

## Chapter Trans 325

### MOTOR CARRIER SAFETY REGULATIONS

Trans 325.02 Federal rules adopted.  
Trans 325.05 Enforcement.

Trans 325.09 Demerit points not applicable.  
Trans 325.15 Copies of rules.

**Trans 325.02 Federal rules adopted.** The following federal motor carrier safety regulations adopted by the United States department of transportation are adopted by the department and shall be enforced in relation to those carriers, drivers or vehicles to which these rules apply in the same manner as though the regulations were set out in full in this chapter:

(1) Title 49, Code of Federal Regulations, part 390, federal motor carrier safety regulations — general;

(2) Title 49, Code of Federal Regulations, part 391, qualifications of drivers;

(3) Title 49, Code of Federal Regulations, part 392, driving of motor vehicles;

(4) Title 49, Code of Federal Regulations, part 393, parts and accessories necessary for safe operation;

(5) Title 49, Code of Federal Regulations, part 395, hours of service of drivers;

(6) Title 49, Code of Federal Regulations, part 396, inspection, repair and maintenance.

(7) Title 49, Code of Federal Regulations, part 397, transportation of hazardous materials; driving and parking rules.

(7g) Title 49, Code of Federal Regulations, part 385, subpart C, certification of safety auditors, safety investigators and safety inspectors.

(7r) Title 49, Code of Federal Regulations, part 387, as it pertains to the financial responsibility requirements applicable to commercial motor vehicles that are subject to the provisions of 392.9a.

(8) Every traffic officer and state patrol inspector employed under the authority of s. 110.07, Stats., is authorized to declare vehicles and drivers out-of-service in accordance with the North American standard out-of-service criteria.

**Note:** The North American Standard Out-of-Service Criteria is on file with the

Legislative Reference Bureau and the Department of Transportation, Division of State Patrol. Copies may be obtained by writing to the Division of State Patrol, P. O. Box 7912, Madison, WI 53707-7912, or to the Commercial Vehicle Safety Alliance, 1101 17th Street, NW, Suite 803, Washington, DC 20036, or by calling 202-775-1623. You may also request copies via their website at [www.cvsa.org](http://www.cvsa.org).

**History:** Cr. Register, February, 1985, No. 350, eff. 3-1-85; am. (intro.), Register, September, 1988, No. 393, eff. 10-1-88; am. (intro.), Register, August, 1990, No. 416, eff. 9-1-90; am. (intro.), Register, April, 1993, No. 448, eff. 5-1-93; am. (intro.), Register, June, 1994, No. 462, eff. 7-1-94; am. (intro.), Register, December, 1995, No. 480, eff. 1-1-96; renum. from Trans 325.01 and am (intro.), Register, January, 1997, No. 493, eff. 2-1-97; am. (intro.), cr. (8), Register, January, 1999, No. 517, eff. 2-1-99; am. (intro.) and (8), Register, August, 2000, No. 536, eff. 9-1-00; CR 02-003: am. (intro.) and (8) Register June 2002 No. 558, eff. 7-1-02; CR 03-060: am. (intro.) and (8) Register December 2003 No. 576, eff. 1-4-04; emerg. am. (intro.), eff. 12-1-05; CR 06-003: am. (intro.) and (8) Register May 2006 No. 605, eff. 6-1-06; EmR0833: emerg. am. (intro.) and (8), cr. (7g) and (7r), eff. 11-5-08; CR 08-100: am. (intro.) and (8), cr. (7g) and (7r) Register April 2009 No. 640, eff. 5-1-09.

**Trans 325.05 Enforcement.** (1) The provisions of s. Trans 325.02 (4) and (6) (Title 49, Code of Federal Regulations, parts 393 and 396) shall be enforced under the provisions of s. 110.075, Stats.

(2) The provisions of s. Trans 325.02 (2), (3), (5) and (7), (Title 49, Code of Federal Regulations, parts 391, 392, 395 and 397) shall be enforced under the provisions of ch. 194, Stats.

**History:** Cr. Register, February, 1985, No. 350, eff. 3-1-85; am., Register, January, 1999, No. 517, eff. 2-1-99.

**Trans 325.09 Demerit points not applicable.** No demerit points may be assessed for violations of the regulations adopted in this chapter.

**History:** Cr. Register, February, 1985, No. 350, eff. 3-1-85.

**Trans 325.15 Copies of rules.** The department shall advise carriers upon request as to where copies of the federal rules adopted in this chapter may be obtained.

**Note:** Federal motor regulations may also be obtained through the Internet via: <http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrguide.asp>

**History:** Cr. Register, February, 1985, No. 350, eff. 3-1-85; CR 08-100: am. Register April 2009 No. 640, eff. 5-1-09.