

GEARED UP FOR SAFETY

Safety Training for Scrap Transporters

FMCSA 396.17 Periodic Inspection Questions and Answers

Question 1: May the due date for the next inspection satisfy the requirements for the inspection date on the sticker or decal?

Guidance: No. The rule requires that the date of the inspection be included on the report and sticker or decal. This date may consist of a month and a year.

Question 2: Does the sticker have to be located in a specific location on the vehicle?

Guidance: No. The rule does not specify where the sticker, decal or other form of documentation must be located. It is the responsibility of the driver to produce the documentation when requested. Therefore, the driver must know the location of the sticker and ensure that all information on it is legible and current. The driver must also be able to produce the inspection report if that form of documentation is used.

Question 3: Is a CMV subject to a road side inspection by State or Federal inspectors if it displays a periodic inspection decal or other evidence of a periodic inspection being conducted in the past 12 months?

Guidance: Yes. Evidence of a valid periodic inspection only precludes a citation for a violation of §396.17.

Question 4: Is a State required to accept the periodic inspection program of another State having a periodic inspection program meeting minimum FHWA standards as contained in appendix G to the FMCSRs?

Guidance: Yes. Section 210 of the MCSA (49 U.S.C. 31142) establishes the principle that State inspections meeting federally approved criteria must be recognized by every other State.

Question 5: Must a specific form be used to record the periodic inspection mandated by §396.17?

Guidance: No. Section 396.21 does not designate any particular form, decal, or sticker, but does specify the information which must be shown on these documents.

Question 6: May an inspector certify a CMV as meeting the periodic inspection standards of §396.17 if he/she cannot see all components required to be inspected under appendix G?

Guidance: No. The affixing of a decal or sticker or preparation of a report as proof of inspection indicates compliance with all requirements of appendix G to part 396.

