

**GEORGIA DEPARTMENT OF PUBLIC SAFETY
TRANSPORTATION RULEBOOK
CHAPTER 4 – GEORGIA FOREST PRODUCTS TRUCKING RULES**

4-1 Background.

The Georgia Forest Products Trucking Rules are the minimum safety and operational rules promulgated by the Department for certain commercial motor vehicle operations engaged in the transportation of unmanufactured forest products. Prior to July 1, 1991, certain vehicles transporting these commodities were not subject to the safety jurisdiction of State Agencies. From 1991 – 2001, these rules were under the jurisdiction of the Georgia Public Service Commission; from 2001 – 2005, these rules were under the jurisdiction of the Georgia Department of Motor Vehicle Safety. After July 1, 2005 these rules are under the jurisdiction of the Georgia Department of Public Safety.

4-2 Purpose and Applicability.

(a) *Intrastate Transportation.* The Georgia Forest Products Trucking Rules apply to:

- (1) Private motor carriers that engage solely in the intrastate transportation of unmanufactured forest products as defined in 4-390.5; and/or
- (2) For-hire motor carriers that engage solely in the intrastate transportation of unmanufactured forest products as defined in 4-390.5.

NOTICE: For-hire motor carriers that engage in the for hire transportation of wood chips, shavings, bark, saw dust, or saw mill waste or other processed forest products and any motor carrier whether private or for-hire engaged in the transportation of any product not meeting the definition of “unmanufactured forest product” as defined in 4-390.5 must comply with the Department’s motor carrier safety rules found in Chapter 1, and are not subject to the Georgia Forest Products Trucking Rules.

(b) *Interstate Transportation.* Persons engaged in the interstate transportation of all property, including but not limited to forest products (both processed and unmanufactured), whether operating as a for hire or private motor carrier, are subject to the Federal Motor Carrier Safety Regulations. The Department has adopted the Federal Motor Carrier Safety Regulations (see Chapter 1 of the Department’s transportation rules). Accordingly, such operations are not subject to the Georgia Forest Products Trucking Rules, but are instead fully subject to Chapter 1.

(c) All references to the U.S. Department of Transportation except when used to designate approval of mechanical specifications shall be interpreted to mean the Georgia Department of Public Safety.

(d) Any reference in the regulations to the “Administrator, Federal Motor Carrier Safety Administration” shall be interpreted to mean the Georgia Commissioner of Public Safety, except insofar as the term relates to—

- (1) the issuance of exemptions from this chapter;
- (2) the issuance of medical waivers or skill performance exams; or
- (3) preemption.

(e) All references to “interstate” commerce found in the Federal Motor Carrier Safety Regulations shall be interpreted to include “intrastate” commerce. It is the intent of the Department that the regulations shall apply to intrastate carriers and their operations.

Note: Copies of the U.S. Department of Transportation’s Motor Carrier Safety Regulations may be obtained from the U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402 or may be found online at <http://www.fmcsa.dot.gov> .

4-3 Reports.

(a) All reports required by the safety regulations shall be sent to the Georgia Department of Public Safety, P.O. Box 1456, Atlanta, Georgia 30371, in addition to any copies required to be sent to any Federal Agency. Reports and forms may be submitted to the Department electronically as technology applications for such filings becomes available.

(b) The Department will accept forms prescribed by the U.S. Department of Transportation where required by the safety regulations.

4-4 Penalties.

(a) *Criminal penalty.* In addition to any other penalty imposed by law, violations of any provision of this chapter shall constitute a misdemeanor, pursuant to O.C.G.A. §40-1-8(h).

(b) *Civil penalty.* In addition to any other penalty imposed by law, violations of this chapter shall be subject to the provisions of O.C.G.A. §40-1-8(d), and Chapter 6 of this Rulebook.

4-5 Construction.

(a) Unless amended herein, the rules in this chapter numbered beyond 4-300 shall generally be the same as the rules contained in the Federal Motor Carrier Safety Regulations. Where reference is made to a federal rule number (e.g., "390.5") the compatible state rule shall be deemed to be "4-" preceded by DPS (which means Georgia Department of Public Safety) followed by the Federal rule number (e.g., "49 CFR §390.5" becomes "DPS 4-390.5").

