



motor carrier a copy of the Part A and Receipt page only after the motor carrier's owner or highest ranking official has signed the Receipt page. If the motor carrier's official refuses to sign the Receipt page, the auditor should note the refusal, and leave only the "Advisement of Obligation to Comply with Statutes and Regulations" and the "Protested Application Process" documents with the motor carrier. The auditor will then send to the motor carrier through its process agent by certified mail a copy of the Part A and Receipt page noting the refusal to sign, along with the Part B and Recommendations (see paragraph 2).

2. The auditor should not print out a copy of the Part B, the Recommendations and the "Summary Scoring Report" found in the "Supplemental Reports," and the motor carrier should not be advised of the proposed results of the PASA. The auditor should tell the motor carrier that it will be notified of the results of the PASA in writing after the information is reviewed. Once the auditor returns to his/her office, he/she must print the Part B and Recommendations, to coincide with the upload, quality assurance and approval by the auditor's supervisor. The auditor will send a copy of the audit to the motor carrier and the motor carrier's process agent by certified mail or via commercial express mail service as soon as possible after the audit is approved by the supervisor.

**NOTE: A copy of the PASA Part A and Receipt page should not be left with the motor carrier if the motor carrier refuses to sign, or if the PASA is not completed at the motor carrier's PPOB. This fact should be noted in CAPRI Part C, and the motor carrier should be informed that it will receive a copy of the report through its process agent.**

### 3. Completion of Part C

If the auditor cannot verify all the information required and provided by the motor carrier (*e.g.*, insurance company confirmation of policy, CDL information, etc.) at the time of the audit, the auditor will complete the audit to the extent possible, and notify the motor carrier that successful completion of the audit is contingent upon verification of information provided.

The auditor must verify the information provided when returning to his or her office by calling the insurance company, accessing CDLIS, etc. If the auditor cannot validate any of the information submitted by the motor carrier, the motor carrier will be informed by FMCSA-Headquarters it has not successfully completed the PASA and will need to reapply if it chooses to do so.

OP-1 (MX) applicants (long-haul motor carriers) will not be allowed to submit corrective actions for deficiencies noted during the PASA. OP-1(MX) applicants that fail the PASA will be required to reapply and pay any necessary fees if they choose to do so. OP-1(MX) applicants that fail the PASA and are also OP-2 motor carriers may continue to operate as OP-2 motor carriers.

### 4. Additional information to include in Part C.

Answers to the following questions should be noted in Part C:

- How many years has the motor carrier been in operation?

- Is the motor carrier currently operating within the United States municipalities and commercial zones?
- When did the motor carrier receive a certificate of registration to operate within the United States municipalities and commercial zones?
- If the motor carrier is currently operating within the United States commercial zone, discuss any prior expedited action letters, Safety Audit results, CR results, roadside inspections, deficiencies/violations observed and corrective actions taken by the motor carrier.
- If the motor carrier obtains long-haul operating authority, does the motor carrier have plans to operate within the United States municipalities and commercial zones as well?
- Does the motor carrier have a parent company in the United States or any affiliation or association with a motor carrier operating in the United States?
- How many CMVs (power units and trailers) does the motor carrier operate within Mexico?
- Was the Advisement of Obligation to Comply with Statutes and Regulations discussed with the motor carrier's officials and provided to motor carrier?
- Who were the motor carrier officials present during the discussion of the advisement?
- Was the Protested Application Process discussed and provided to the motor carrier?

#### **F. Uploading the PASA**

To ensure expeditious processing of the motor carrier's application for provisional operating authority, a PASA should be uploaded within seven days of completion, the same as a New Entrant Safety Audit. After the auditor's supervisor and new entrant specialist have reviewed and approved the PASA, notification of the results of the PASA **must** be given to Ing. Gerardo Michel within 15 days. The notice should be sent via email to [gmiche@sct.gob.mx](mailto:gmiche@sct.gob.mx) and Ing. Carlos A. González Narváez at [cgonzale@sct.gob.mx](mailto:cgonzale@sct.gob.mx).

If you any questions concerning this policy memorandum, contact the North American Borders Division at (202) 366-9579.

1.7.2.7.2 12-08-2005 Leasing between United States and Mexican Carriers

# Memorandum



**U.S. Department  
Of Transportation**

**Federal Motor Carrier  
Safety Administration**

Subject: **ACTION:** Leasing between United States and

Date: Dec 08, 2005

From: Mexican carriers  
William Paden  
Associate Administrator for Enforcement and  
Program Delivery

To: Field Administrators  
Division Administrators

Refer To:  
Attn. of MC-ECC

The purpose of this memorandum is to reaffirm the current law and regulations regarding a Mexico-domiciled motor carrier leasing its vehicles, with or without drivers, to a United States domiciled motor carrier. Section 219 (d) of the Motor Carrier Safety Improvement Act of 1999 addresses leasing of Mexico-domiciled carrier vehicles to United States carriers and specifically prohibits leasing arrangements between United States and Mexico-domiciled carriers for operations beyond the United States commercial zones bordering Mexico. The operation by United States carriers of leased Mexico domiciled carrier vehicles within the border zone is permitted, provided they comply with the leasing requirements found in 49 CFR Part 376.

Mexico-domiciled carriers often purchase short term insurance policies that only cover the time that their vehicles are in the United States. When a United States carrier enters into a lease agreement with an Mexican carrier, the United States carrier is required to ensure compliance with the financial responsibility requirements of 49 CFR 387 and the requirements of 49 CFR Section 376.12(j) for the full term of a lease, yet may only be provided with proof of insurance from the Mexican carrier for a limited time period. Further, when motor carrier operations in the United States are being carried out under the authority of a United States carrier, proof of financial responsibility is not required to be carried on the vehicle. Therefore, the financial responsibility legal obligations must be clearly specified in the lease, and a copy of the lease be carried on the vehicle.

Among the provisions contained in the leasing regulations is the requirement that the authorized carrier (in this case the United States motor carrier) "shall assume complete responsibility for the operation of the equipment for the duration of the lease." The lessee authorized carrier must control the operation and, since it is functioning as the motor carrier, must comply with the Federal Motor Carrier Safety Regulations.

The validity of a lease agreement between a United States motor carrier (lessee) and a Mexico-domiciled motor carrier (lessor) can be assessed, in part, by a determination that:

- The Mexico-domiciled motor carrier's equipment is identified as being in the service of the United States motor carrier as required by 49 CFR 376.11(c)(1) and 49 CFR 390.
- Receipts that identify the equipment and state the date and time of day possession is transferred as required by 49 CFR 376.11(b).
- A written lease agreement must be on the vehicle. Because of the unique circumstances regarding leasing Mexico-domiciled vehicles and drivers, a copy of the lease, not just a statement, will be required 376.11(c)(2).
- The written lease contains provisions which are adhered to and performed by the United States motor carrier including the United States motor carrier has and assumes exclusive possession, control, and use of the Mexican-domiciled motor carrier's

equipment for the duration of the lease (49 CFR 376.12(c)). The United States motor carrier has the legal obligation of maintaining insurance coverage for the protection of the public (49 CFR 376.12(j)) and must ensure the insurance coverage is effective for the duration of the lease.

- In accordance with the Federal Motor Carrier Safety Regulations, the United States motor carrier shall comply with the requirements of 49 CFR 382, 391, 395, and 396 for the Mexican-domiciled motor carrier's drivers and equipment while under the lease.

Lease agreements for Mexico-domiciled motor carriers' equipment leased to United States carriers are only valid within the border commercial zone, thus, the operation of Mexico-domiciled carrier equipment beyond the border commercial zone is the same as operating without a lease. A Mexico-domiciled motor carrier operating without registration or beyond the scope of registration and should be placed out-of-service as required by 49 USC 13902 (e) as well as 49 CFR 392.9a and Federal Motor Carrier Safety Administration policy. Furthermore, monetary penalties in accordance with 49 United States Code 14901 may be imposed.

The next release of electronic Field Operations Training Manual (eFOTM) will contain the required clarification pertaining to this issue. Please inform your State partners of this clarification. If you have any questions or need additional information, please contact Thomas P. Kozlowski at [tom.kozlowski@fmcsa.dot.gov](mailto:tom.kozlowski@fmcsa.dot.gov) or call (202) 366-4049.


FMCSA\DPreston\adm\10.17.05\10.18.05\10.26.05\10.31.05\11.02.05\11.28.05\12.05.05  
H:\DPreston\Leasing.US.Mexican.Carriers  
H:\tKozlowski\Leasing.US.Mexican.Carriers  
cc: dPreston, tKozlowski, MC-ESB, MC-E, MC-ECE, MC-ES, MC-CCE, MC-AES, , MC-AA

