§ 360.5 Updating user fees.

(a) Update. Each fee established in this part may be updated in accordance with this section as deemed necessary by the FMCSA.

(b) Publication and effective dates. Updated fees shall be published in the FEDERAL REGISTER and shall become effective 30 days after publication.

(c) Payment of fees. Any person submitting a filing for which a fee is established shall pay the fee in effect at the time of the filing.

(d) Method of updating fees. Each fee shall be updated by updating the cost components comprising the fee. Cost components shall be updated as follows:

<table>
<thead>
<tr>
<th>Type of Proceeding</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>(51)</td>
<td>$10 per accepted certificate, surety bond or other instrument submitted in lieu of a broker surety bond.</td>
</tr>
<tr>
<td>(52)</td>
<td>80</td>
</tr>
<tr>
<td>(53)–(79)</td>
<td>[Reserved].</td>
</tr>
<tr>
<td>(80)</td>
<td>13 per list</td>
</tr>
<tr>
<td>(81)</td>
<td>5</td>
</tr>
</tbody>
</table>

(g) Returned check policy. (1) If a check submitted to the FMCSA for a filing or service fee is dishonored by a bank or financial institution on which it is drawn, the FMCSA will notify the person who submitted the check that:

(i) All work will be suspended on the filing or proceeding, until the check is made good;

(ii) A returned check charge of $6.00 and any bank charges incurred by the FMCSA as a result of the dishonored check must be submitted with the filing fee which is outstanding; and

(iii) If payment is not made within the time specified by the FMCSA, the proceeding will be dismissed or the filing may be rejected.

(2) If a person repeatedly submits dishonored checks to the FMCSA for filing fees, the FMCSA may notify the person that all future filing fees must be submitted in the form of a certified or cashier’s check, money order, or credit card.

updated direct labor, including current
governmental overhead, operations
overhead and office general and admin-
istrative costs.
(4) Publication costs shall be ad-
justed on the basis of known changes in
the costs applicable to publication of
material in the Federal Register or
FMCSA Register.
(This rounding procedures excludes
copying, printing and search fees.)
(e) Rounding of updated fees. Updated
fees shall be rounded in the following
manner:
(1) Fees between $1 and $30 will be
rounded to the nearest $1;
(2) Fees between $30 and $100 will be
rounded to the nearest $10;
(3) Fees between $100 and $999 will be
rounded to the nearest $50; and
(4) Fees above $1,000 will be rounded
to the nearest $100.

PART 365—RULES GOVERNING AP-
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APPENDIX A TO SUBPART E—EXPLANATION OF
PRE-AUTHORIZATION SAFETY AUDIT EVAL-
UATION CRITERIA FOR MEXICO-DOMICILED
MOTOR CARRIERS

Authority: 5 U.S.C. 553 and 559; 16 U.S.C.
1456; 49 U.S.C. 13101, 13301, 13901–13906, 14708,
31138, and 31144; 49 CFR 1.73.

Effective Date Note: At 75 FR 35328, June
22, 2010, the authority citation to part 365
was revised, effective March 21, 2011. For the
convenience of the user, the revised text is
set forth as follows:
Authority: 5 U.S.C. 553 and 559; 49 U.S.C.
13101, 13301, 13901–13906, 14708, 31138, and 31144;
49 CFR 1.73.

Source: 59 FR 63728, Dec. 9, 1994, unless
otherwise noted. Redesignated at 61 FR 54707,
Oct. 21, 1996.

Editorial Note: Nomenclature changes to

Subpart A—How To Apply for Operating
Authority

§ 365.101 Applications governed by these
rules.