(b) References on Department documents to a Federal rule by Federal Section number shall be construed as a valid cite of the Department's rules and regulations without listing the entire Department section reference (e.g., "390.5" equals "DPS 4-390.5").

4-6 Inspection of Vehicles and Carriers.

(a) In performance of the duties specified in O.C.G.A. §35-2-101, §40-1-8 and §40-1-23, certified law enforcement officers employed by the Department or designated by the commissioner shall:

- (1) Be authorized to carry firearms;
- (2) Exercise arrest powers;
- (3) Have the power to stop, enter upon, and inspect all motor vehicles using the public highways for purposes of determining whether such vehicles have complied with and are complying with laws, the administration or enforcement of which is the responsibility of the department;
- (4) Have the power to examine the facilities where motor vehicles are housed or maintained and the books and records of motor carriers for purposes of determining compliance with laws, the administration or enforcement of which is the responsibility of the department;
- (5) Perform regulatory compliance inspections of vehicles, drivers, cargo, packaging, records, books and/or supporting documents; and
- (6) Exercise the powers generally authorized for law enforcement officers in the performance of their duties or otherwise to the extent needed to protect any life or property when the circumstances demand action.
- (7) Enforce criminal and traffic laws on the public roadways of this state; and
- (8) Perform and additional duties defined in 35-2-33

(b) Certified law enforcement officers of the Department who are designated by the commissioner to perform Regulatory Compliance Inspections as outlined in O.C.G.A. 40-1-8, shall follow and adhere to procedures as outlined in the North American Standard Vehicle Inspection Procedures published by the Commercial Vehicle Safety Alliance related to the level of inspection being performed. All officers, agents and employees of a motor carrier shall comply with all reasonable and lawful request of officers in the performance of their official duties to include inspection of required registrations, inspection and examination of required records and operation of vehicle controls.

4-7. Out of Service Criteria.

The *North American Standard 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, drivers, 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.

Part 365
Rules Governing Applications for Operating Authority

4-365 Interstate Operating Authority.

Except as amended by the Department herein, the balance of Rule 4-365 is contained in Rules Governing Application for Operating Authority Regulations issued by the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, Title 49 CFR Part 365, and as amended.

4-365.1 Purpose and Scope.

Insofar as necessary to insure proper enforcement of Federal interstate operating authority regulations within this state, the Department adopts this Part in order to maintain compliance and compatibility with the Commercial Motor Carrier Safety Assistance Program. This Part is intended to apply only to interstate commerce except as provided for in Subpart F. Intrastate motor carriers shall comply with any applicable Operating Authority and Registration requirements contained in Title 40 O.C.G.A., including, but not limited to, §40-2-140 in addition to the requirements contained in 4-365.603.

Subpart F – Intrastate Registration and Authority**1-365.600 Scope of the rules of this part**

The rules in this subpart define the procedures for motor carriers, property brokers, and freight forwarders to register with the Department to obtain authority to operate in intrastate commerce.

1-365.601 Definitions

As used in this part, the following terms mean:

Commercial motor vehicle means any self-propelled or towed vehicle used on public highways in intrastate commerce to transport property when: the vehicle has a gross vehicle weight rating, gross vehicle weight, gross combination weight rating, gross combination weight of 26,000 pounds or more and is used solely in the intrastate transportation of unmanufactured forest products.

Commissioner means the Commissioner of the Department of Public Safety

Department means the Department of Public Safety

For Hire Intrastate Motor Carrier means an entity engaged in the transportation of goods or ten or more passengers for compensation wholly within the boundaries of this state.

Intrastate motor carrier means any self-propelled or towed motor vehicle operated by an entity that is used on a highway in intrastate commerce to transport passengers or property and operates a commercial motor vehicle as defined in 4-365.601

1-365.602 Applicability

- (a) The rules in Subpart F of this chapter are applicable to all employers, employees, and commercial motor vehicles, which transport property or passengers in intrastate commerce.
- (b) Exceptions. Unless otherwise specifically provided by State or Federal law, the rules in this subchapter do not apply to—
 - (1) Transportation performed by the Federal government, a State, or any political subdivision of a State, or an agency established under a compact between States that has been approved by the Congress of the United States;
 - (2) The occasional transportation of personal property by individuals not for compensation nor in the furtherance of a commercial enterprise;

4-365.603 Georgia Intrastate Motor Carrier Registration

Any intrastate motor carrier, leasing company leasing to a motor carrier, broker, or freight forwarder that engages in intrastate commerce and operates a commercial motor vehicle on or over any public highway of this state shall register with the Department unless such carrier is currently registered under the Unified Carrier Registration Program.