1.7.2.7.3 06-13-05 SDDC Memo


B2, B7e




B2, B7e



B2, B7e

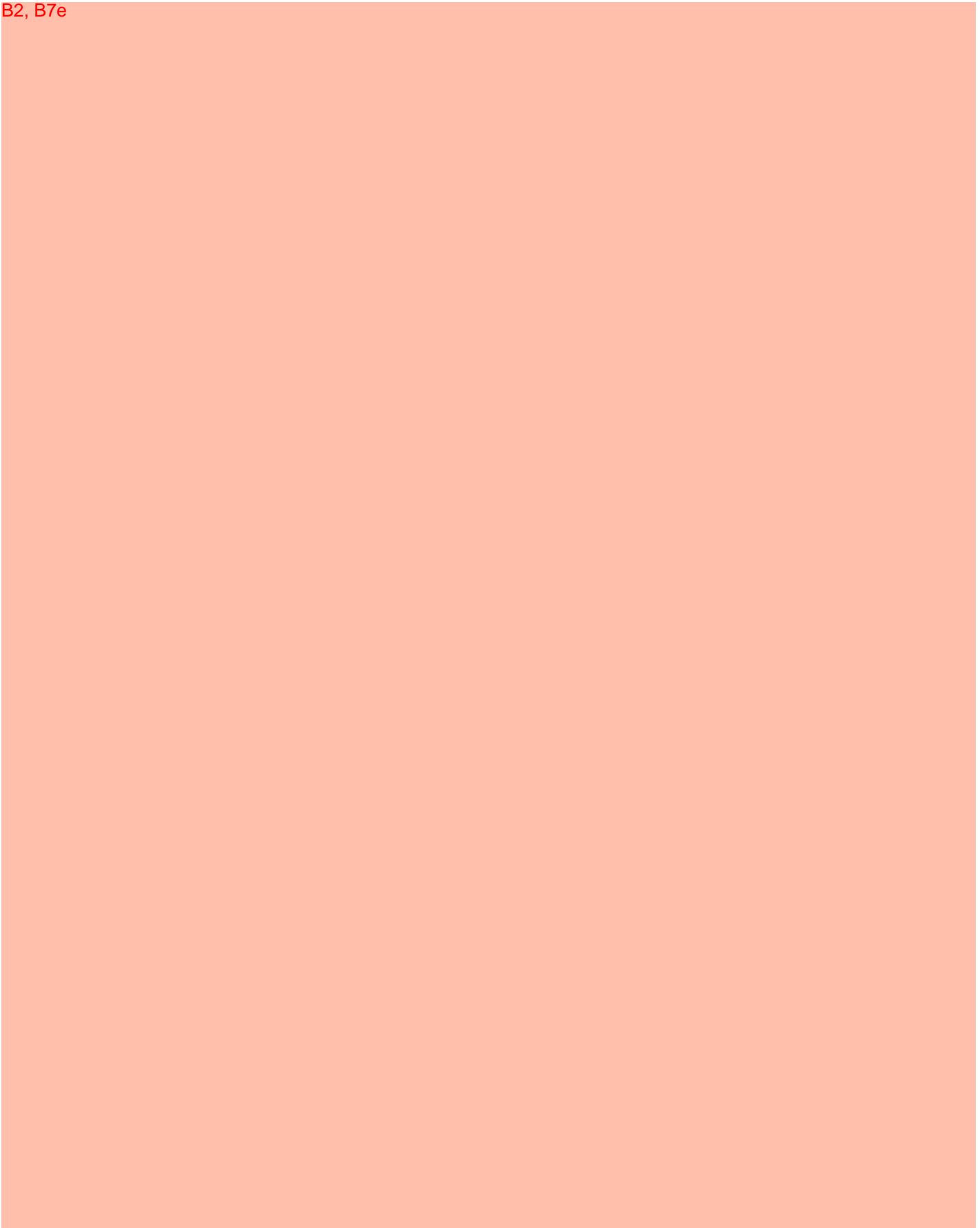


B2, B7e

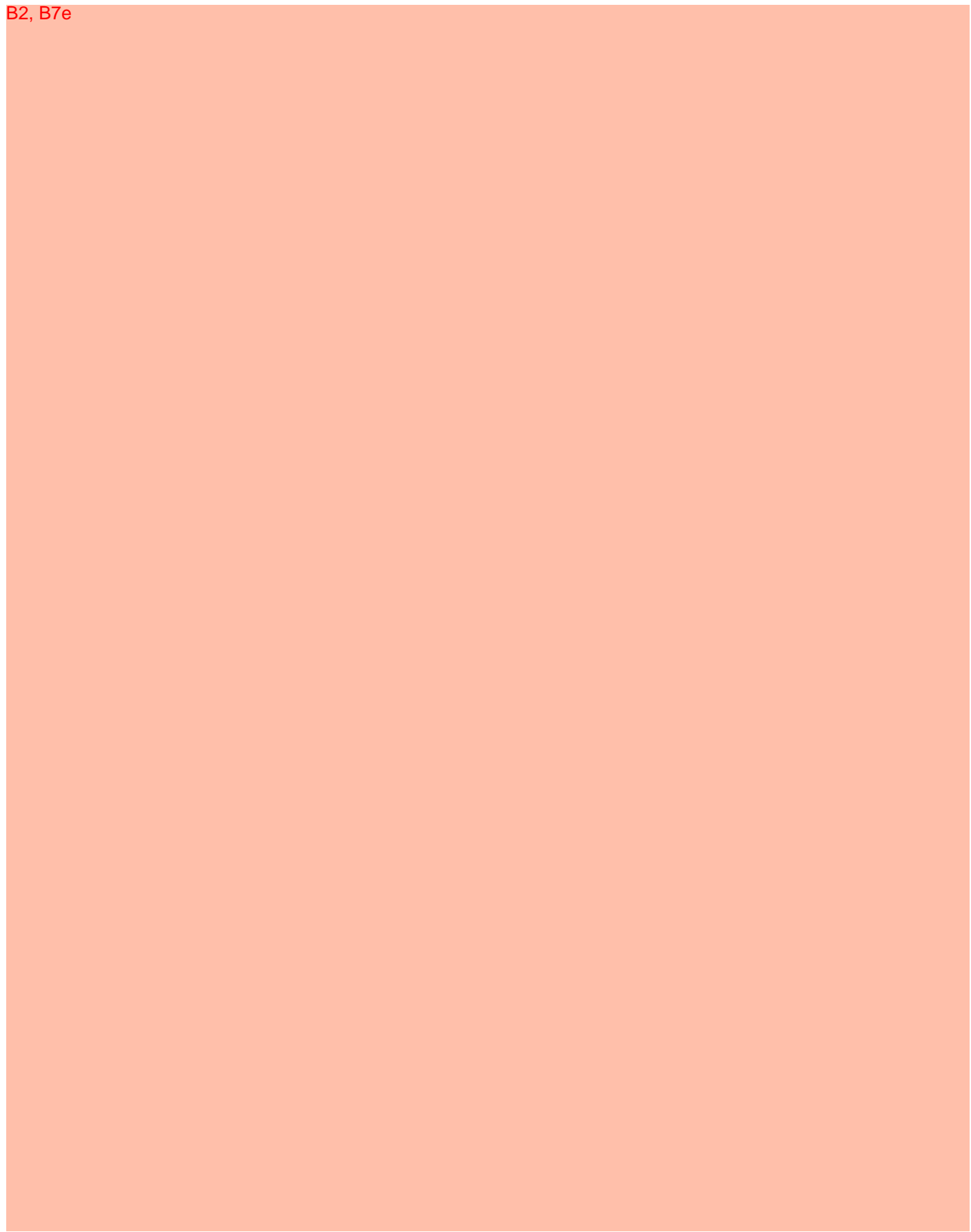




B2, B7e



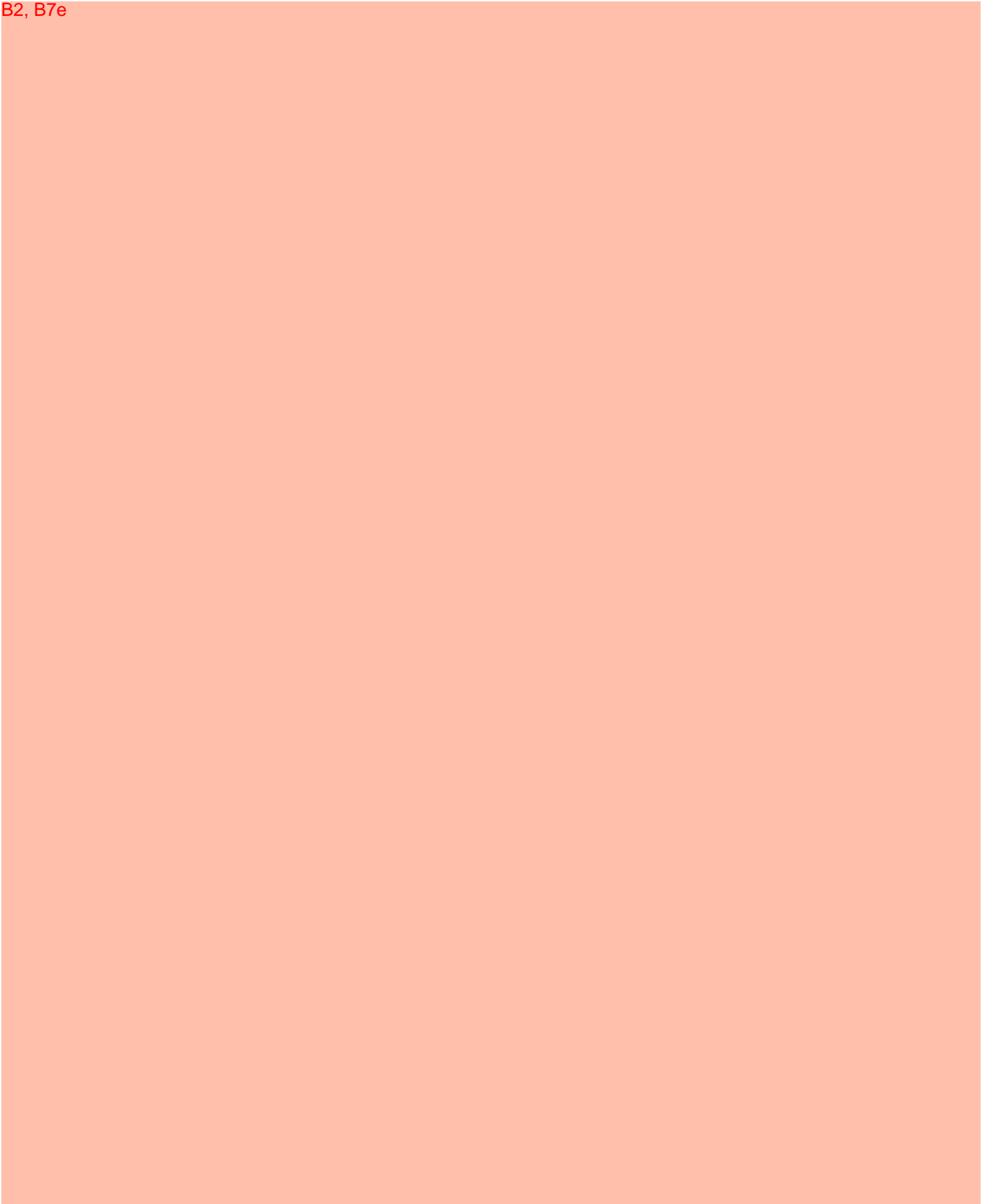
B2, B7e



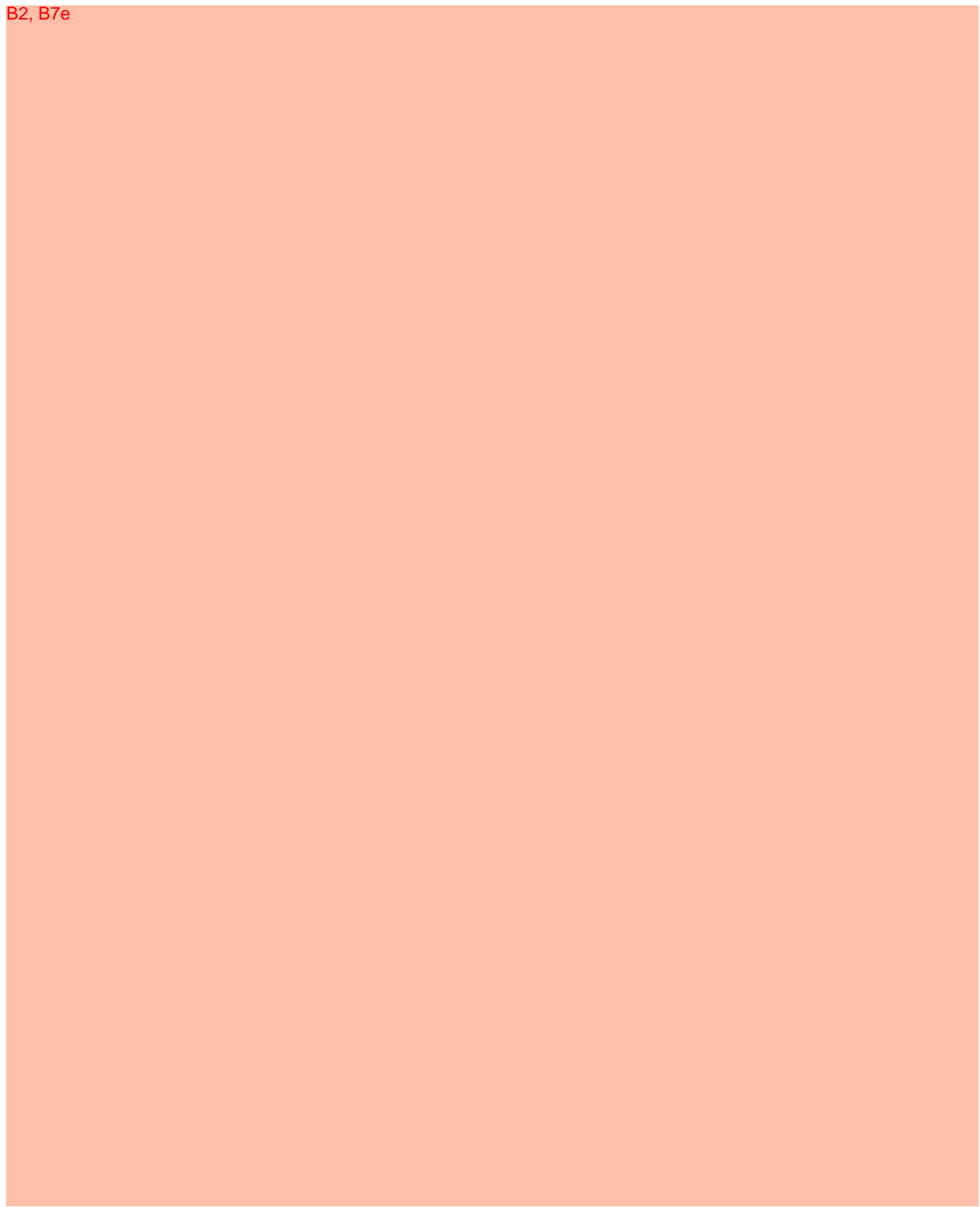
B2, B7e




B2, B7e



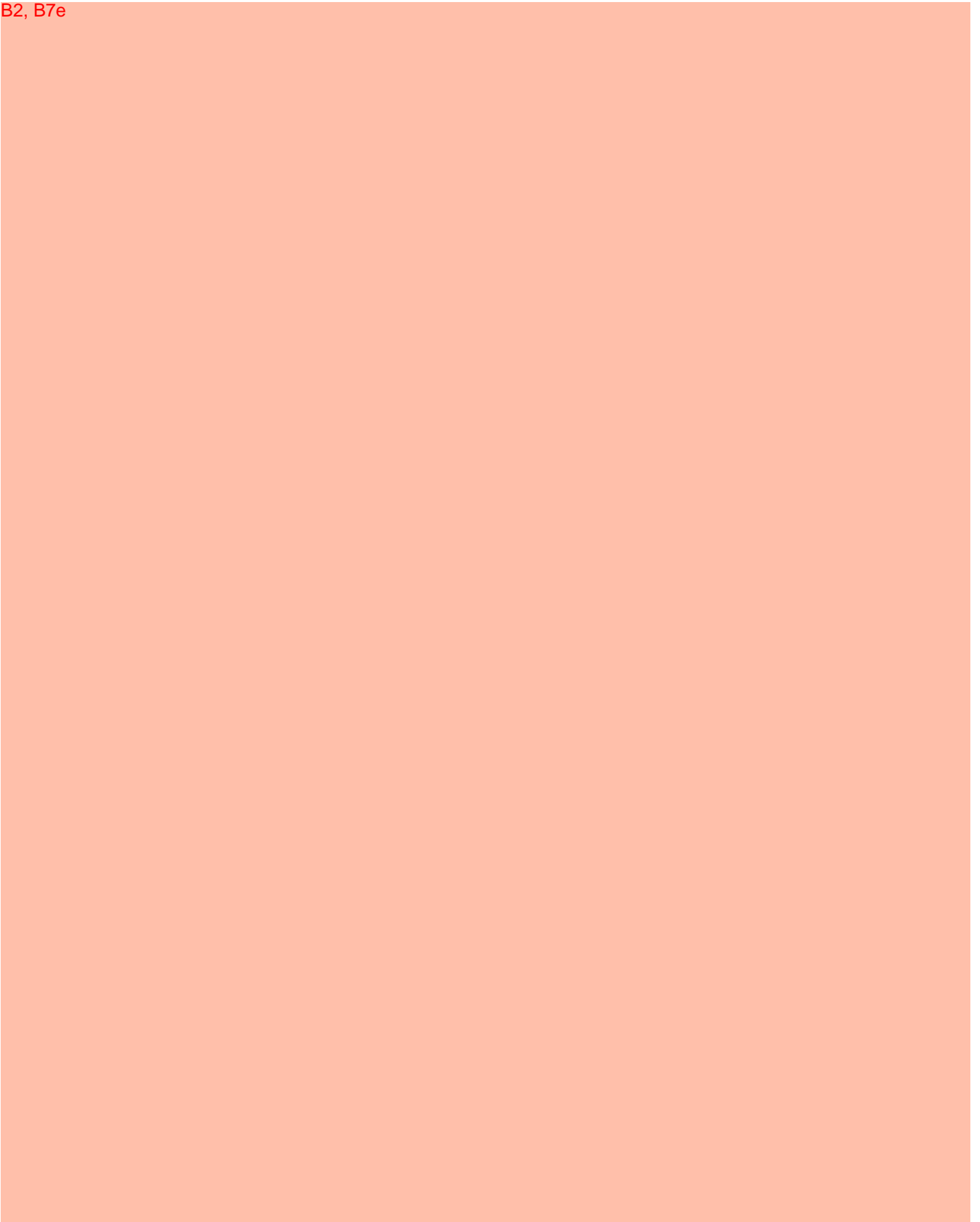
B2, B7e



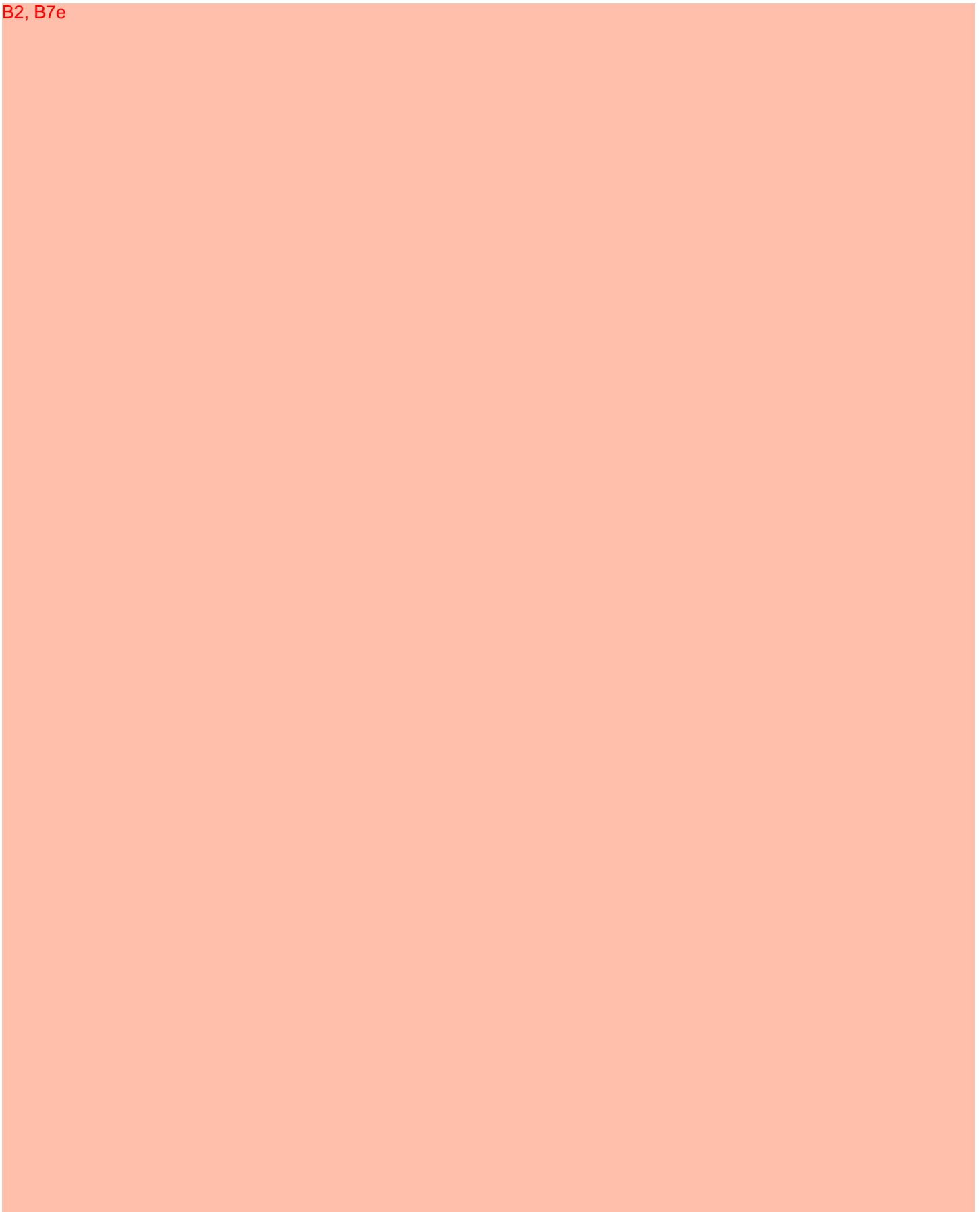
B2, B7e



B2, B7e




B2, B7e





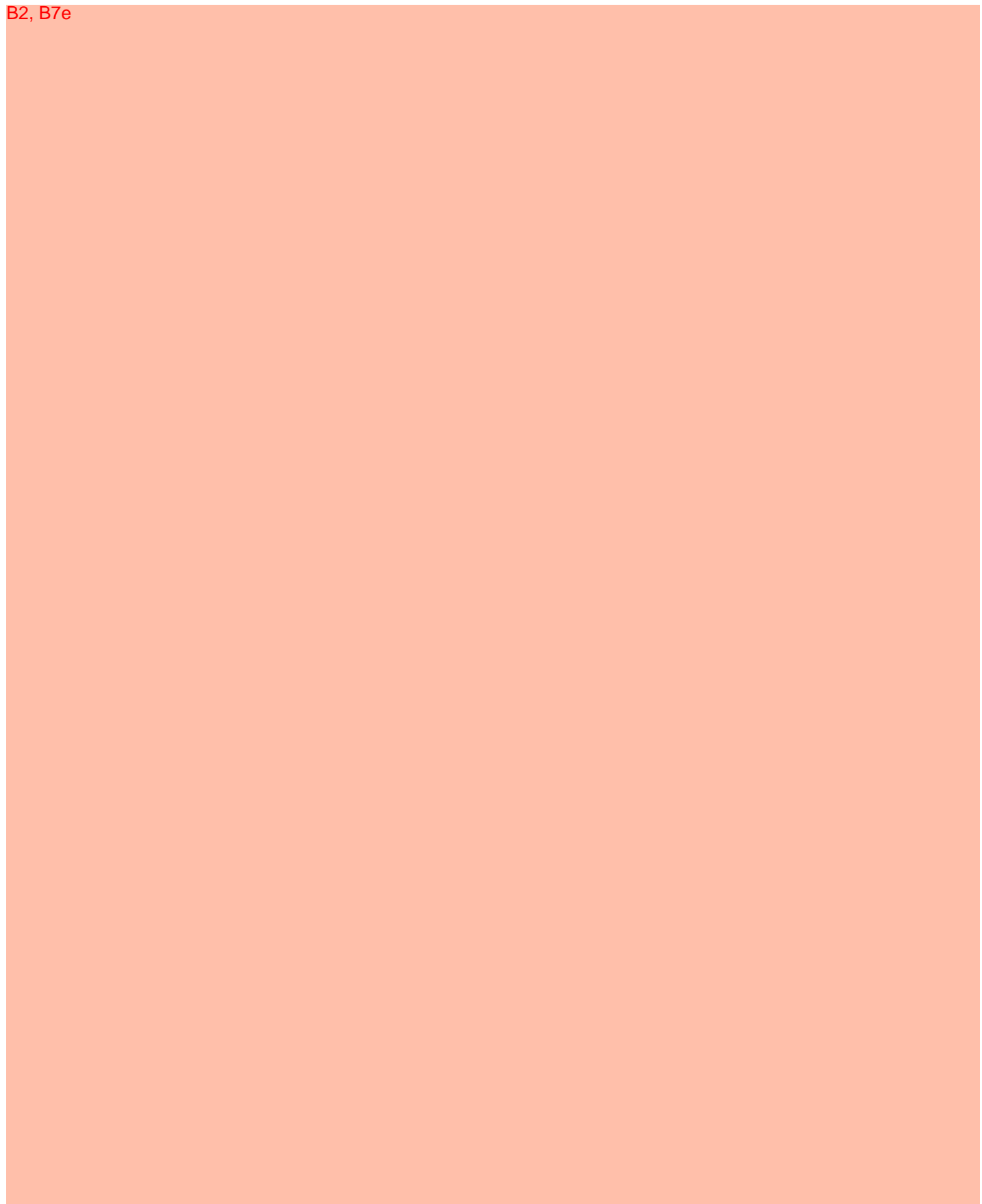
B2, B7e




B2, B7e




B2, B7e



B2, B7e



B2, B7e



### 1.7.6 Appendix F - Hazardous Material Checklists/Worksheets

[Appendix F - Hazardous Material Checklists/Worksheets](#)

[DOT - 406](#)

[DOT - 407](#)

[DOT - 412](#)

[MC - 306](#)

[MC - 307](#)

[MC - 312](#)

[MC - 331](#)

[Indicators of Hazardous Materials DOT 51 Portable Tank Violations](#)

[Indicators of Hazardous Materials DOT 56/57 Portable Tank Violations](#)

[Indicators of Hazardous Materials IM 101 or IM 102 Portable Tank Violations](#)

[Indicators of Hazardous Materials Violations for all Portable Tanks](#)

[Indicators of Hazardous Materials Shipment Violations \(Cylinders\)](#)

[Indicators of Hazardous Materials Shipment Violations \(Explosives\)](#)

