

Federal Motor Carrier Safety Administration, DOT

§ 373.101

(b) “Contiguous municipalities” means municipalities, as defined in paragraph (a) of this section, which have at some point a common municipal or corporate boundary.

(c) “Unincorporated area” means any area not within the corporate or municipal boundaries of any municipality as defined in paragraph (a) of this section.

Sec. 44 Commercial zones determined generally, with exceptions.

The commercial zone of each municipality in the United States, with the exceptions indicated in the note at the end of this section, within which the transportation of passengers or property, in interstate or foreign commerce, when not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point without such zone, is exempt from all provisions of Part II, Interstate Commerce Act, except the provisions of section 204 relative to the qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be deemed to consist of:

(a) The municipality itself, hereinafter called the base municipality;

(b) All municipalities which are contiguous to the base municipality;

(c) All other municipalities and all unincorporated area within the United States which are adjacent to the base municipality as follows:

(1) When the base municipality has a population less than 2,500 all unincorporated areas within two miles of its corporate limits and all of any other municipality any part of which is within two miles of the corporate limits of the base municipality,

(2) When the base municipality has a population of 2,500 but less than 25,000, all unincorporated areas within 3 miles of its corporate limits and all of any other municipality any part of which is within 3 miles of the corporate limits of the base municipality,

(3) When the base municipality has a population of 25,000 but less than 100,000, all unincorporated areas within 4 miles of its corporate limits and all of any other municipality any part of which is within 4 miles of the corporate limits of the base municipality, and

(4) When the base municipality has a population of 100,000 or more, all unincorporated areas within 5 miles of its corporate limits and all of any other municipality any part of which is within 5 miles of the corporate limits of the base municipality, and

(d) All municipalities wholly surrounded, or so surrounded except for a water boundary, by the base municipality, by any municipality contiguous thereto, or by any municipality adjacent thereto which is included in the commercial zone of such base municipality

under the provisions of paragraph (c) of this section.

NOTE: Except: Municipalities the commercial zones of which have been or are hereafter individually or specially determined.

Sec. 45 Controlling distances and population data.

In the application of § 372.241:

(a) Air-line distances or mileages about corporate limits of municipalities shall be used.

(b) The population of any municipality shall be deemed to be the highest figure shown for that municipality in any decennial census since (and including) the 1940 decennial census.

[53 FR 18058, May 19, 1988, as amended at 62 FR 49942, Sept. 24, 1997; 66 FR 49875, Oct. 1, 2001; 80 FR 59075, Oct. 1, 2015. Redesignated at 86 FR 57068, Oct. 14, 2021]

PART 373—RECEIPTS AND BILLS

Subpart A—Motor Carrier Receipts and Bills

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Subpart B—Freight Forwarders; Bills of Lading

373.201 Receipts and bills of lading for freight forwarders.

AUTHORITY: 49 U.S.C. 13301, 13531 and 14706; and 49 CFR 1.87.

Subpart A—Motor Carrier Receipts and Bills

SOURCE: 55 FR 11198, Mar. 27, 1990, unless otherwise noted. Redesignated at 61 FR 54708, Oct. 21, 1996.

§ 373.100 Applicability.

This subpart applies to motor carriers subject to 49 U.S.C. subtitle IV, part B (secs. 13101–14916).

[81 FR 68345, Oct. 4, 2016]

§ 373.101 For-hire, non-exempt motor carrier bills of lading.

Every motor carrier subject to § 373.100 shall issue a receipt or bill of

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loading for property tendered for transportation in interstate or foreign commerce containing the following information:

- (a) Names of consignor and consignee.
- (b) Origin and destination points.
- (c) Number of packages.
- (d) Description of freight.
- (e) Weight, volume, or measurement of freight (if applicable to the rating of the freight).

The carrier shall keep a record of this information as prescribed in 49 CFR part 379.

[55 FR 11198, Mar. 27, 1990, as amended at 56 FR 30874, July 8, 1991; 62 FR 15423, Apr. 1, 1997; 81 FR 68345, Oct. 4, 2016]

§ 373.103 For-hire, non-exempt expense bills.

(a) *Property.* (1) Every for-hire, non-exempt motor carrier of property shall issue a freight or expense bill for each shipment transported containing the following information:

- (i) Names of consignor and consignee (except on a reconsigned shipment, not the name of the original consignor).
- (ii) Date of shipment.
- (iii) Origin and destination points (except on a reconsigned shipment, not the original shipping point unless the final consignee pays the charges from that point).
- (iv) Number of packages.
- (v) Description of freight.
- (vi) Weight, volume, or measurement of freight (if applicable to the rating of the freight).
- (vii) Exact rate(s) assessed.
- (viii) Total charges due, including the nature and amount of any charges for special service and the points at which such service was rendered.
- (ix) Route of movement and name of each carrier participating in the transportation.
- (x) Transfer point(s) through which shipment moved.
- (xi) Address where remittance must be made or address of bill issuer's principal place of business.

(2) The shipper or receiver owing the charges shall be given the freight or expense bill and the carrier shall keep a copy as prescribed at 49 CFR part 379. If the bill is electronically transmitted (when agreed to by the carrier and

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payor), a receipted copy shall be given to the payor upon payment.

(b) *Charter transportation of passenger service.* (1) Every for-hire, non-exempt motor carrier providing charter transportation of passenger service shall issue an expense bill containing the following information:

- (i) Serial number, consisting of one of a series of consecutive numbers assigned in advance and imprinted on the bill.
- (ii) Name of carrier.
- (iii) Names of payor and organization, if any, for which transportation is performed.
- (iv) Date(s) transportation was performed.
- (v) Origin, destination, and general routing of trip.
- (vi) Identification and seating capacity of each vehicle used.
- (vii) Number of persons transported.
- (viii) Mileage upon which charges are based, including any deadhead mileage, separately noted.
- (ix) Applicable rates per mile, hour, day, or other unit.
- (x) Itemized charges for transportation, including special services and fees.
- (xi) Total charges assessed and collected.

(2) The carrier shall keep a copy of all expense bills issued for the period prescribed at 49 CFR part 379. If any expense bill is spoiled, voided, or unused for any reason, a copy or written record of its disposition shall be retained for a like period.

[83 FR 22873, May 17, 2018; 83 FR 26374, June 7, 2018]

§ 373.105 Low value packages.

The carrier and shipper may elect to waive the above provisions and use a more streamlined recordkeeping or documentation system for distribution of "low value" packages. This includes the option of shipping such packages under the provisions of 49 U.S.C. 14706(c). The shipper is responsible ultimately for determining which packages should be designated as low value. A useful guideline for this determination is an invoice value less than or