4-365.604 - Reserved

4-365.605 Duration of Registration

Any registration issued under this part shall be valid from January 1st through December 31st of each calendar year unless otherwise specified. The commissioner may, at his discretion, choose to suspend the registration of any motor carrier found to be operating in an unsafe or unfit condition including but not limited to:

- (1) Any carrier which receives a permanent rating of "Unsatisfactory" as the result of an investigation by the Department or by the Federal Motor Carrier Safety Administration;
- (2) Any carrier classified as an "Imminent Hazard" by the Department or the Federal Motor Carrier Safety Administration;
- (3) Any carrier subject to an Out of Service order by the Department or the Federal Motor Carrier Safety Administration whether for interstate commerce, intrastate commerce or both;
- (4) Any carrier whose authority is suspended or revoked under the provisions of the Georgia Motor Carrier Act of 2012 as outlined in OCGA Title 40 Chapter 1 Article 3 and subsequent rules established by the Department.

Part 382

Controlled Substances and Alcohol Use and Testing

(For Unmanufactured Forest Products)

(See Notes)

4-382 Controlled Substances and Alcohol Use and Testing.

Except as amended herein, the balance of Rule 4-382 is contained in Controlled Substance and Alcohol Use and Testing Regulations issued by the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, Title 49 CFR Part 382, and as amended.

No Amendments

NOTE: Balance of Part 382, except as amended herein, is contained in Department's Transportation Rules issued under Chapter 1.

Part 383

Commercial Driver's License Standards

(For Unmanufactured Forest Products)

(See Notes)

4-383 Motor Carrier Safety Regulations—Commercial Driver's License Standards.

Except as amended herein, the balance of Rule 4-383 is contained in Commercial Driver's License Regulations issued by the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, contained in Title 49 CFR Part 383, and as amended.

No Amendments

NOTE: Balance of Part 383, except as amended herein, is contained in Department's Transportation Rules issued under Chapter 1.

Part 390
Motor Carrier Safety Regulations—General
 (For unmanufactured Forest Products)

4-390 Motor Carrier Safety Regulations—General.

Except as amended herein, balance of Rule 4-390 is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 1-390.

4-390.3 General Exceptions.

(a) The applicability of the rules in this chapter (the Georgia Forest Products Trucking Rules) are provided for in Rule 4-2 and includes all forest products carriers, employers, employees, and commercial motor vehicles of entities described in said rule. Forest products carriers, drivers and vehicles subject to the Georgia Forest Products Trucking Rules are not required to comply with the following rules or regulations:

- (1) §391.11(b)(1)(relating to age), (b)(2) (relating to language ability, insofar as it applies to literacy), (b)(6) (relating to list of violations), (b)(8) (relating to road test), §391.21 (relating to application for employment), §391.23(a)(2) and §391.23(c) (relating to investigations and inquiries), §391.27 (relating to record of violations), §391.31, §391.33 (both relating to road test), §391.61 (relating to driver qualification files before 1/1/71), §391.63 (relating to multiple employer drivers), §391.65 (relating to drivers furnished by other motor carriers), and §391.67 (relating to certain types of motor vehicle drivers)
- (2) All of Part 395 - Hours of Service of Drivers; and
- (3) §§396.11, 396.13, 396.15, (all relating to daily inspection reports).

4-390.5 Definitions (for the purposes of the Forest Products Trucking Rules).

Balance of § 390.5 definitions, except as amended herein, are contained in DPS 1-390.5. The following definitions are hereby inserted in the appropriate alphabetical order: In this Subchapter:

Commercial motor vehicle means any self-propelled or towed vehicle used on public highways in intrastate commerce to transport property when: the vehicle has a gross vehicle weight rating, gross vehicle weight, gross combination weight rating, gross combination weight of 26,000 pounds or more and is used solely in the intrastate transportation of unmanufactured forest products.