[Indicators of Hazardous Materials Shipment Violations \(Hazardous Materials\)](#)

[Indicators of Hazardous Materials Shipment Violations \(Hazardous Wastes and Hazardous Substances\)](#)

[Indicators of Hazardous Materials Shipment Violations \(Radioactive Materials\)](#)

[Important Features Common to Cylinders](#)

[Checklist For Identifying Additional Violations Of The Hazardous Materials Regulations That Apply To Cylinders](#)


[Indicators of Hazardous Material Shipment Violations for Explosive HM](#)

[Indicators of Hazardous Materials Transportation Security Violations](#)

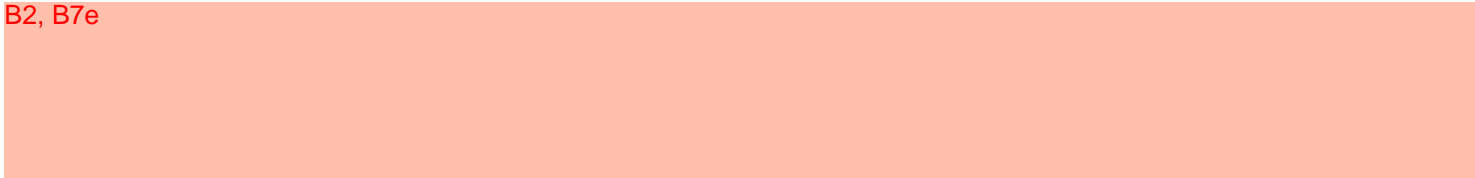
[Indicators of Hazardous Materials Shipment RM Violations](#)

[Cylinders What You Need to Know](#)

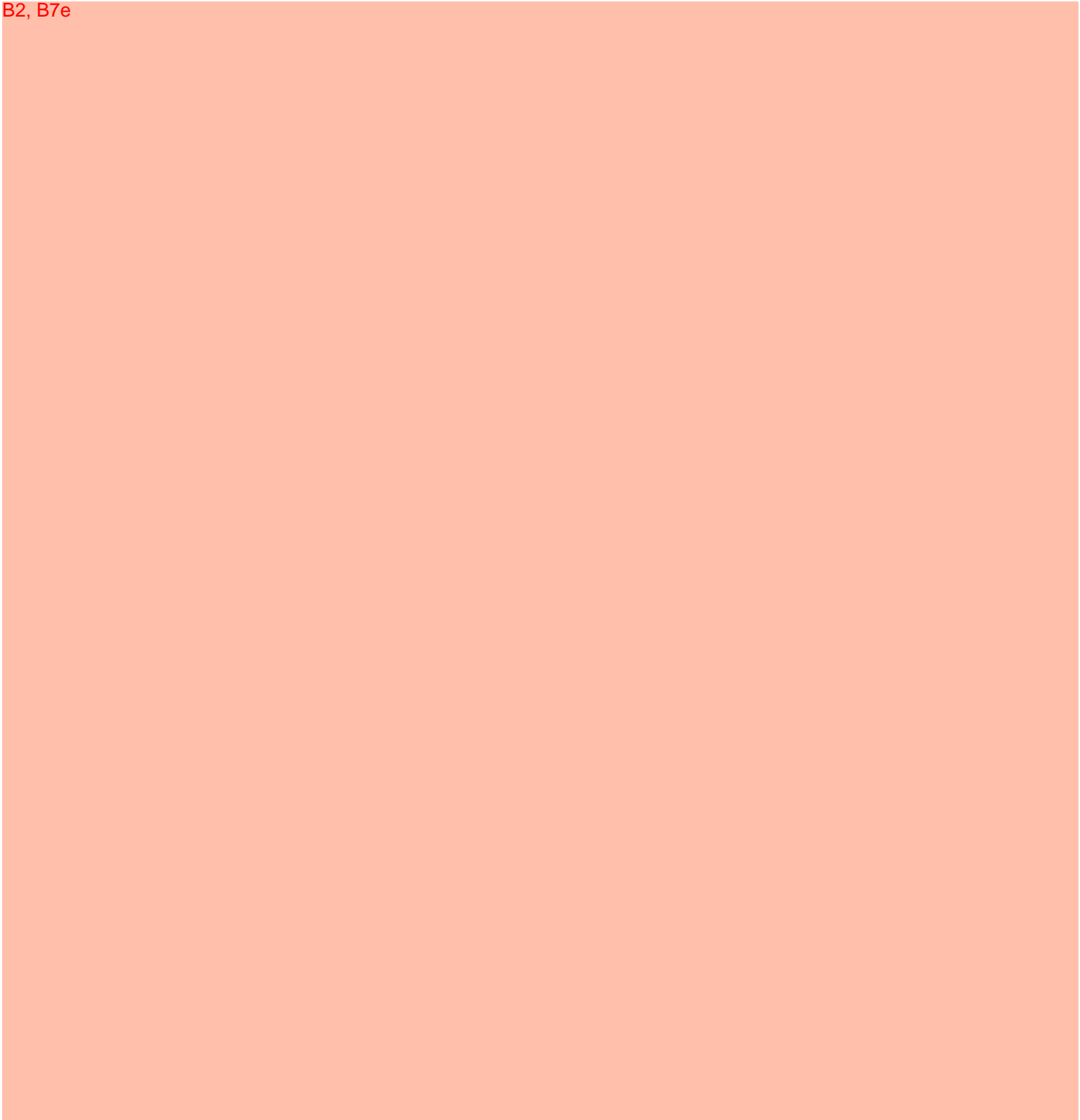
B2, B7e



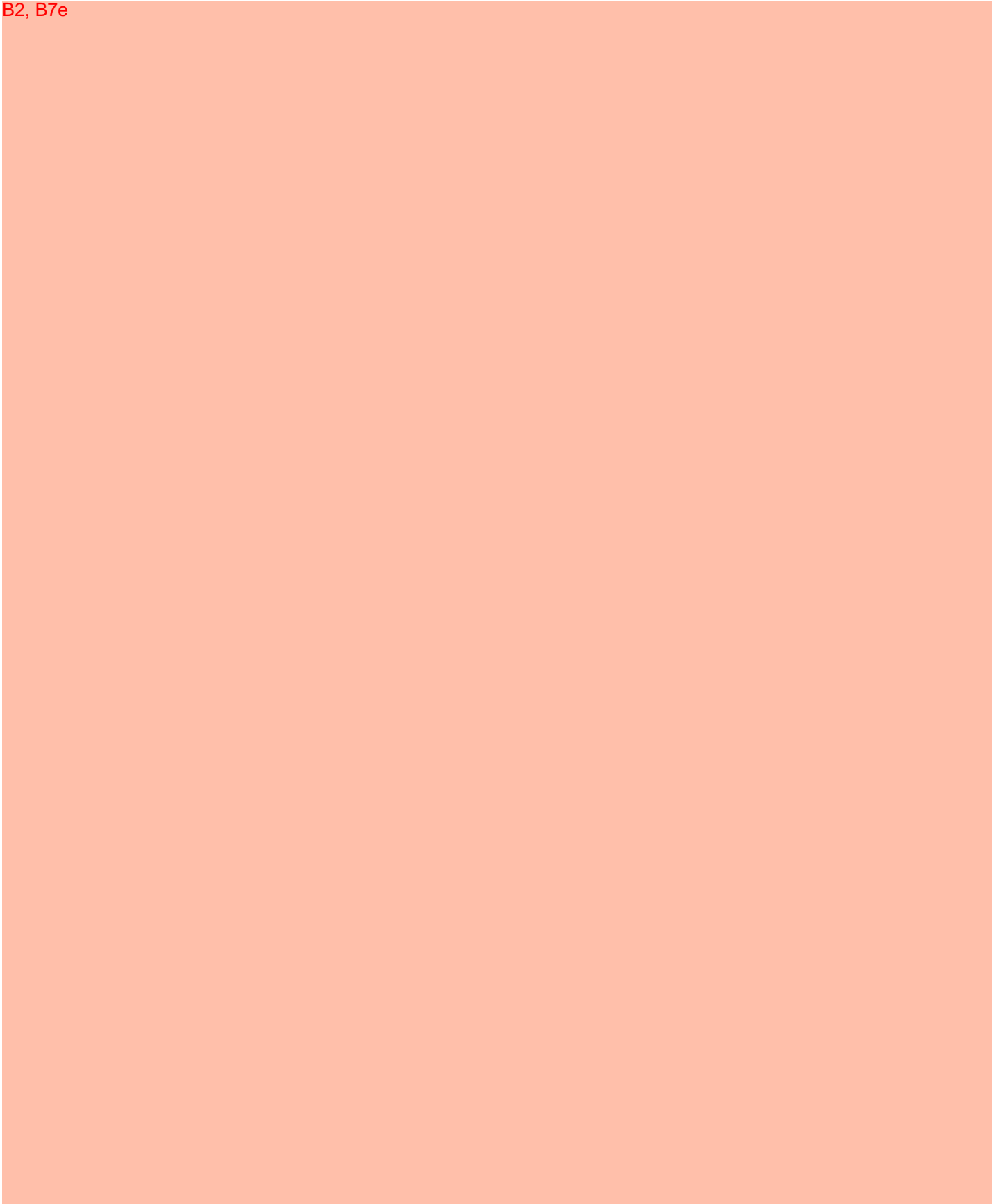
B2, B7e

A large rectangular area of the page is redacted with a solid light orange color. The text "B2, B7e" is located at the top left corner of this redacted area.

B2, B7e


A very large rectangular area of the page is redacted with a solid light orange color, covering most of the page's content. The text "B2, B7e" is located at the top left corner of this redacted area.

