

## Public Utilities Commission of Ohio Restores Truck Safety Exemptions Affecting Private Motor Carriers

**To discuss how this decision affects your business, please contact your Vorys attorney or one of the following:**

M. Howard Petricoff  
mhpetricoff@vorys.com  
614.464.5414

Stephen M. Howard  
smhoward@vorys.com  
614.464.5401

On March 16, 2011, the New Chairman of the Public Utilities Commission of Ohio (PUCO) reversed course and pulled the controversial light truck safety rules (see <http://www.vorys.com/publications-394.html>). The Commission as of January 1, 2011 had required owners of trucks over 10,000 pounds to follow the same safety rules as owners of trucks over 26,000 pounds. The safety rules include drug testing, driver qualifications, limits of driver hours and certain equipment such as body lighting, mud flaps and front wheel brakes. In just his second meeting as Chairman, Todd Snitchler announced that the Commission was returning to its former rule and would only require compliance with the truck safety rules for vehicles over 26,000 pounds or trucks hauling for hire or carrying hazardous materials.

Extending the truck safety rules down to vehicles over 10,000 pounds meant that many small businesses, contractors and commercial companies who use light trucks would now be subject to the comprehensive safety

rules. At public hearings on the truck safety rules, many small business owners were vocal in their opposition and a bill was introduced in the General Assembly to limit the safety rule to trucks over 26,000 pounds. As stated in a press release issued by PUCO on March 16, due to the “feedback from interested parties [about the operational and financial costs of compliance with the rules], the Commission [found] it prudent to rescind the rules while changes to the rules are considered.”

As a result, private carriers who haul their own non-hazardous property within Ohio while operating trucks and tractor/trailers with a gross vehicle weight rating of between 10,001 and 26,000 pounds are exempt from the comprehensive truck safety rules. For-hire carriers operating in intrastate commerce in Ohio, carriers who travel in interstate commerce, and carriers who transport hazardous materials within Ohio are still subject to PUCO truck safety rules and are not affected by yesterday’s ruling.