Forest products carrier means a for-hire motor carrier or private motor carrier that engages in the transportation of unmanufactured forest products solely in intrastate commerce. The term includes a motor carrier's agents, officers and representatives as well as employees responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. For purposes of this part, this definition includes the terms "employer".

Unmanufactured Forest Products means unmachined logs, unmachined posts or poles, pulpwood, wood chips, bark, saw-mill waste, shavings, stumps and pine-straw. The term unmanufactured forest products does not include the for-hire transportation of wood chips, bark, saw-mill waste, or shavings. In addition, the term unmanufactured forest product shall not include the for-hire or private transportation of logs or debris by a motor carrier whose primary business is tree removal in conjunction with, but not limited to, residential landscaping, commercial landscaping or utility right-of-way clearing or maintenance.

4-390.21 Marking of CMVs Used to Transport Unmanufactured Forest Products and Motor Carrier Identification Numbers.

(a) *General.* Every Forest Products Carrier shall obtain a motor carrier identification number (USDOT number) in accordance with Rule 1-390.19. Forest products carriers shall periodically update their FMCSA registrations in accordance with the same schedule as interstate motor carriers as provided for in paragraph (b) of Rule 390.19 .

(b) *Nature of marking.* Every self-propelled commercial motor vehicle used to transport unmanufactured forest products shall be marked with the carrier's name and USDOT number in accordance with Rule 1-390.21 and O.C.G.A. 40-1-8(b)(4).

(c) *Failure to report.* Failure by a forest products carrier to register with the FMCSA, pursuant to the provisions of Rule 1-390.19, or furnishing misleading information or making false statements upon the registration shall subject the offender to civil and/or criminal penalties as provided for by law.

Part 391
Qualifications Of Drivers
 (For Unmanufactured Forest Products)
 (See Notes)

4-391 Motor Carrier Safety Regulations—Qualifications of Drivers.

Except as amended herein, Balance of Rule 4-391, is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 1-391.

4-391.51 Driver Records.

(a) Every forest products carrier shall maintain driver records for each driver it employs. The records shall include at least the following information:

- (1) A current copy of the driver's commercial driver's license;
- (2) A copy of the response of each State agency to the driver record inquiry required by §391.23(a)(1), and §391.25;
- (3) The medical examiner's certificate of his or her physical qualification to drive a commercial motor vehicle or a legible photographic copy of the certificate; and
- (4) The letter granting a waiver of a physical disqualification, if a waiver has been issued under section 391.49, or evidence of a waiver or exemption issued pursuant to O.C.G.A. §40-5-147(e).

Note: The following rules do not apply to drivers operating vehicles engaged in the intrastate transportation of unmanufactured forest products (as defined in §390.5 of this rule):

- §391.11(b)(1)(relating to age),
- §391.11(b)(2) (insofar as it applies to literacy)
- §391.11(b)(6) (relating to list of violations),
- §391.11(b)(8) (relating to road test),
- §391.21 (relating to application for employment),
- §391.23(a)(2) and §391.23(c) (relating to investigations and inquires),
- §391.27 (relating to records of violations),
- §391.31 and §391.33 (both relating to road test),
- §391.61 (relating to driver qualification files before 1/1/71),
- §391.63 (relating to multiple employer drivers),
- §391.65 (relating to drivers furnished by other motor carriers), and
- §391.67 (relating to certain types of motor vehicle drivers)

4-391.75 Age of Drivers Transporting Unmanufactured Forest Products.

Every driver who operates a commercial motor vehicle used in the transportation of unmanufactured forest products in intrastate commerce shall be at least 18 years of age.

NOTE: Balance of Part 391, except as amended herein, is contained in Department's Motor Carrier Safety Regulations issued under Chapter 1.

Part 392
Driving Of Motor Vehicles
(For Unmanufactured Forest Products)
(See Note)

4-392 Motor Carrier Safety Regulations—Driving of Motor Vehicles.

Except as amended herein, Balance of Rule 4-392, is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 1-392.

No Amendments

NOTE: Balance of Part 392, except as amended herein, is contained in Department's Motor Carrier Safety Regulations issued under Chapter 1.