B2, B7e







B2, B7e




B2, B7e



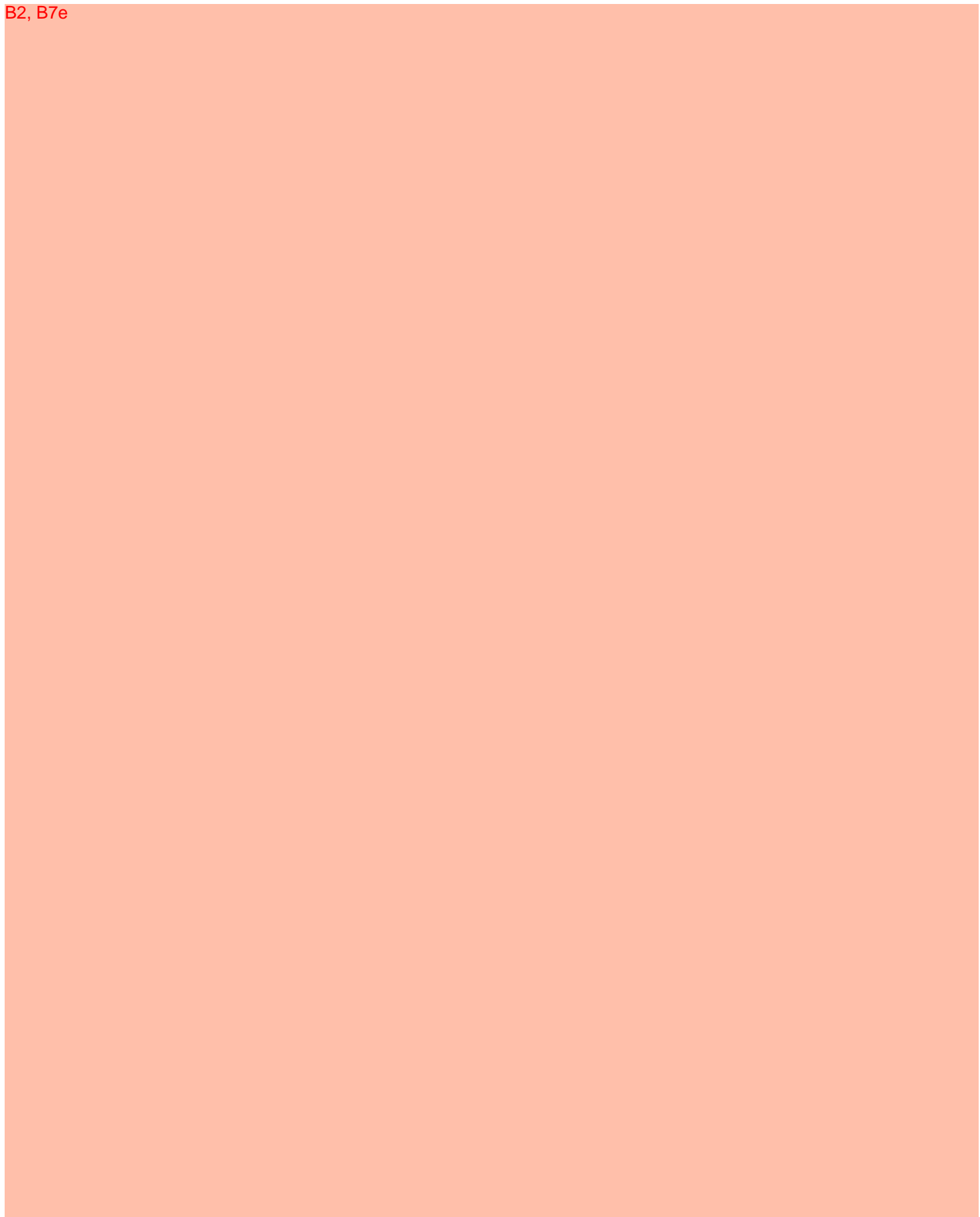
B2, B7e



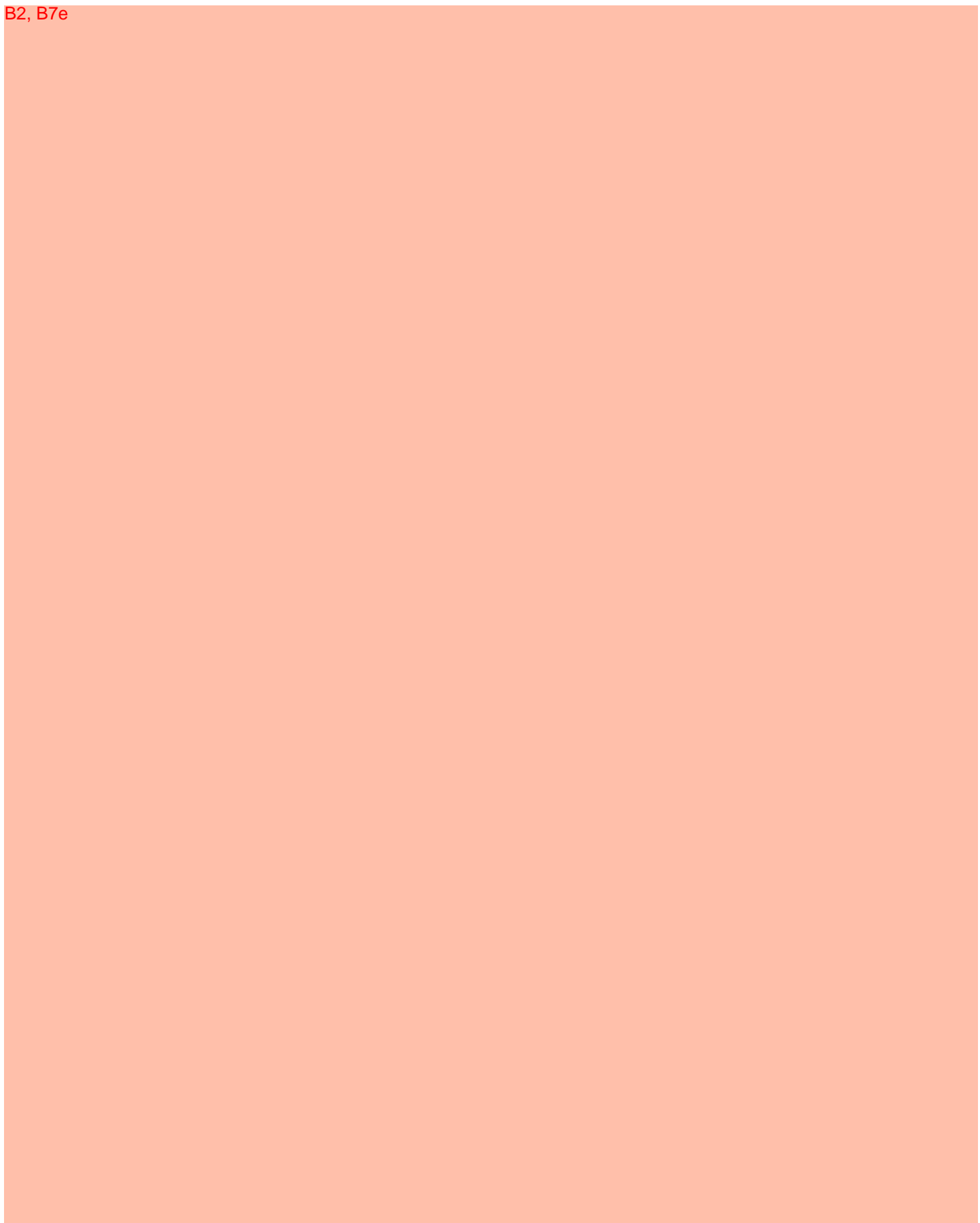
B2, B7e




B2, B7e



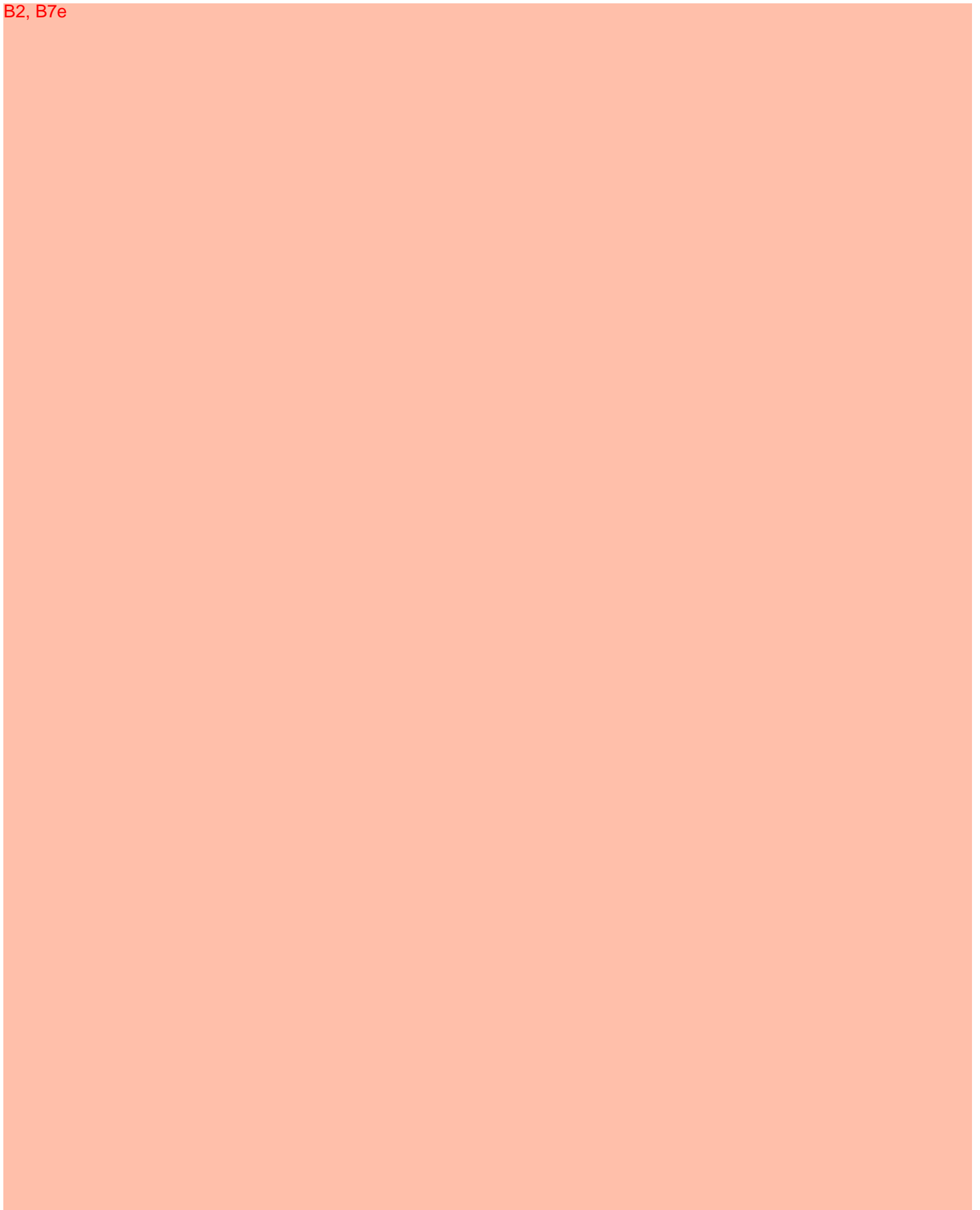
B2, B7e



B2, B7e



B2, B7e

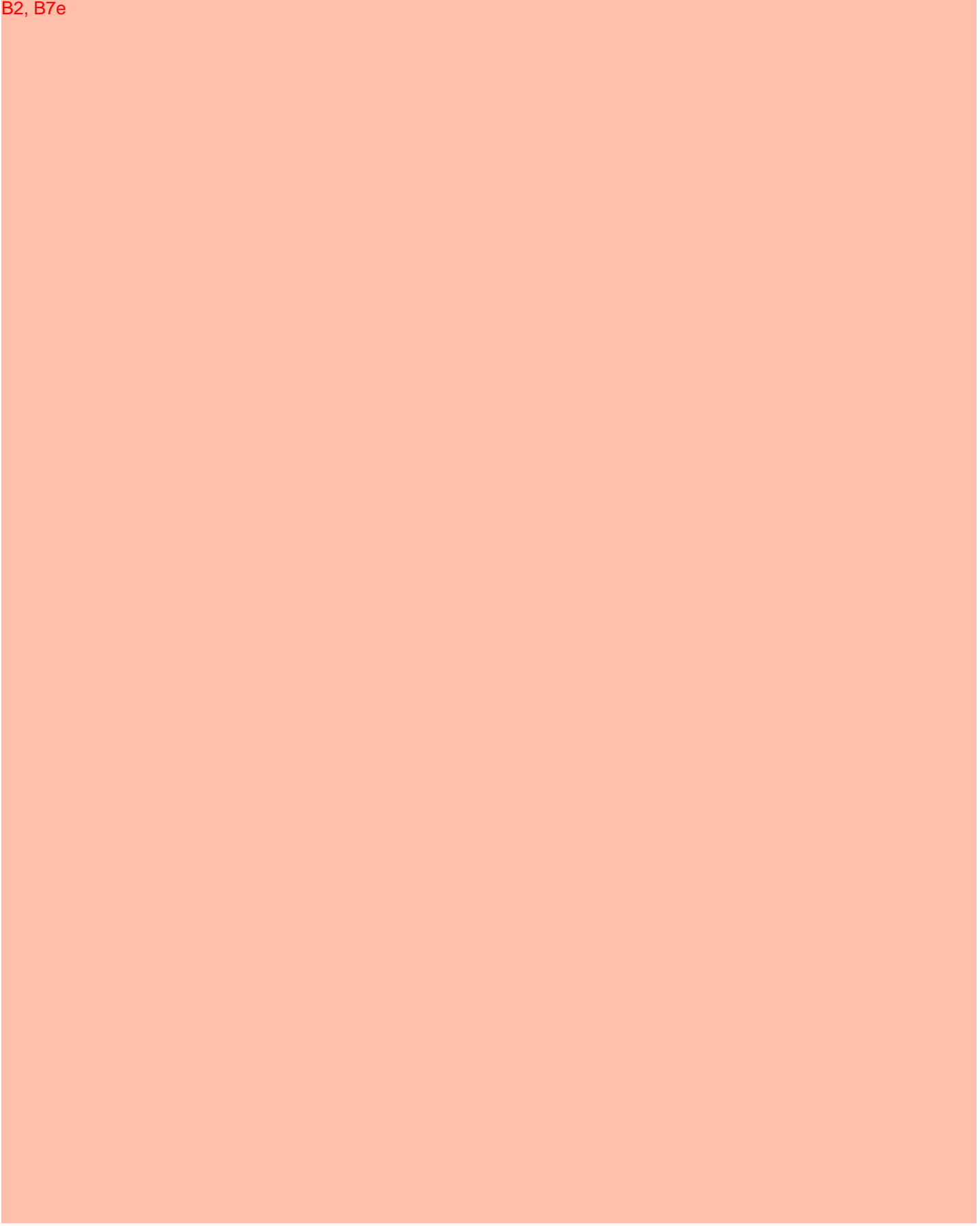





B2, B7e

1


B2, B7e




B2, B7e

A large rectangular area of the page is completely redacted with a solid light orange color. The redaction covers the majority of the page's content.


B2, B7e

A second large rectangular area at the bottom of the page is also completely redacted with a solid light orange color. This redaction covers the remaining content of the page.


