

Definition of an Intrastate Commercial Motor Vehicle

Frequently Asked Questions

On March 20, 2017, Governor Hickenlooper signed into law House Bill 1061 and it became effective on the same date. This bill changes the definition in 42-4-235(1)(a)(I) of an intrastate commercial motor vehicle in Colorado from 10,001 pounds or more to 16,001 pounds or more.

However, it does not relieve companies utilizing those vehicles from all regulations.

There are three safety clauses to this law that all companies must continue to perform. For those vehicles, that would be commercial motor vehicles except for the fact the weight limit has changed (10,001 pounds to 16,000 pounds), operators must:

1. Conduct Annual Vehicle Inspections
2. Maintain Load Securement requirements
3. Maintain use of Coupling Devices

This law does not change any regulations for Interstate Commercial Vehicles.

Do I still need to get a DOT number, if I don't have vehicles that meet the new definition?

No. You are not required to apply for a DOT number if you are not operating any vehicles that meet the Intrastate definition of a commercial motor vehicle, and you conduct only Colorado Intrastate operations.

Can I remove our DOT number / markings from our vehicles under 16,001 pounds GVWR/GCWR?

Yes, you can remove your DOT number and markings as long as you are not operating vehicles or a combination of vehicles with a GCWR of 16,001 lbs or more.

Do my vehicles have to stop at the Port of Entry?

Only commercial vehicles that meet the following must stop at the POE:

- Are in excess of 16,000 lbs empty weight
- Are in excess of 26,000 lbs Gross Vehicle Weight Rating (GVWR)
- All vehicles displaying apportioned or GVW license plates
- Any vehicle carrying a Placardable amount of Hazardous Materials

Do I still have to inspect my vehicles under Appendix G?

Yes. All vehicles being used in commerce, over 10,001 pounds GVWR / GCWR need to perform annual vehicle inspections under 49 CFR 393 Appendix G.

Are Log Books and Driver Vehicle Inspection Reports still required?

No. Intrastate vehicles under 16,001 lbs are no longer considered commercial motor vehicles for the purposes of record of duty status or daily vehicle inspections.

What about my vehicles under 16,001 pounds that transport Haz Mat?

If the quantity of hazardous materials requires the load to be placarded, then yes, it is still considered a commercial motor vehicle, and you must stop at the Ports of Entry and follow all applicable local and state regulations.

Do my trailers still need to have safety chains?

Yes, state law requires that all trailers towed by a vehicle must have adequate safety chains to prevent the towed vehicle from separating from the towing vehicle if the main tow connection malfunctions. Trailers attached via a fifth wheel assembly are excluded from this requirement.

Do I still have to tie down / tarp my loaded trailers?

Yes. Title 42 of the Colorado Revised Statutes regarding the safe movement of vehicles and traffic still applies to all vehicles. Some of the applicable state statutes include, 42-4-501 through 512 – Size, weight and towing of vehicles and 42-4-1407 – Spilling of loads, securing trash and aggregate materials.

Do I need to maintain Driver Qualification Files for drivers of vehicles between 10,001 lbs and 16,000 lbs that drive only in interstate commerce?

Since these vehicles no longer meet the definition of commercial motor vehicles, it is no longer required. However, it is recommended that you maintain the highest level of hiring standards before putting a driver behind the wheel of any vehicle.

Do I still need to carry commercial vehicle liability insurance, and maintain minimum levels of cargo liability?

The Colorado Financial Responsibility Requirements for all motor vehicles would apply to these vehicles.

My company fleet has trucks that weigh less than 16,001 pounds GVWR/GCWR, and trucks that weigh more than 26,001 pounds GVWR/GCWR. Can I continue to treat the smaller trucks the same as the larger trucks in terms of markings, insurance, inspections, and so forth?

Yes. There is no regulation that states you cannot exceed requirements put forth by the state or federal government.