Part 393
Motor Carrier Safety Regulations - Parts And Accessories Necessary For Safe Operation

(For Unmanufactured Forest Products)
(See Notes)

4-393 Motor Carrier Safety Regulations—Parts and Accessories Necessary for Safe Operation.

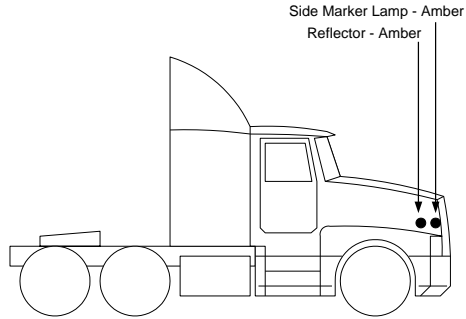
Except as amended herein, Balance of Rule 4-393, is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 1-393.

Subpart B - Lighting Devices, Reflectors, and Electrical Equipment.

4-393.11 Lighting Devices and Reflectors.

(a) Every commercial motor vehicle shall be equipped with operable and serviceable lamps, reflectors, and conspicuity markings of the types and in the quantities as specified in the following illustrations. The locations of the lamps, reflectors, and conspicuity markings shall be as close as reasonably practical to the locations specified in the following illustrations:

- Illustration 1: Truck-Tractors
- Illustration 2: Straight Trucks or Truck-Tractors
- Illustration 3: Truck-Tractors
- Illustration 4: Straight Trucks
- Illustration 5: Straight Trucks
- Illustration 6: Van, Chip, Straw, or Similar Trailers
- Illustration 7: Van, Chip, Straw, or Similar Trailers
- Illustration 8: Van, Chip, Straw, or Similar Trailers
- Illustration 9: Flatbeds, Log Trailers, and Loader Trailers
- Illustration 10: Loaded Log Trailers (including extended loads)
- Illustration 11: Loaded Log Trailers (including extended loads)



NOTE:

1. The reflectors may be combined with the Side Marker Lamp lens, provided the lenses are constructed of reflective material.

Illustration 1

Side View: Truck Tractor

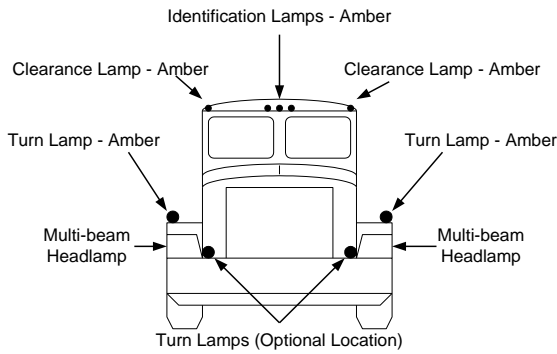
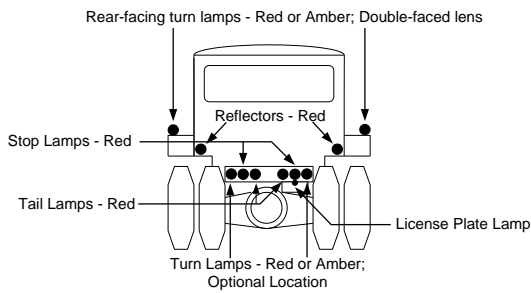


Illustration 2

Front View: Truck or Truck-Tractor

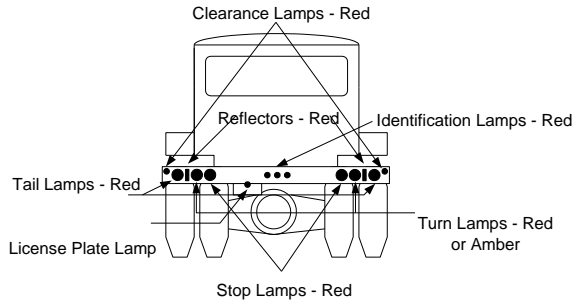


NOTES:

1. The use of double-faced Turn Lamps is authorized to meet the requirements for both front and rear, provided the Lamps are visible from the front and rear of the vehicle.
2. Lower mounted Stop, Tail, and Turn Lamps may be combined into one lamp housing, using multifilament/multifunction bulbs; the Stop and Turn Functions must be brighter than the Tail Lamp Function (See 49 CFR §393.22)
3. A License Plate Lamp is not required if the License Plate is mounted on the front of the vehicle.
4. Rear-facing Amber turn lamps must NOT be combined with Stop or Tail Lamps.
5. The use of amber stop or tail lamps is prohibited.