B2, B7e



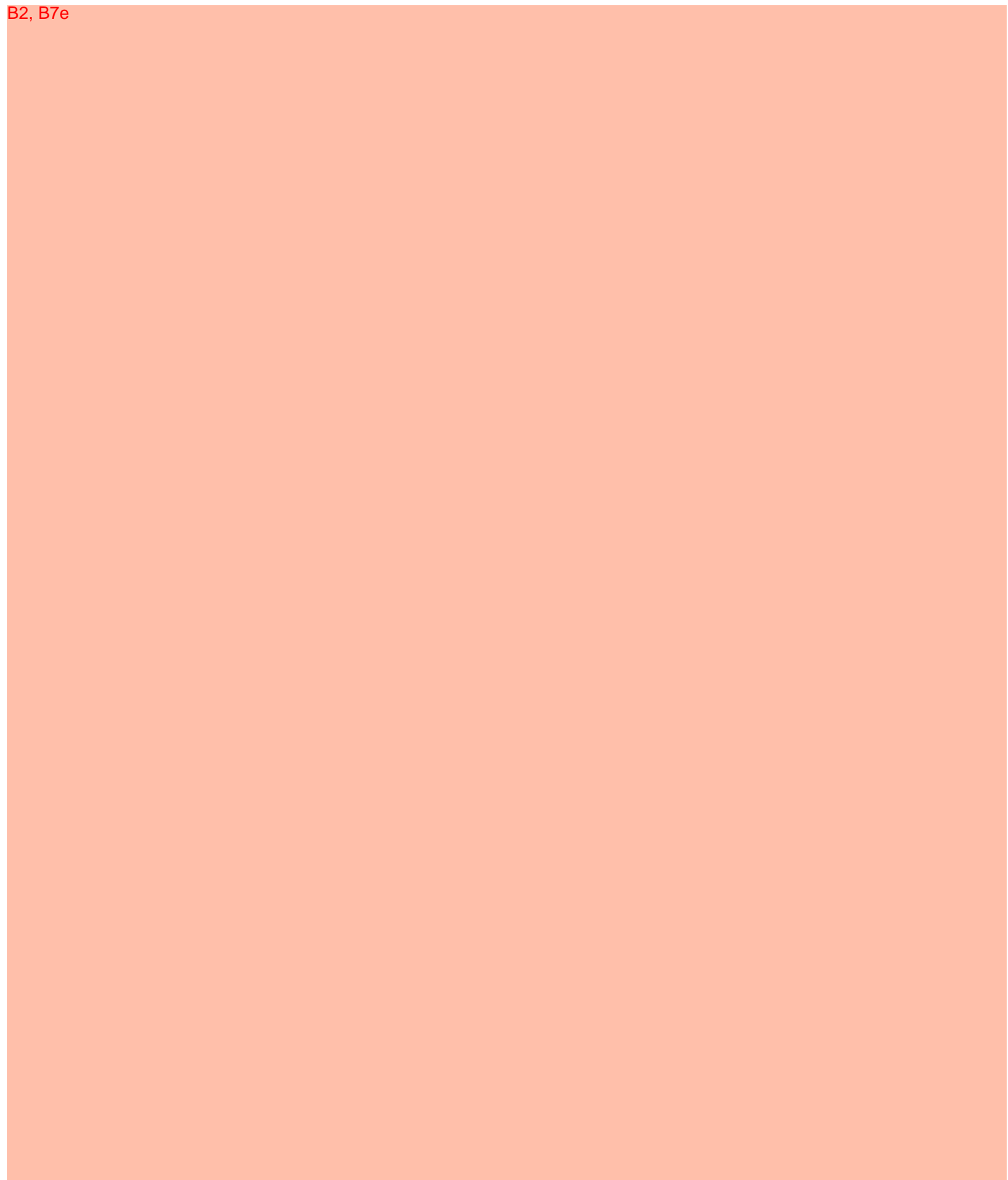
B2, B7e




B2, B7e



B2, B7e




B2, B7e

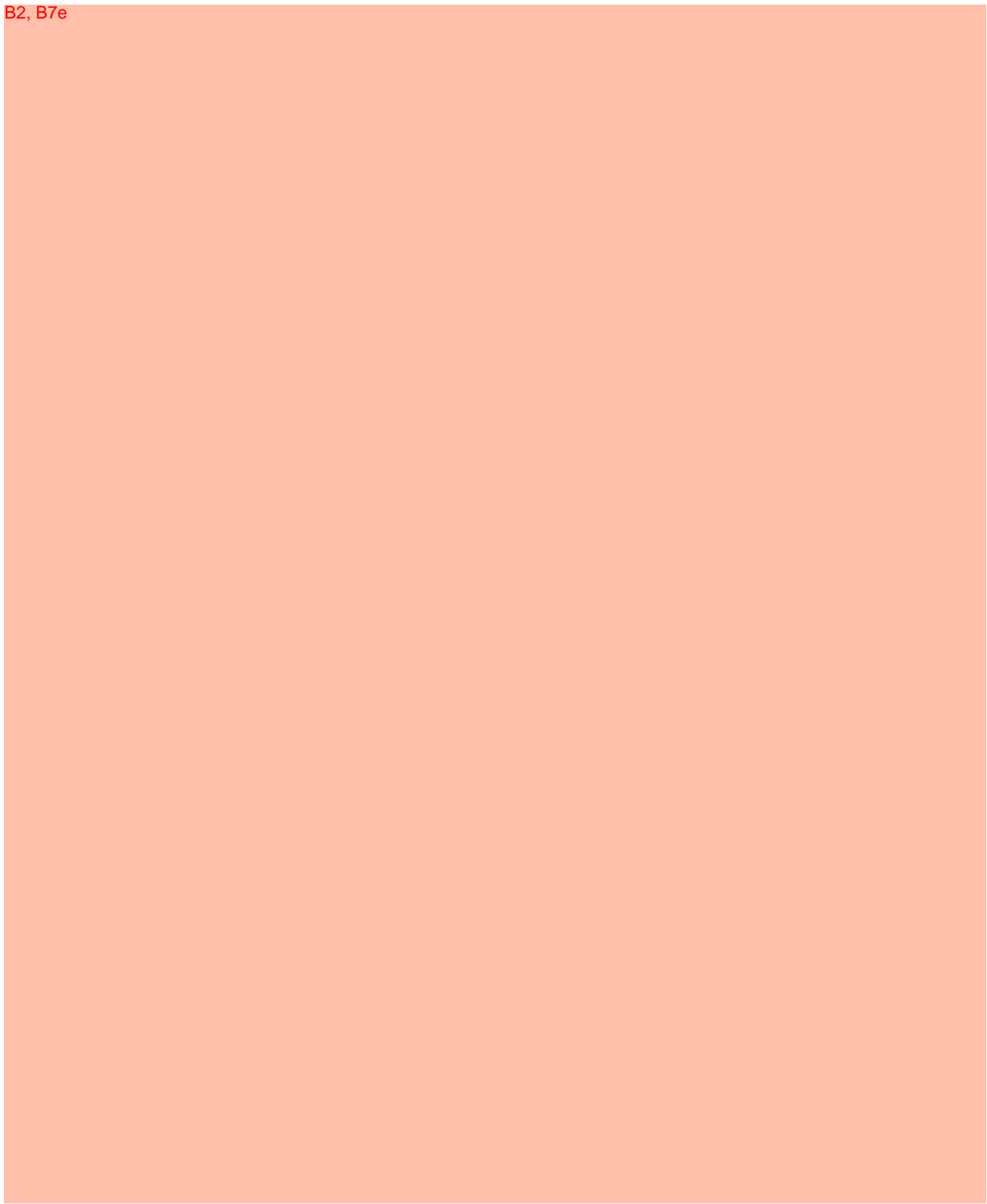





B2, B7e



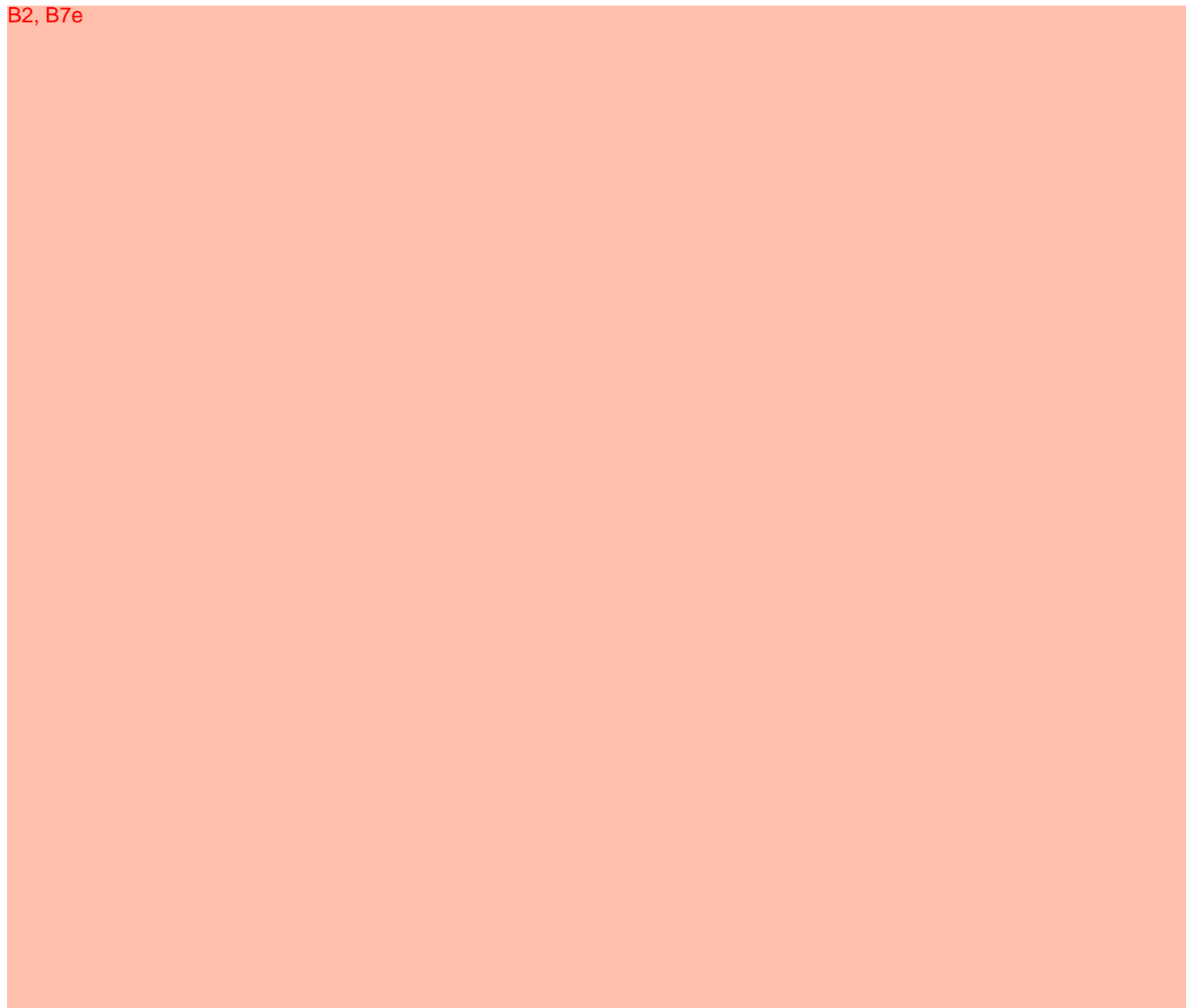
B2, B7e




B2, B7e




B2, B7e



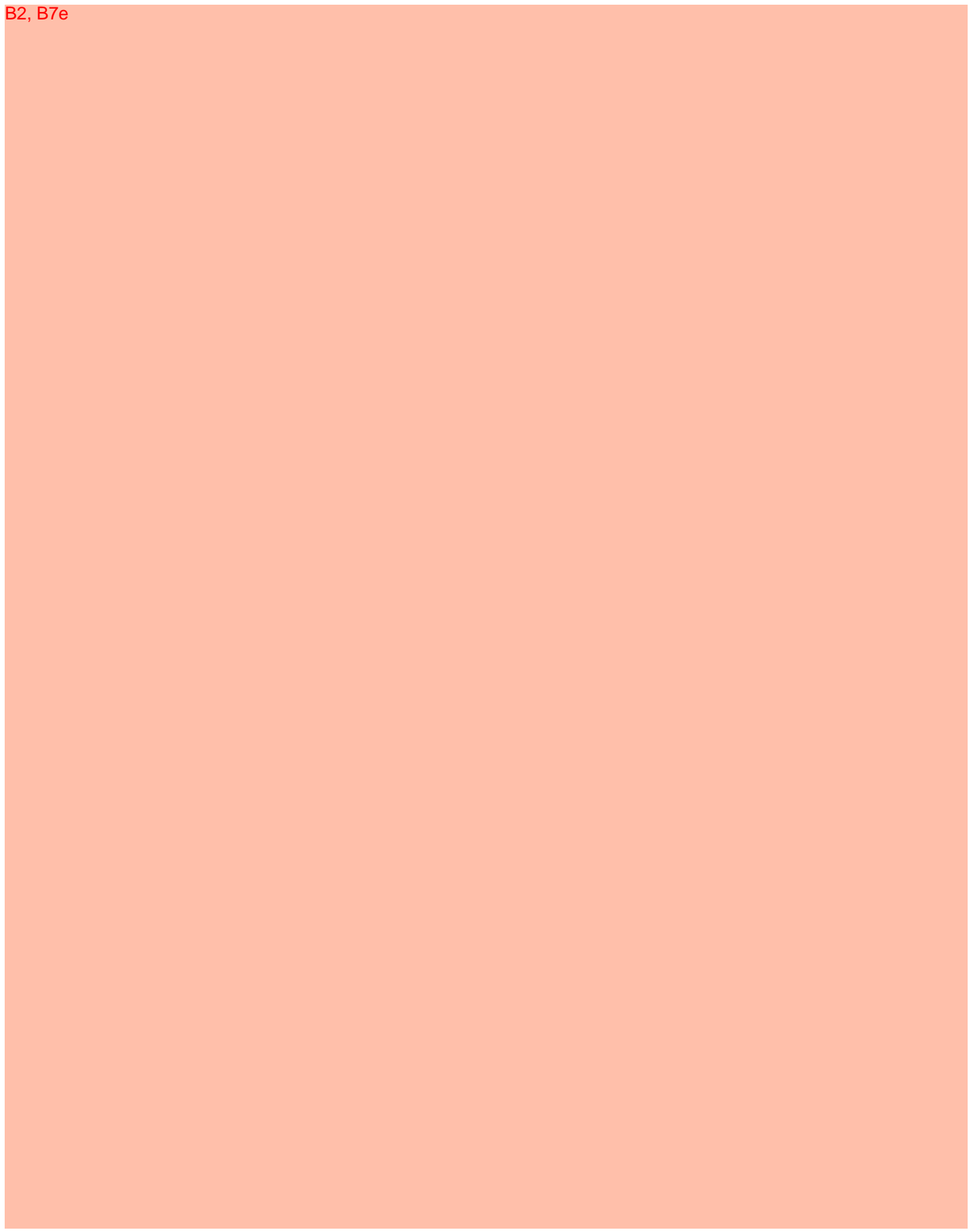
B2, B7e



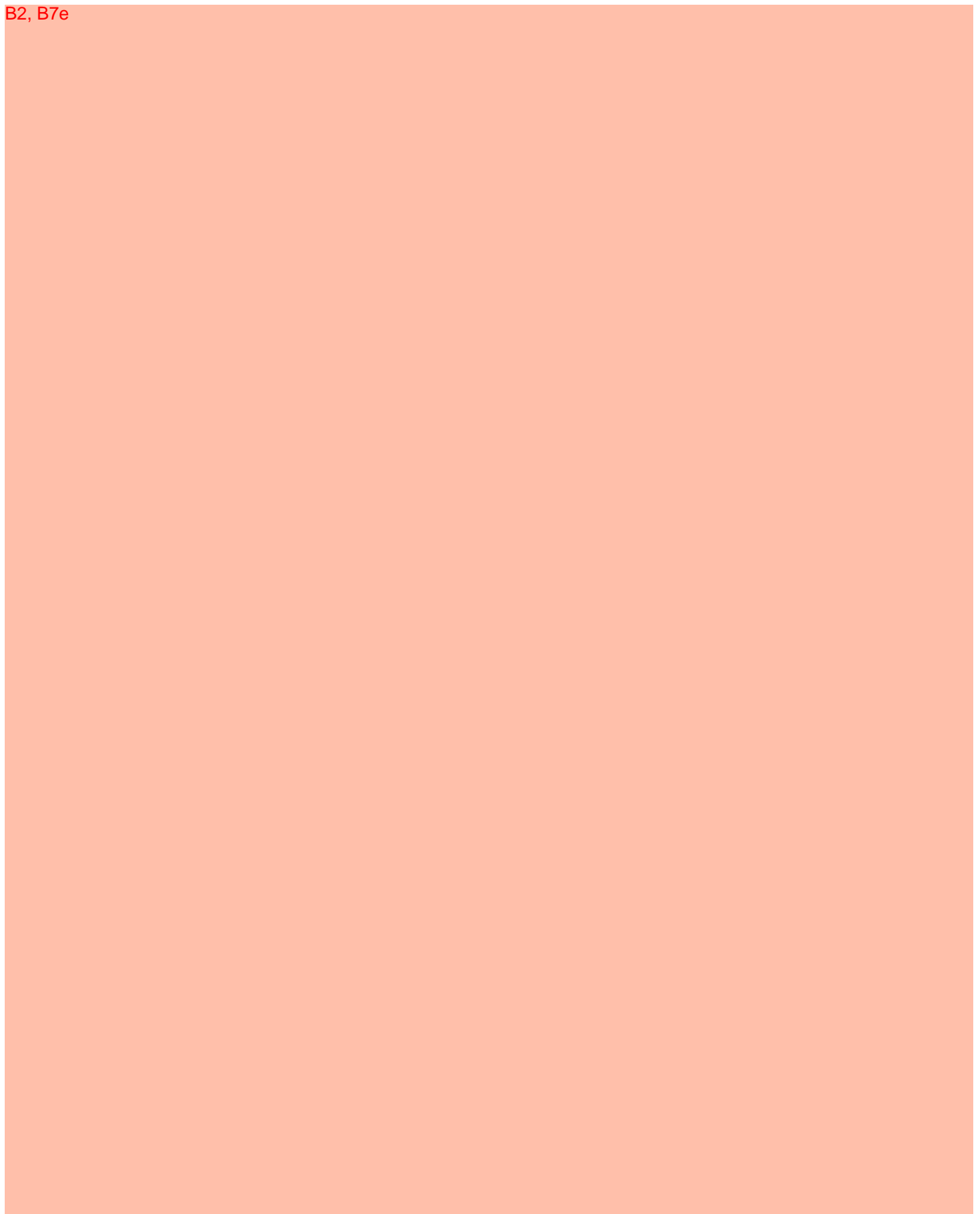
B2, B7e



B2, B7e

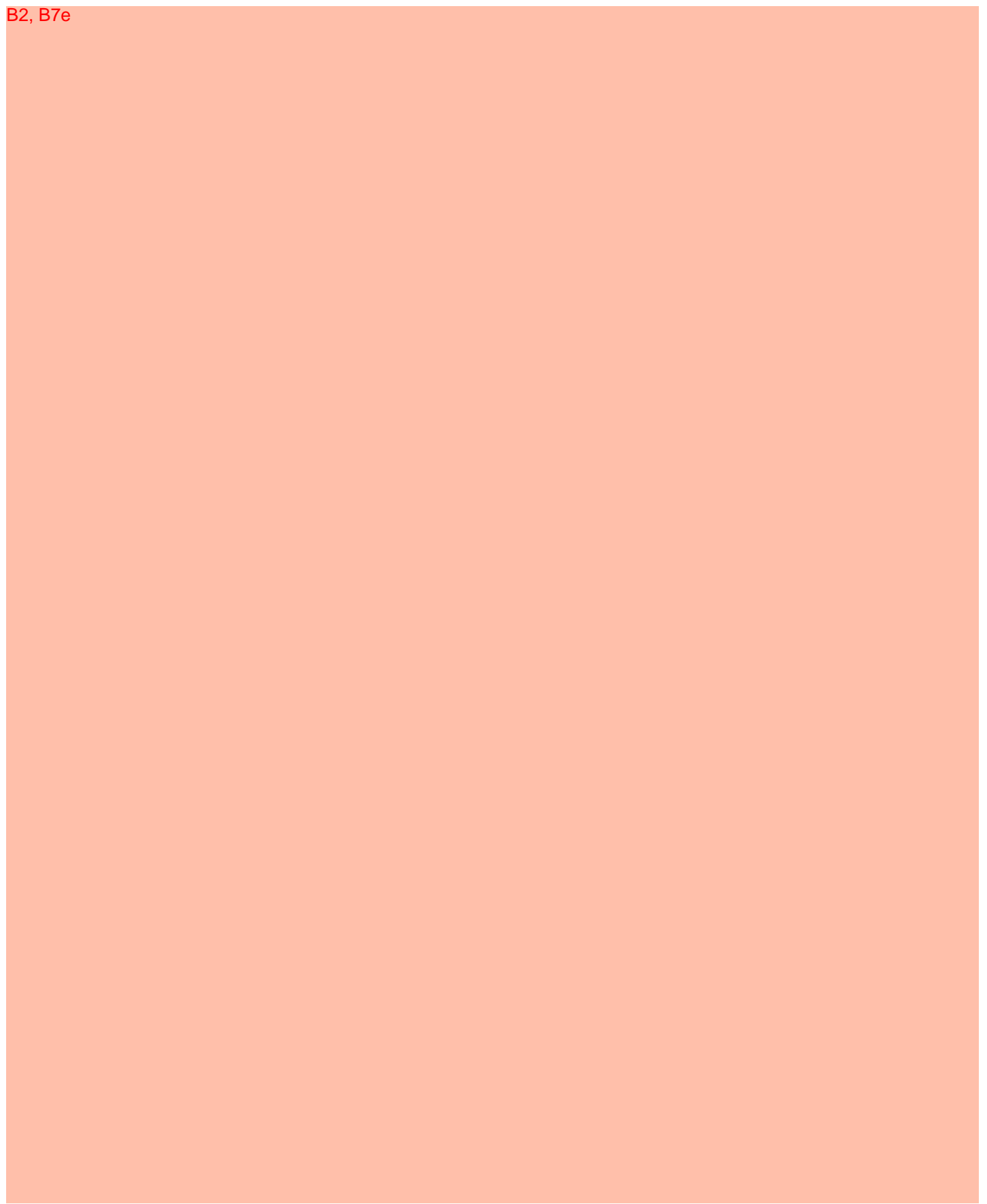


