

To: PRISM State Law Enforcement
From: PRISM Technical Support

Date: June 12, 2014

Subject: Follow-up on URS Rule and
Impact on PRISM State Law Enforcement

This technical announcement is a follow-up to the email announcement on the URS Impact on PRISM Law Enforcement that was sent on May 13, 2014.

Roadside Law Enforcement Impacts

A clarification needs to be made on the citation number to be used for a carrier that is found operating with a MCSIP Step 52 – *Biennial Update not completed* status. The prior technical announcement sent on May 13, 2014 indicated that the citation number to use was 390.19(b)(4). That was incorrect. The violation number 390.19(b)(4) is a penalty violation, but it is not to be used as a citing violation, and is not listed in the ASPEN violations code list. 390.19(a)(1) is another penalty violation code related to the biennial update that should not be used by roadside enforcement for the citation number.

The correct citation number to use when a carrier is found to be operating with a MCSIP Step 52 for “deactivated” USDOT Number is: **392.9b(a)**. This is also the citation number that is referenced in the USDOT Number Deactivation letter that is sent to the carrier, and is included in the ASPEN violation code list.

The latest version of ASPEN, 2.14.1, and also the update patch described as the [Federal Violation Table Update for Aspen v2.14.1 \(04-01-2014\)](#) needs to be applied for this citation number to appear in the ASPEN violations list. A screenshot of the ASPEN Violations by Code window is on the next page for reference.

At this time, law enforcement will not place vehicles OOS at the roadside for carriers with MCSIP Step 52 – *Biennial Update not completed*. Roadside law enforcement has been directed by FMCSA to cite and release the vehicle, using citation number **392.9b(a)**.

FMCSA systems such as Query Central, Safer and MCMIS are displaying the following message for the carrier: *Inactive USDOT Number per 49 CFR 390.19(b)(4); Biennial Update of MCS-150 data not completed*. Although the CFR number 390.19(b) (4) is listed within the alert message, it is not the citation number to be used in this case.

Non-FMCSA law enforcement systems should display a similar message, such as the following: “Biennial Update not completed – Inactive USDOT Number”, and should not treat the MCSIP Step 52 as an OOS carrier.

Violations

Sort By:

- Driver
- Vehicle
- HazMat
- Code

Descriptions:

- Standard
- Custom

Violations by Category Violations by Code

Section Code: Delete Custom

Section	OOS	Violation Description
392.9(a)(3)	N	Drivers view and/or movement is obstructed
392.9a(a)(1)	Y	Household Goods carrier operating without O...
392.9a(a)(1)	Y	Operating without the Required Operating Auth...
392.9a(a)(2)	Y	Household Goods carrier operating beyond th...
392.9a(a)(2)	Y	Operating beyond the scope of Operating Aut...
392.9a(a)(2)	Y	Operating beyond the Scope of Operating Aut...
392.9b(a)	N	USDOT REGISTRATION REQUIRED. Operati...
▶ 392.9b(a)	N	USDOT REGISTRATION REQUIRED. Operati...
393.100(a)	P	No or improper load securement
393.100(b)	Y	Leaking/spilling/blowing/falling cargo
393.100(c)	Y	Failure to prevent cargo shifting

Current Violation: 392.9b(a) - Not an OOS violation.

USDOT REGISTRATION REQUIRED. Operating a commercial motor vehicle in interstate commerce without an active USDOT number.

Save Custom

Federal
State