Illustration 3

Rear View: Truck-Tractor

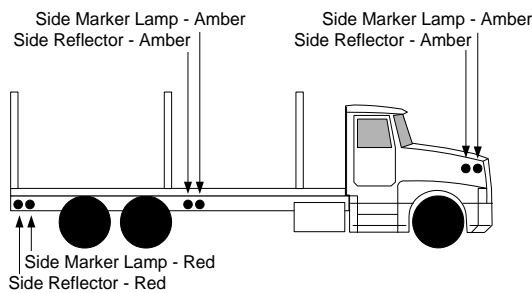


NOTES:

1. Stop, Tail and Turn Lamps may be combined into one housing using multifilament/multifunction type bulbs; the Stop and Turn Function must be brighter than the Tail lamp (See 49 CFR §393.22).
2. The reflectors may be combined with a Stop, Tail, Turn or Clearance lamp, provided the lens is constructed of reflective material.
3. Clearance lamps or the Tail Lamps must be positioned so as to indicate the extreme width of the vehicle; Clearance Lamps are not required if the Tail Lamps also accomplish this purpose.
4. A Projecting Load Lamp shall be required if the load extends four feet or more beyond the rear-most part of the body or frame.
5. The lighting configuration of this illustration applies to all straight pulpwood trucks, straight log trucks, self-propelled loaders, and straight forestry vehicles with a Gross Vehicle Weight of 44,000 or more pounds.
6. Rear-facing Amber turn lamps must NOT be combined with Stop or Tail Lamps.
7. The use of amber stop or tail lamps is prohibited.

Illustration 4

Rear View: Straight Truck

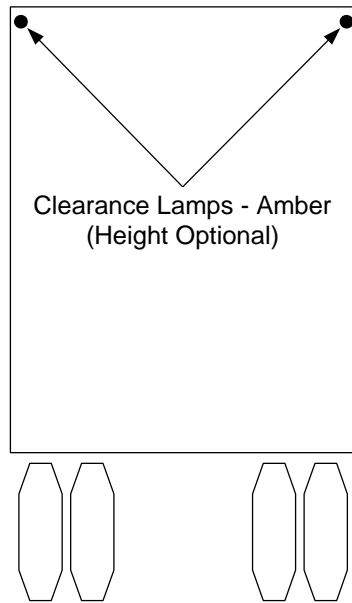


NOTES:

1. Side Marker lamps and Side Reflectors at or near the center are required only if the overall vehicle length exceeds 30 feet.
2. Reflectors may be combined with Side Marker lamp, provided the lens is constructed of reflective material.
3. The lighting configuration of this illustration applies to all straight pulpwood trucks, straight log trucks, self-propelled loaders, and straight forestry vehicles with a Gross Vehicle Weight of 44,000 or more pounds.
4. A Projecting Load Lamp shall be required if the load extends four feet or more beyond the rear-most part of the body or frame.

Illustration 5

Side View: Straight Truck

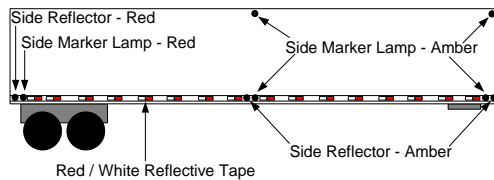


NOTES:

1. Clearance Lamps may be positioned either at the top or bottom of the trailer body.
2. Front Clearance Lamps may be combined with Side Marker Lamps if lamps are mounted on angular corners and are visible from both the front and side of the trailer.

Illustration 6

Front View: Van, Chip, Straw, or Similar Trailer

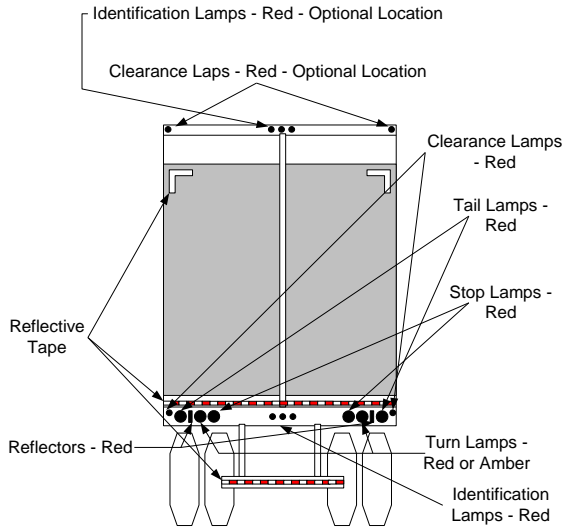


NOTES:

1. Front and Center Side Marker Lamps may be placed at either the top or bottom of the trailer body.
2. Front Side Marker Lamps may be combined with Clearance Lamps if lamps are mounted on angular corners and are visible from both the front and side of the trailer.
3. Reflectors may be combined with lower mounted Side Marker Lamp lenses, provided the lenses are constructed of a reflective material.
4. Reflective Tape must be mounted between 15" and 60" above ground. The total length of Reflective Tape must be not less than 1/2 the length of the trailer
(i.e. 40-foot trailer = 20 feet of tape;
48 foot trailer = 24 feet of tape;
53 foot trailer = 26.5 feet of tape)

Illustration 7

Side View: Van, Chip, Straw, or Similar Trailer



NOTES:

1. Stop, Tail, and Turn Lamps may be combined into one housing using a multifilament type bulb; the Stop and Turn functions must be brighter than the Tail lamp (See §393.22).
2. The Red Reflectors may be combined with a Stop, Tail, Turn, or Clearance Lamp, provided the lenses are constructed of a reflective material.
3. Identification Lamps may be positioned at either the top or bottom of the trailer body.
4. Clearance lamps may be positioned at either the top or bottom of the trailer body. Clearance Lamps are not required if the Tail Lamps are positioned to indicate the extreme width of the body.
5. Reflective tape shall consist of two white "L" shaped pieces at or near the top of the rear, and two red and white alternating strips, 1 across the full width of the trailer near the bottom of the doors or top of the frame, and a second piece across the full width of the bumper.
6. Rear-facing Amber turn lamps must NOT be combined with Stop or Tail Lamps.
7. The use of amber stop or tail lamps is prohibited.

Illustration 8

Rear View: Van, Chip, Straw, or Similar Trailer

NOTES:

1. Reflectors may be combined with side marker lamp lenses, provided the lenses are constructed of reflective material.
2. The sides of flat-bed, low-boy, and loader-type trailers shall be equipped with the same type, number, and location of lighting and reflectors as indicated in this illustration. Any load which extends beyond the rear-most part of the body or frame by four feet (4') or more shall also be required to display a Projecting Load Lamp as described in §393.11PL, and flag or flags as described in §393.87.
3. Center side reflectors must be not less than 4 inches in diameter.
4. Reflective Tape must be mounted between 15" and 60" above ground. The total length of Reflective Tape must be not less than 1/2 the length of the trailer (i.e. 40-foot trailer = 20 feet of tape; 48 foot trailer = 24 feet of tape; 53 foot trailer = 26.5 feet of tape)

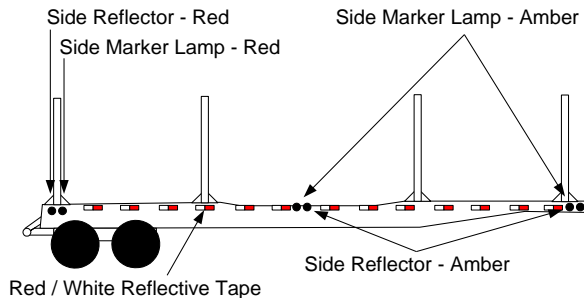
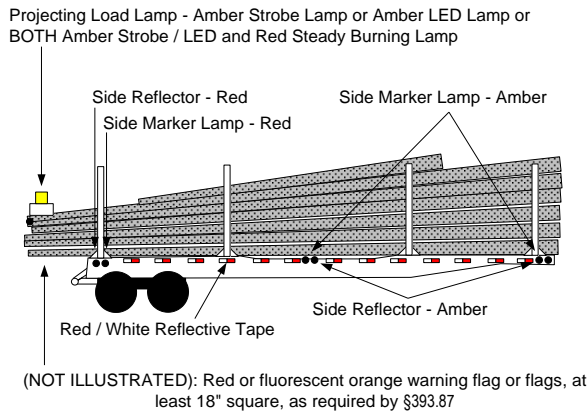


Illustration 9

Side View: Log Trailer, Flatbed, Loader, etc.

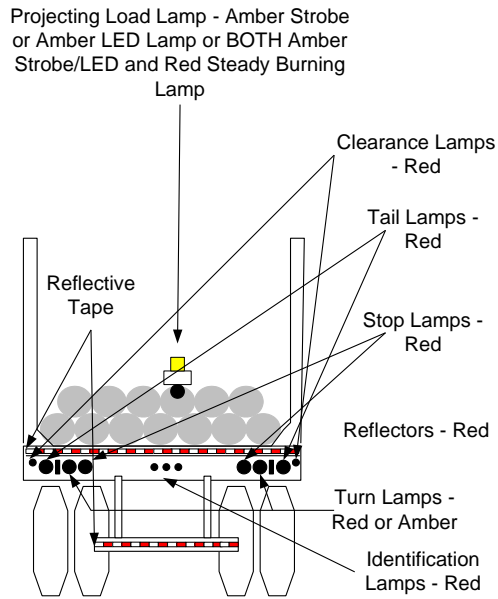


NOTES:

1. Reflectors may be combined with Side Marker Lamp lenses, provided lenses are constructed of reflective materials.
2. Projecting Load Lamp MUST be visible from BOTH the SIDES and REAR of the trailer. Projecting load lamps must be used when the load extends four feet (4') or more beyond the body or frame. At any time, day or night, projecting loads must use:
 - a. A strobe or LED lamp, amber in color, visible to both sides and the rear;
 - b. A flag or flags as described in §393.87, and may use:
 - c. A steady burning red lamp, visible to both sides and the rear. (NOTE: Steady burning red lamp not required intrastate if amber strobe or LED lamp is present and operating properly)
3. Center side reflectors must be not less than 4 inches in diameter.
4. Reflective Tape must be mounted between 15" and 60" above ground. The total length of Reflective Tape must be not less than 1/2 the length of the trailer (i.e. 40-foot trailer = 20 feet of tape; 48 foot trailer = 24 feet of tape; 53 foot trailer = 26.5 feet of tape)

Illustration 10

Side View: Log Trailer, Flatbed, Loader, etc.



(NOT ILLUSTRATED): Red or fluorescent orange warning flag or flags, at least 18" square, as required by §393.87

NOTES:

1. Stop, Tail, and Turn Lamps may be combined into one housing using a multifilament type bulb; the Stop and Turn functions must be brighter than the Tail lamp (See §393.22).
2. The Red Reflectors may be combined with a Stop, Tail, Turn, or Clearance Lamp, provided the lenses are constructed of a reflective material.
3. Clearance Lamps or Tail Lamps must be mounted so as to indicate the extreme width of the trailer.
4. The rear of a Pulpwood (short-wood) trailer shall be equipped with the same type and location of lighting and reflectors as a long-wood type trailer, except that a Projecting Load Lamp is not required under ordinary circumstances.
5. The rear of flat-bed, low-boy, and loader trailers shall be equipped with the same type and number of lights and reflectors as indicated in this illustration.
6. Projecting Load Lamp MUST be visible from BOTH the SIDES and REAR of the trailer. Projecting load lamps must be used when the load extends four feet (4') or more beyond the body or frame. At any time, day or night, projecting loads must use:
 - a. A strobe or LED lamp, amber in color, visible to both sides and the rear;
 - b. A flag or flags as described in §393.87, and may use:
 - c. A steady burning red lamp, visible to both sides and the rear. (NOTE: Steady burning red lamp not required intrastate if amber strobe or LED lamp is present and operating properly)
7. Reflective tape shall consist of two red and white alternating strips, one across the full width of the trailer near the top of the frame, and a second piece across the full width of the bumper.
8. Rear-facing Amber turn lamps must NOT be combined with Stop or Tail Lamps.
9. The use of amber stop or tail lamps is prohibited.

Illustration 11

Side View: Log Trailer, Flatbed, