is very helpful, thanks, Pat in Nevada

**A. (from Sgt. Jim Brokaw, Nebraska State Patrol, Carrier
Enforcement Division, Lincoln, Neb.):**

“A final rule was issued in August 2005 that amended several sections of 49 CFR Part 393. The change you refer to is a prohibition on auxiliary lights that supplement the ID lights on the front or rear of a commercial motor vehicle. The following is the new language found in Section 393.11:



§393.11 Lamps and reflective devices.

...

(d) Prohibition on the use of auxiliary lamps that supplement the identification lamps. No commercial motor vehicle may be equipped with lamps that are in a horizontal line with the required identification lamps unless those lamps are required by this regulation.

The lamps referred to here, that are required by regulation, may be found in the table in 393.11.”

Q. Dispute information that has been provided by previous Employers

If you have a DOT violation, who are the agencies the DOT and trucking co. report to?
Can a driver review these reports? How do I go about doing this? Mark in Nebraska

**A. (from Senior Trooper Monty Dial, Texas Highway Patrol,
Commercial Vehicle Enforcement Division, Garland, Texas):**

“So I don’t waste space by placing the appropriate attached section number to answer your question, go to the web site I’ve attached below and read the following Parts of the DOT Regulations. Part 391.23 has to do with the background investigations each prospective employer must do. 391.23(i) has to do with a driver being able to dispute information that has been provided by previous employers. Also take a look a Part 391.53.”



[http://www.fmcsa.dot.gov/rules
regulations/administration/fmcsr/fmcsrguide.asp?section_type=A](http://www.fmcsa.dot.gov/rules/regulations/administration/fmcsr/fmcsrguide.asp?section_type=A)

Q. Violating Out - Of - Service order with a CMV

I was driving a (CDL-required) dump truck along I-95 South in Georgia and got stopped at the North scales because a wheel bearing was leaking. I was instructed to go to the nearest truck stop and get it fixed. The officer told me I was put out of service but could go to the truck stop for repairs.

I drove to the truck stop but it didn't have the necessary parts to make the repairs. I was told that a truck stop about 35 miles away could handle the job, so I head to this truck stop. To get there I had to go across the I-95 South Georgia Scale. The officer there told me I was in violation of an out-of-service order. I explained my situation, but he said I couldn't continue on.

He ended up taking me to the courthouse so I could pay a \$285 fine for violating an out-of-service order. I paid the fine and had the truck towed from Darien, GA, to Jacksonville, FL.

Is there anything I can do to not get my CDL revoked? I know I was at fault, but it was just a bad misunderstanding on my part.

Please help. Thanks in advance.... Eric in California

A. (from Officer Chris Sahagun, California Highway Patrol, Commercial Vehicle Section, Sacramento, Calif.):

"Federal law mandates the disqualification of drivers. If convicted of violating an out-of-service order, the conviction should be sent to California. As a holder of a California Commercial Driver License, the Department of Motor Vehicles will impose the sanctions set forth in Table 4 of part 383.51 of Title 49, Code of Federal Regulations."



*The Ask The Law™ programs, which are provided as a public service by Alcoa Wheel Products™, are an ongoing educational effort between Ol' Blue, USA™ and commercial law enforcement agencies. The specific purpose is to have truckers contact Ol' Blue, USA and pose questions to law enforcement officials relating to safety and legal issues concerning commercial vehicles. Truckers may submit questions at www.askthelaw.org. **Warning: Laws are subject to change without notice. These interpretations were made in May 2006.***

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