B2, B7e






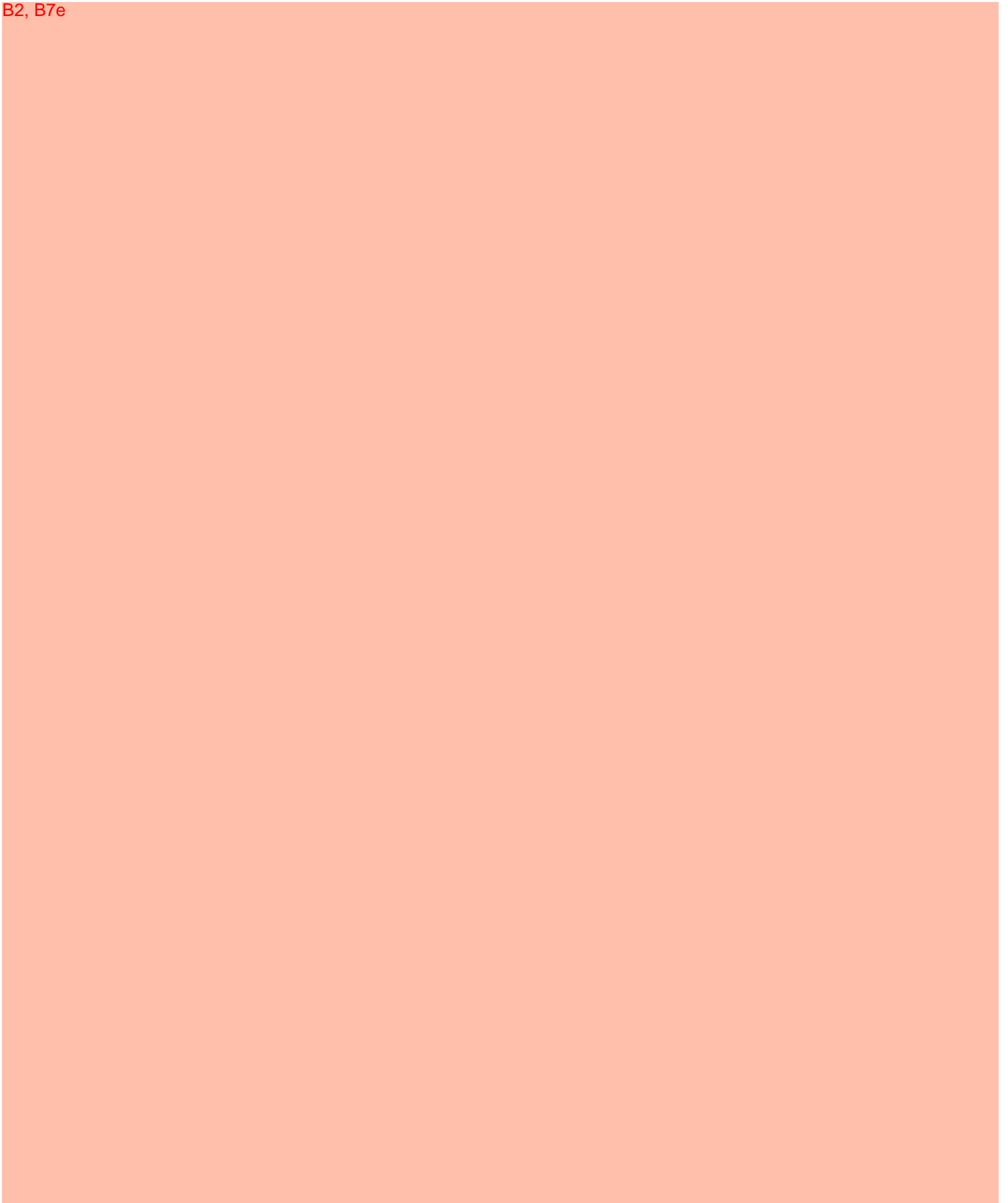
B2, B7e



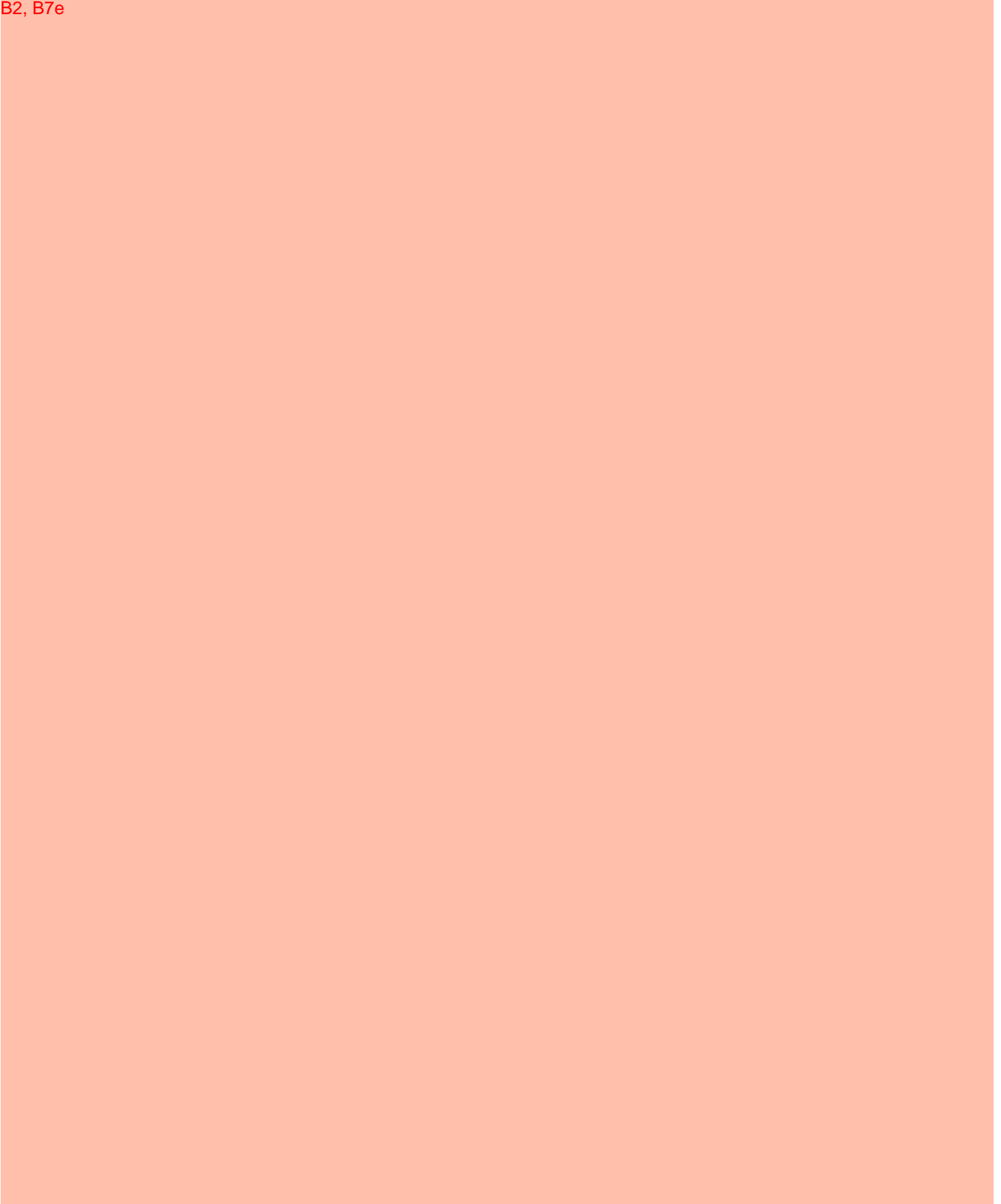
B2, B7e



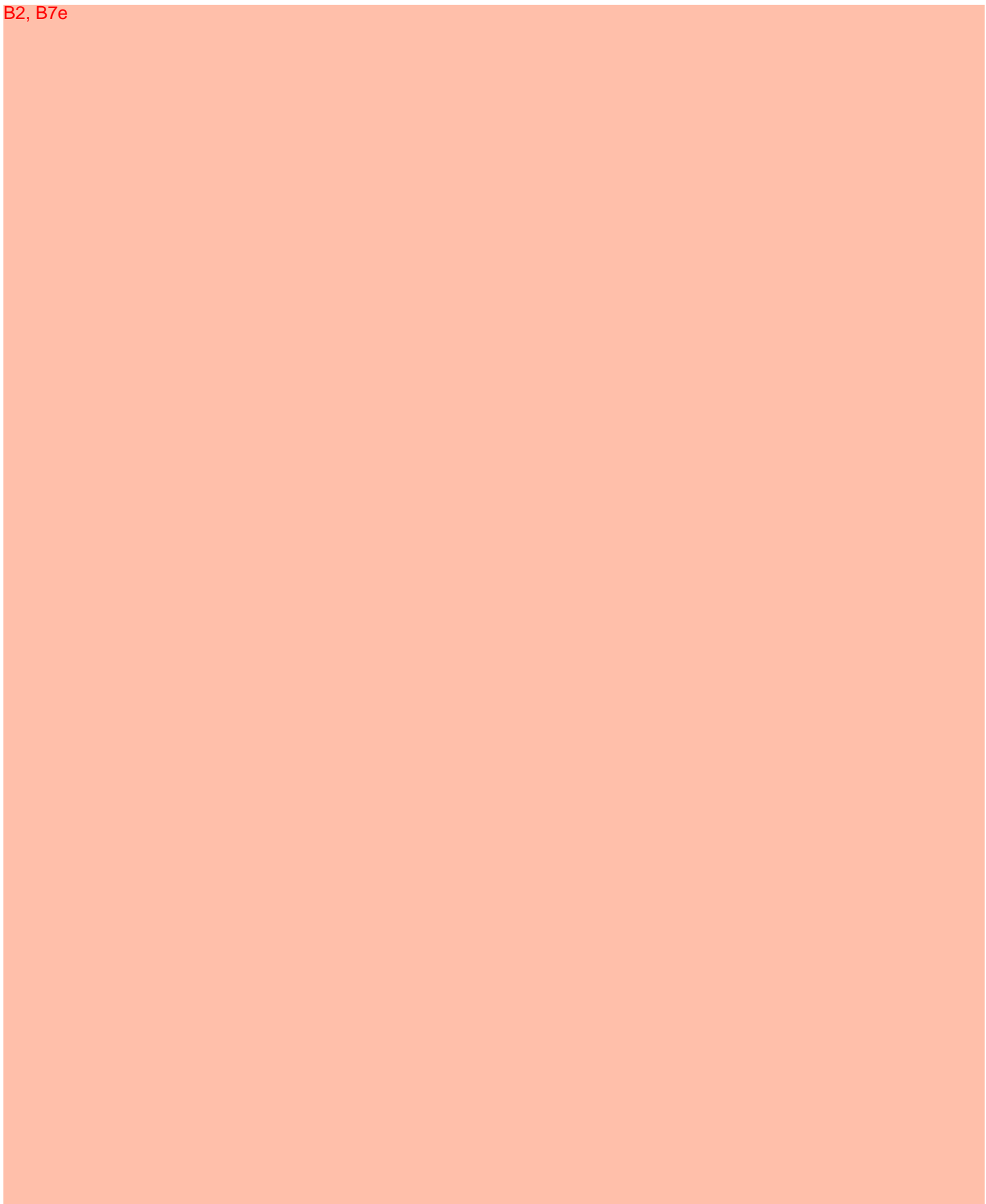
B2, B7e



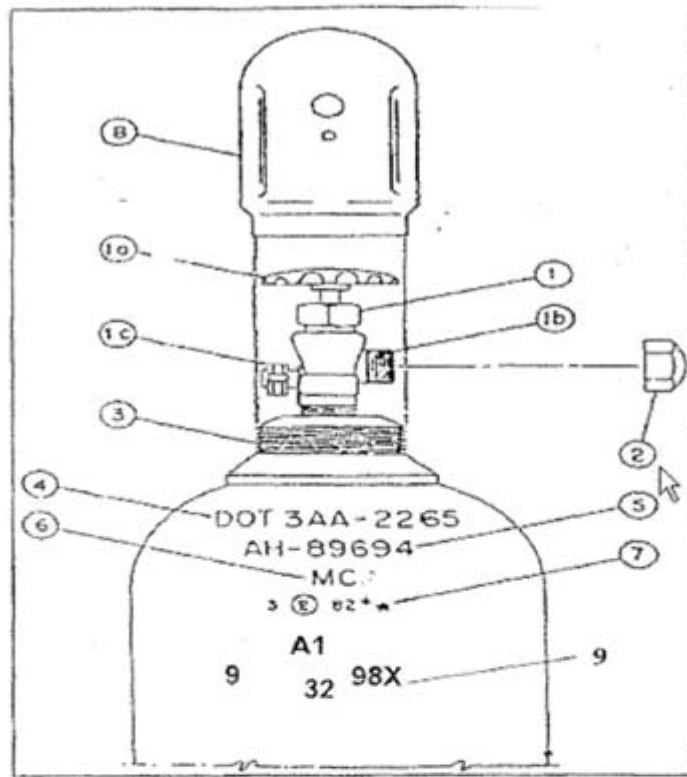
B2, B7e



B2, B7e



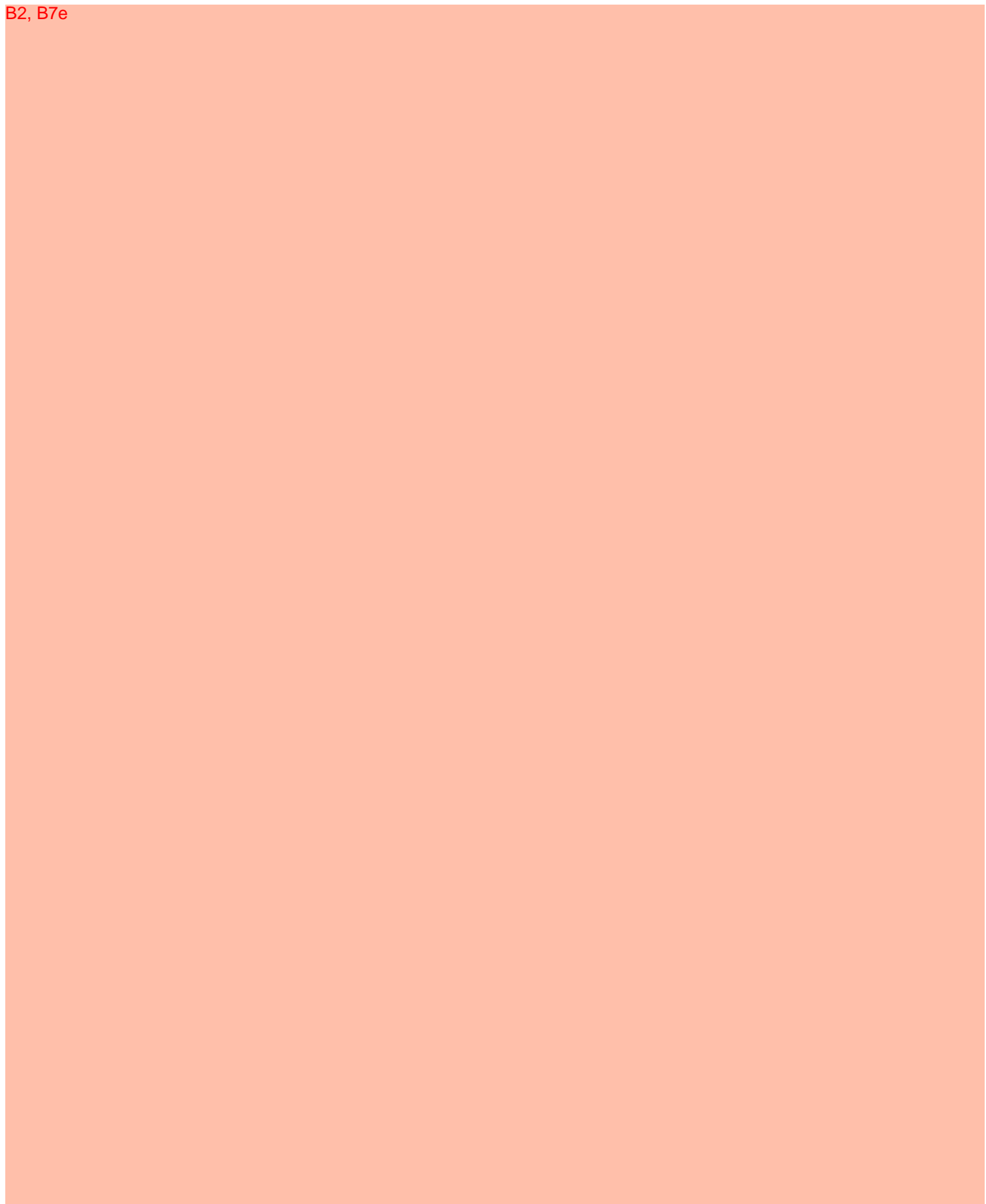
### 1.7.6.18 Important Features Common to Cylinders




#### Important Features common to Gas Cylinders

- (1) Valve
- (1a) Valve Handwheel
- (1b) CGA outlet connection
- (1c) Pressure relief device
- (2) Valve Outlet cap
- (3) Collar
- (4) DOT Specification and Service Pressure
- (5) Serial number
- (6) Manufacturer's symbol
- (7) Test date, original tester's symbol, hydrostatic testing allowance, Permission to over pressurize by 10% 178.35(f)
- (8) Cylinder cap
- (9) Requalification marking 180.313(d)

B2, B7e




B2, B7e






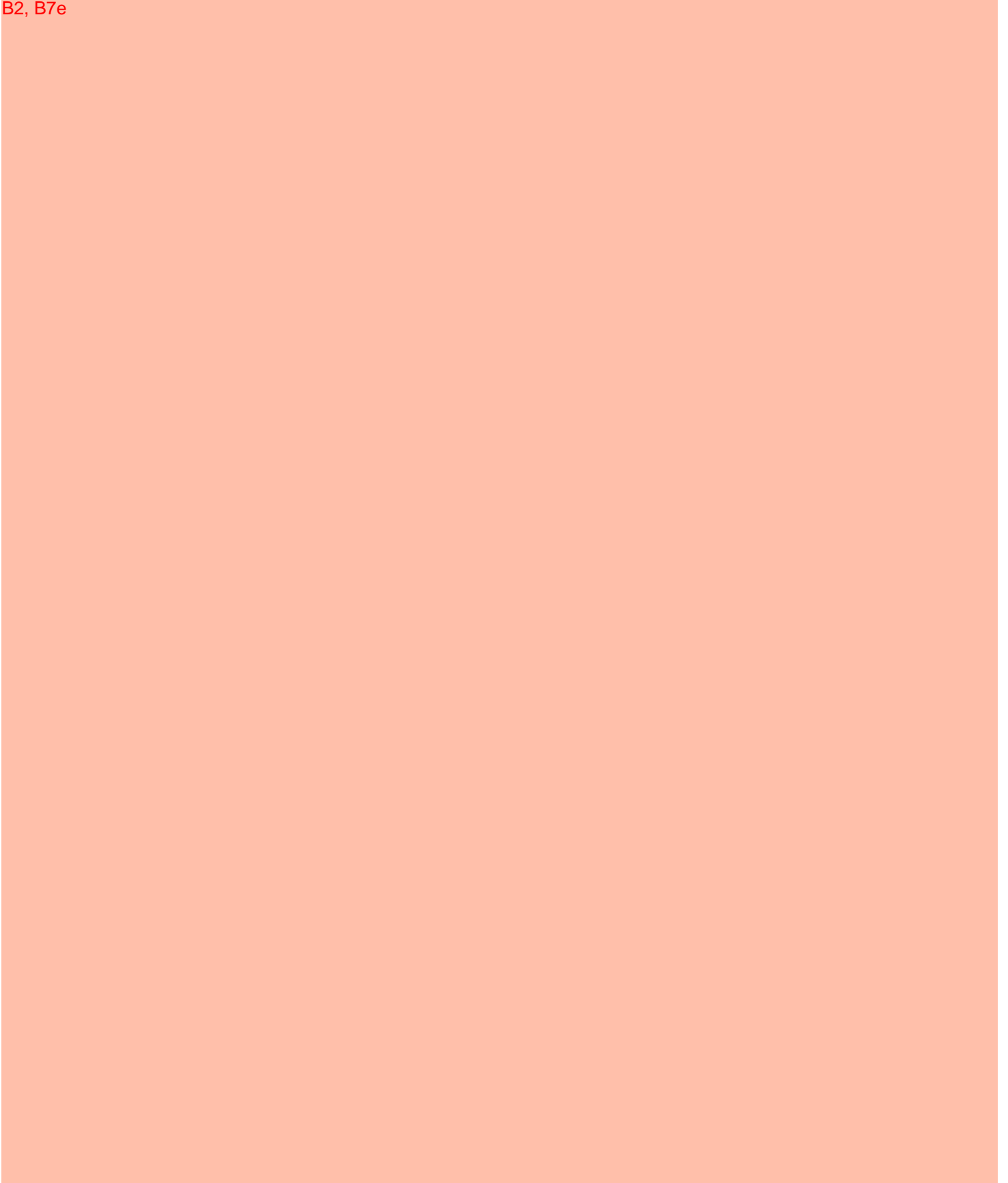
B2, B7e



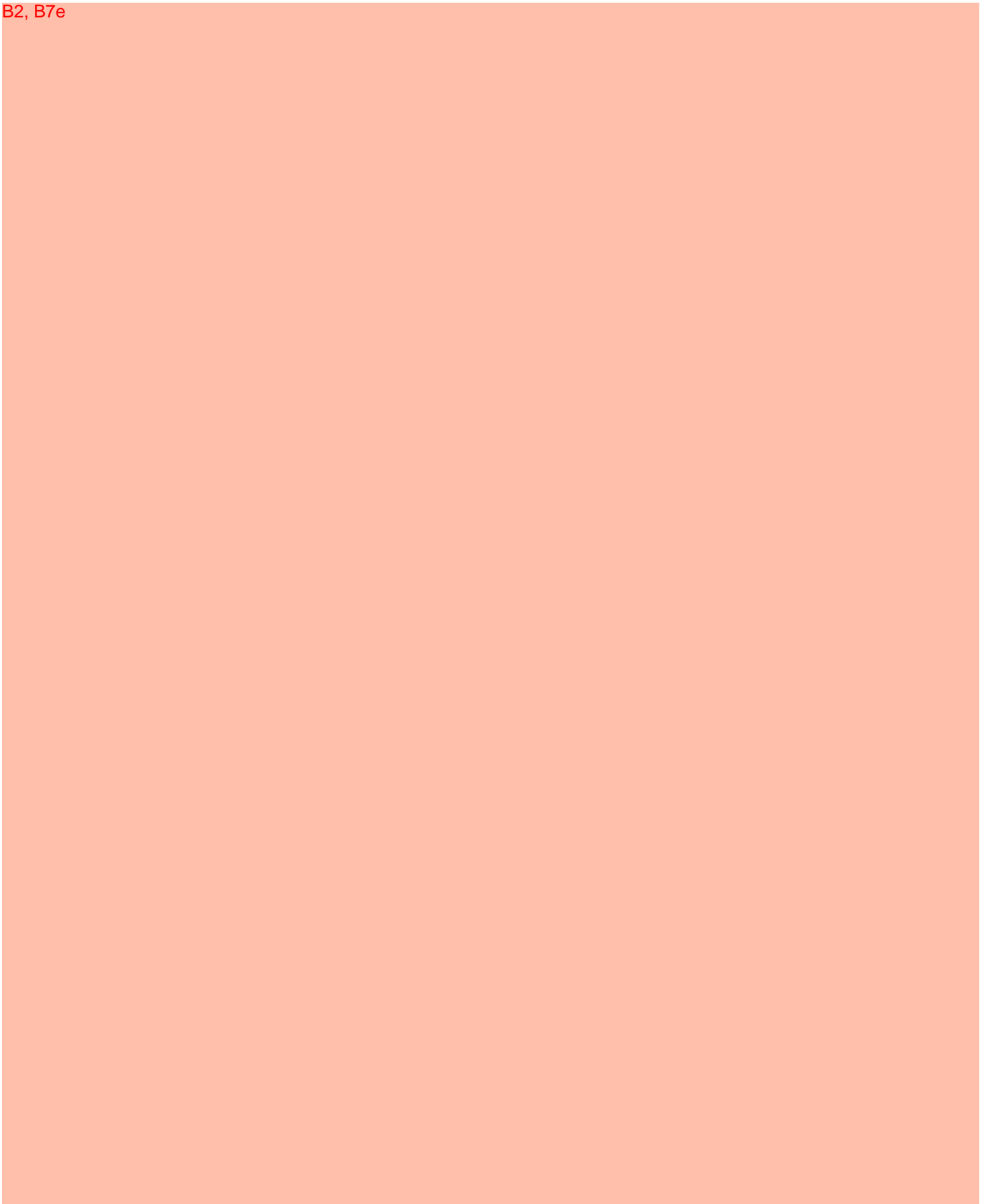
B2, B7e




B2, B7e




B2, B7e



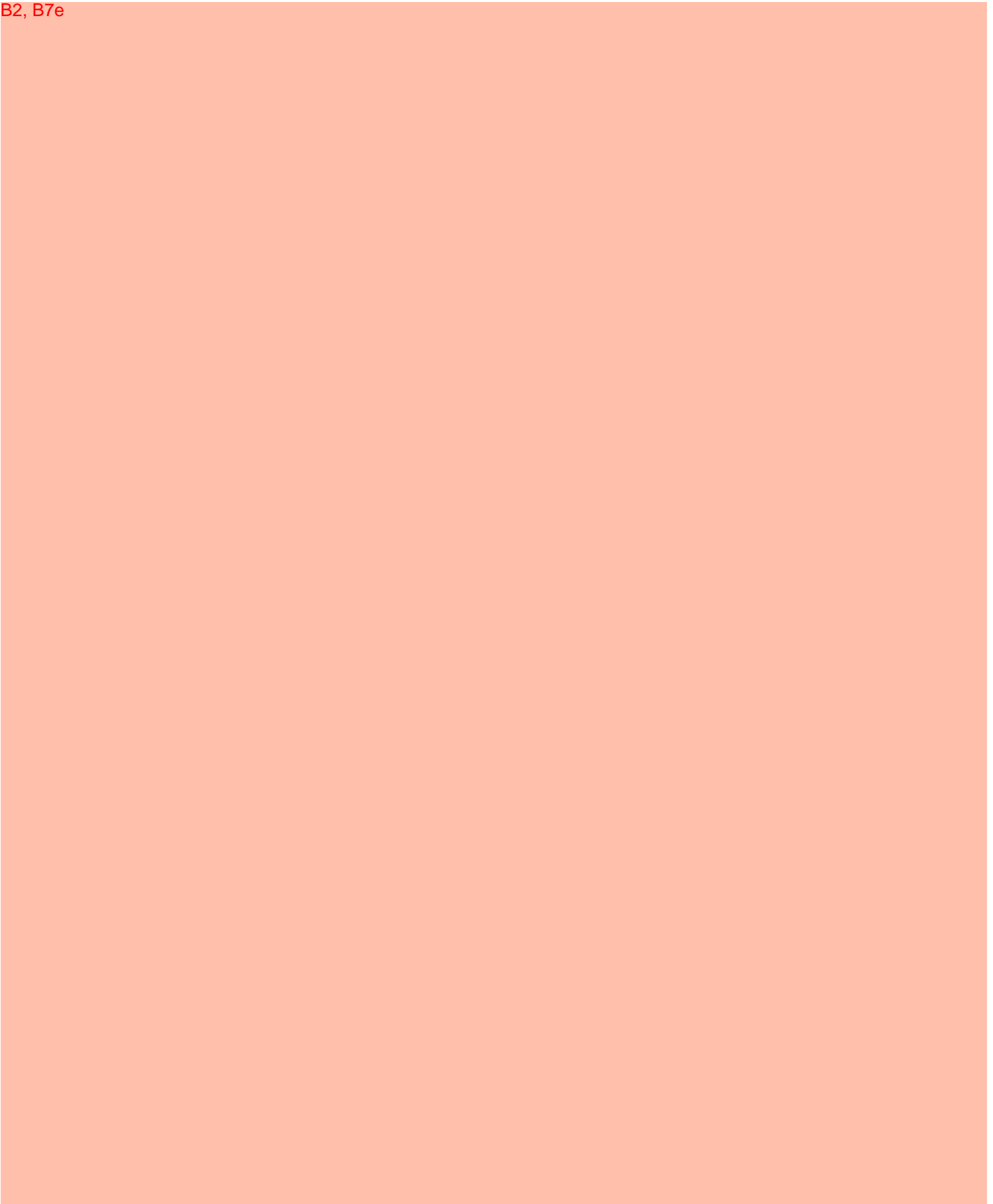
B2, B7e




B2, B7e



B2, B7e

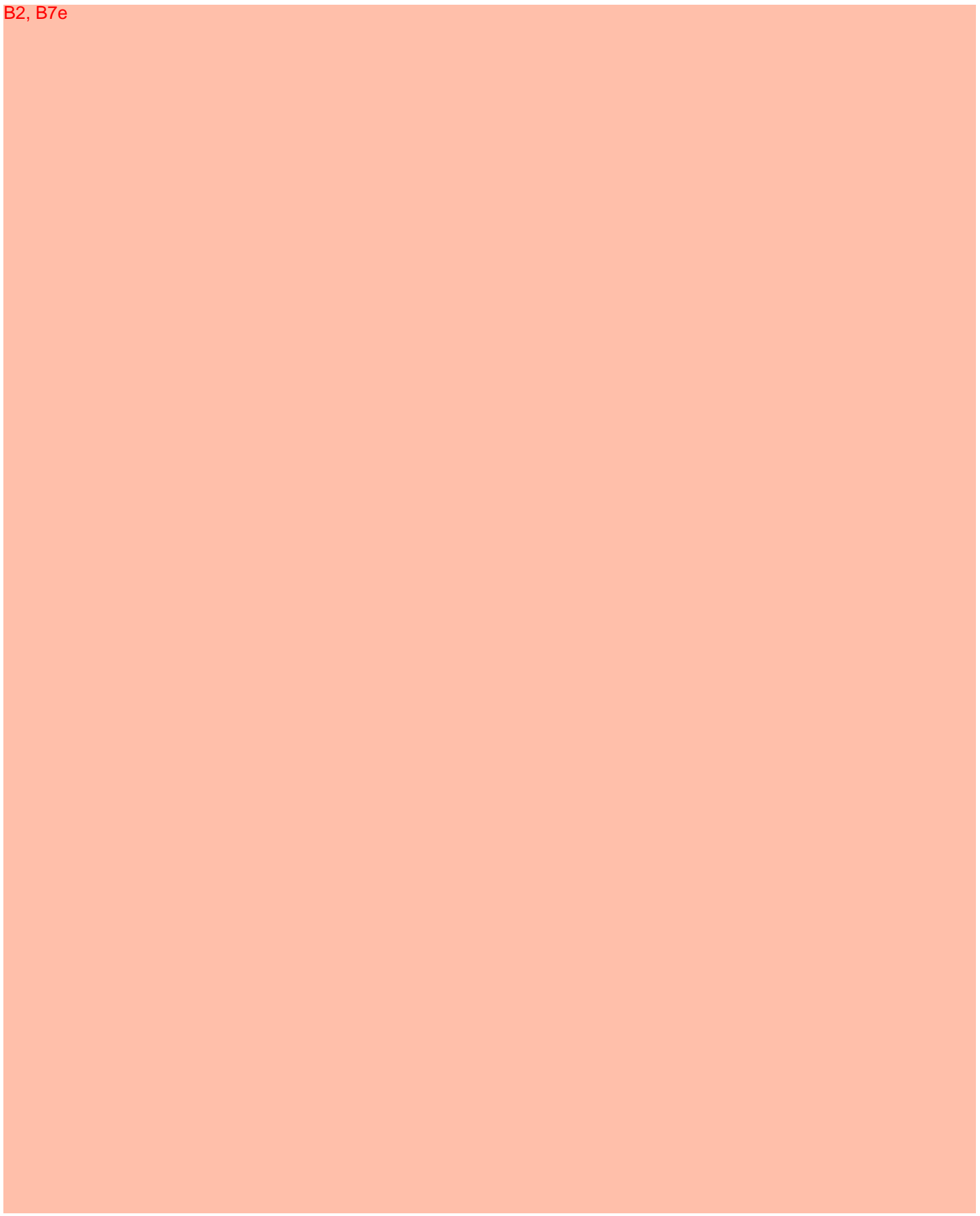


B2, B7e






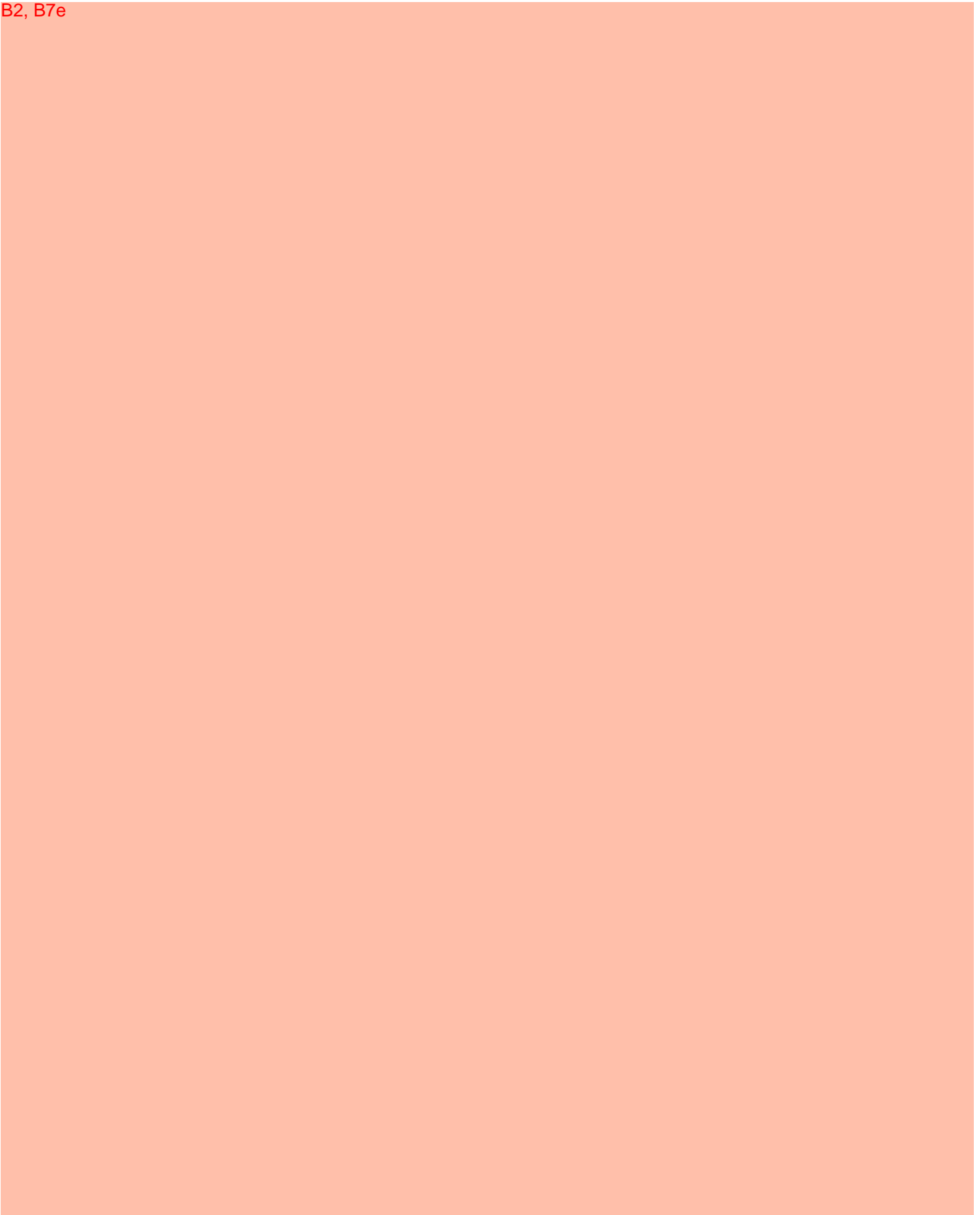
B2, B7e



B2, B7e



B2, B7e



B2, B7e

### 1.7.6.23 Cylinders What You Need to Know

#### WHAT ARE SOME DIFFERENCES BETWEEN UN PRESSURE RECEPTACLES AND DOT CYLINDERS?

DOT CYLINDERS	UN PRESSURE RECEPTACLES
<ul style="list-style-type: none"> <li>• Are acceptable for transport to, from, or within the United States</li> <li>• Aluminum oxygen cylinders must have straight threads only</li> <li>• Markings                             <ul style="list-style-type: none"> <li>- Marks conform to applicable requirements of 173.15</li> <li>- Service pressure shown</li> <li>- Markings expressed in conventional units</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Must have "USA" country of approval marking to be acceptable for transport to, from, or within the United States</li> <li>• Aluminum oxygen cylinders may have straight or tapered threads</li> <li>• Markings                             <ul style="list-style-type: none"> <li>- Required Part 173 markings displayed in 3 rows in accordance with 173.11</li> <li>- Test pressure shown</li> <li>- Markings expressed in metric units</li> <li>- Thread type must be marked on each receptacle and valve</li> </ul> </li> </ul>

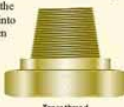

  

#### ALUMINUM CYLINDERS IN OXYGEN SERVICE

The openings on aluminum alloy UN oxygen cylinders may be configured with straight (parallel) or taper threads. The thread type must be marked on the cylinder and on the valve. Any person who installs a valve into a UN aluminum alloy cylinder in oxygen service must verify the valve and the cylinder have the same thread type.

For example:

Straight	Tapered
18P	17E
25P	25E

The openings on aluminum alloy DOT specification oxygen cylinders must be configured with straight threads only.

*Note: A thread mismatch can lead to an unintentional release of product or a violent expansion of the valve which can cause personal injury or death. Improper valve seating can lead to cylinder damage. The correct amount of torque applied to a valve must be obtained from the cylinder manufacturer.*


#### WHERE TO LEARN MORE

For information about other Hazmat Publications

Visit our web site:  
<http://hazmat.dot.gov>

Write:  
U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
400 Seventh Street, SW, PHH-50  
Washington, DC 20590-0001

Fax: (202) 366-7342  
E-mail: [training@dot.gov](mailto:training@dot.gov)  
Or Phone: (202) 366-2301



<http://hazmat.dot.gov>  
INFO-LINE  
1-800-468-4822

For information about Hazmat Regulations

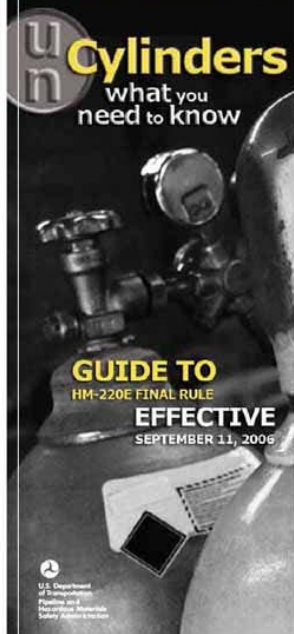
Contact our Hazmat INFO-LINE:  
E-mail: [infoctr@dot.gov](mailto:infoctr@dot.gov)

PHH0-0078-0706

HAZARDOUS MATERIALS TRANSPORTATION  
Compliance Basics Series

## Cylinders

what you need to know




**GUIDE TO HM-220E FINAL RULE**

**EFFECTIVE**

SEPTEMBER 11, 2006

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration

B2, B7e



B2, B7e

