

# FMCSA increases fines for violations of motor carrier regulations

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**WASHINGTON – The Federal Motor Carrier Safety Administration has increased fines across the board for violations of federal commercial motor vehicle regulations.**



U.S. Department of Transportation

**Federal Motor Carrier Safety Administration**

The new fines reflect annual inflation adjustments that FMCSA is required to make by Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

“Many operating companies are unaware of the steep increases in FMCSA fines until violations are discovered in a safety audit or compliance review,” said Ken Presley, vice president of industry relations and chief operating officer of the United Motorcoach Association.

“The revised schedule makes it clear that the financial incentives lean towards vigilant compliance.” The following chart details the fine increases:

—2017 Inflation Adjusted Fines—

| #  | VIOLATION   | NEW PENALTY VALUE  | FORMER PENALTY VALUE |
|----|---|--------------------|----------------------|
| 1. | Failure to respond to Agency subpoena to appear and testify or produce records (minimum)                              | <b>\$1,045.00</b>  | \$1,028.00           |
| 2. | Failure to respond to Agency subpoena to appear and testify or produce records (maximum)                              | <b>\$10,450.00</b> | \$10,282.00          |
| 3. | Out-of-service order: Operation of CMV by driver  | <b>\$1,811.00</b>  | \$1,782.00           |
| 4. | Out-of-service order: Requiring or permitting operation of CMV by driver  | <b>\$18,107.00</b> | \$17,816.00          |
| 5. | Out-of-service order: Operation by drive of CMV or intermodal equipment that was placed out-of-service                | <b>\$1,811.00</b>  | \$1,782.00           |
| 6. | Out-of-service order: Requiring or permitting operation of CMV or intermodal equipment that was placed out-of-service | <b>\$18,107.00</b> | \$17,816.00          |

| #   | VIOLATION  | NEW PENALTY VALUE | FORMER PENALTY VALUE |
|-----|--|-------------------|----------------------|
| 7.  | Out-of-service order: Failure to return written certification of correction                              | \$906.00          | \$891.00             |
| 8.  | Out-of-service order: Failure to cease operations as ordered   | \$26,126.00       | \$25,705.00          |
| 9.  | Out-of-service order: Operating in violation of order  | \$22,957.00       | \$22,587.00          |
| 10. | Out-of-service order: Conducting operations during suspension or revocation for failure to pay penalties | \$14,739.00       | \$14,502.00          |
| 11. | Out-of-service order: Conducting operations during suspension or revocation                              | \$22,957.00       | \$22,587.00          |
| 12. | Recordkeeping: Maximum penalty per day   | \$1,214.00        | \$1,194.00           |
| 13. | Recordkeeping: Maximum total penalty   | \$12,135.00       | \$11,940.00          |
| 14. | Knowing falsification of records   | \$12,135.00       | \$11,940.00          |
| 15. | Non-recordkeeping violations   | \$14,739.00       | \$14,502.00          |
| 16. | Non-recordkeeping violations by drivers  | \$3,685.00        | \$3,626.00           |
| 17. | Alcohol prohibition violations (first offense)   | \$3,034.00        | \$2,985.00           |
| 18. | Alcohol prohibition violations (second or subsequent conviction)   | \$6,068.00        | \$5,970.00           |
| 19. | Commercial driver's license violations   | \$5,479.00        | \$5,391.00           |
| 20. | Special penalties pertaining to violation of 000 orders (first conviction)                               | \$3,034.00        | \$2,985.00           |
| 21. | Special penalties pertaining to violation of 006 orders (second or subsequent conviction)                | \$6,068.00        | \$5,970.00           |
| 22. | Knowingly allowing, authorizing employee violations of 00S order (minimum)                               | \$5,479.00        | \$5,391.00           |

| #   | VIOLATION  | NEW PENALTY VALUE | FORMER PENALTY VALUE |
|-----|--|-------------------|----------------------|
| 23. | Knowingly allowing, authorizing employee violations of OOS order (maximum)   | \$30,337.00       | \$29,849.00          |
| 24. | Special penalties pertaining to railroad-highway grade crossing violations   | \$15,727.00       | \$15,474.00          |
| 25. | Financial responsibility violations  | \$16,169.00       | \$15,909.00          |
| 26. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (transportation or shipment of hazmat)   | \$78,376.00       | \$77,114.00          |
| 27. | Safety Permitting Regulations (transportation or shipment of hazmat)   | \$78,376.00       | \$77,114.00          |
| 28. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (minimum penalty)   | \$471.00          | \$463.00             |
| 29. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (training) (maximum penalty)   | \$78,376.00       | \$77,114.00          |
| 30. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (packaging or container Violations of Hazardous Materials Regulations and Safety Permitting Regulations (compliance with FMCSRs) | \$78,376.00       | \$77,114.00          |
| 31. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (death, serious illness, severe injury to persons; destruction of property)  | \$182,877.00      | \$179,933.00         |
| 32. | Operating after being declared unfit by assignment of a final "unsatisfactory" safety rating (generally)   | \$26,126.00       | \$25,705.00          |
| 33. | Operating after being declared unfit by assignment of a final 'unsatisfactory' safety rating (hazmat maximum penalty)  | \$78,376.00       | \$77,114.00          |
| 34. | Violations of Hazardous Materials Regulations and Safety Permitting Regulations (maximum penalty if death, serious illness, severe injury to persons; destruction of orooriv)                                    | \$182,877.00      | \$175,533.00         |
| 35. | Violations of the commercial regulations, property car6ers   | \$10,450.00       | \$10,282.00          |
| 36. | Violations of the CRS, brokers   | \$10,450.00       | \$10,282.00          |
| 37. | Violations of the CRs, passenger carriers  | \$26,126 .00      | \$25,705 .00         |

| #   | VIOLATION   | NEW PENALTY VALUE | FORMER PENALTY VALUE |
|-----|---|-------------------|----------------------|
| 38. | Violation of the CRs, foreign carriers, foreign motor private carriers  | \$10,450.00       | \$10,282.00          |
| 39. | Violations of the CRs, foreign motor carriers, foreign motor private carriers before implementation of North American Free Trade Agreement land transportation provisions (maximum penalty for intentional violation)               | \$14,371.00       | \$14,140.00          |
| 40. | Violations of the CRs, foreign motor carriers, foreign motor private carriers before Implementation of North American Free Trade Agreement land transportation provisions (maximum penalty for a pattern of intentional violations) | \$35,929.00       | \$35,351.00          |
| 41. | Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (minimum)   | \$20,900.00       | \$20,564.00          |
| 42. | Violations of the CRs, motor carrier or broker for transportation of hazardous wastes (maximum)   | \$41,801.00       | \$41,128.00          |
| 43. | Violation of the CRs, household goods carrier or freight forwarder, or their receiver or trustee  | \$1,572.00        | \$1,547.00           |
| 44. | Violation of the CRs, weight of HHG shipment, charging for services (minimum for first violation)   | \$3,146.00        | \$3,095.00           |
| 45. | Violation of the CRs (weight of HHG shipment, charging for services)  | \$7,864.00        | \$7,737.00           |
| 46. | Tariff violations   | \$157,272.00      | \$154,742.00         |
| 47. | Additional tariff violations, rebates or concessions (first violation)  | \$314.00          | \$309.00             |
| 48. | Additional tariff violations, rebates or concessions (subsequent violations)  | \$393.00          | \$387.00             |
| 49. | Tariff violations, freight forwarders (max penalty for first violation)   | \$787.00          | \$774.00             |
| 50. | Tariff violations, freight forwarders (max penalty for subsequent violations)   | \$3,146.00        | \$3,095.00           |
| 51. | Service from freight forwarders at less than rate in effect (first violation)   | \$787.00          | \$774.00             |
| 52. | Service from freight forwarders at less than rate in effect (subsequent violations)   | \$3,146.00        | \$3,095.00           |

| #   | VIOLATION   | NEW PENALTY VALUE | FORMER PENALTY VALUE |
|-----|---|-------------------|----------------------|
| 53. | Loading, unloading violations   | \$15,727.00       | \$15,474.00          |
| 54. | Reporting and recordkeeping - min penalty   | \$1,045.00        | \$1,028.00           |
| 55. | Reporting and recordkeeping - max penalty   | \$7,864.00        | \$7,737.00           |
| 56. | Unauthorized disclosure of information  | \$3,146.00        | \$3,095.00           |
| 57. | Violation of registration conditions  | \$787.00          | \$774.00             |
| 58. | Knowingly and willingly fails to deliver or unload HHG                                | \$15,727.00       | \$15,474.00          |
| 59. | HHG broker estimate before entering into agreement with motor carrier                 | \$12,135.00       | \$11,940.00          |
| 60. | HHG transportation or broker services - registration requirement                      | \$30,337.00       | \$29,849.00          |
| 61. | Copying of records and access to equipment, lands and buildings (max penalty per day) | \$1,214.00        | \$1,194              |
| 62. | Copying of records and access to equipment, lands and buildings (max total penalty)   | \$12,135.00       | \$11,940.00          |
| 63. | Evasion of motor carrier regulations (minimum for first violation)                    | \$2,090.00        | \$2,058.00           |
| 64. | Evasion of motor carrier regulations (maximum for first violation)                    | \$5,225.00        | \$5,141.00           |
| 65. | Evasion of motor carrier regulations (minimum for subsequent violations)              | \$2,612.00        | \$2,570.00           |
| 66. | Evasion of motor carrier regulations (maximum for subsequent)                         | \$7,837.00        | \$7,711.00           |
| 67. | Evasion of carrier or broker regulations (minimum for first violation)                | \$2,090.00        | \$2,056.00           |
| 68. | Evasion of carrier or broker regulations (minimum for subsequent)                     | \$5,225.00        | \$5,141.00           |

