



*Honorable Nathan Deal*  
Governor

## **Department of Public Safety**

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*Colonel Mark W. McDonough*  
Commissioner

### **ADMINISTRATIVE ORDER**

**WHEREAS:** Pursuant to O.C.G.A. § 40-1-8(b), the Commissioner shall have the authority to promulgate rules and regulations for the safe operation of motor carriers, the safe operation of commercial motor vehicles and drivers, and the safe transportation of hazardous materials consistent with the Constitution of the United States and of this State, the Official Code of Georgia Annotated and other laws of this State;

**WHEREAS:** Pursuant to O.C.G.A. § 40-1-8(c)(1), the adoption of rules and regulations governing the safe operations of motor carriers, commercial motor vehicles and drivers, and the safe transportation of hazardous materials are exempt from the procedural requirements of Chapter 13 of Title 50 of the Official Code of Georgia, the "Georgia Administrative Procedure Act;"

**WHEREAS:** The Commissioner of the Department of Public Safety may, through administrative order, by referencing compatible federal regulations or standards, adopt the rules and regulations described herein which shall be maintained on file by the Department of Public Safety and made available for inspection and copying by the public, by means including but not limited to posting on the department's Internet site;

**WHEREAS:** The Motor Carrier Compliance Division has completed a review of the Georgia Transportation Rule Book as a result of said review certain changes to the Georgia Transportation Rule Book are required;

ORDERED: Chapter 4, "Georgia Forest Products Trucking Rules," of the Transportation Rules of the Department of Public Safety 4-6, Inspection of Vehicles and Carriers, is amended as follows:

Paragraphs 7 and 8 are added to include enforcement of criminal and traffic laws on the public roadways of this state and any additional duties as defined in O.C.G.A. § 35-2-33;

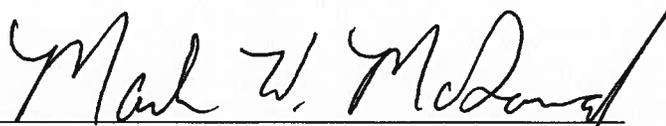
ORDERED: Chapter 6, "Georgia Forest Products Trucking Rules," of the Transportation Rules of the Department of Public Safety 4-7, Out of Service Criteria, is amended to read as follows:

"The North American Standard of Out-of-Service Criteria published (and as may be amended from time to time) by the Commercial Vehicle Safety Alliance shall be the uniform criteria for placing unsafe vehicles, intermodal equipment, cargo and carrier operations out of service unless specifically required otherwise by any applicable rule, regulation or law. The Out of Service Criteria applies Commercial Motor Vehicles as defined by 4-390.5";

ORDERED: Chapter 6, "Georgia Forest Products Trucking Rules," of the Transportation Rules of the Department of Public Safety 4-390.5 Definitions (for the purposes of the Forest Products Trucking Rules) [49 C.F.R. Part 390.5 as amended] is amended as follows:

The definition of "commercial motor vehicle" includes gross vehicle weight and gross combination weight.

SO ORDERED this 8<sup>TH</sup> day of DECEMBER, 2014.

  
Colonel Mark W. McDonough, Commissioner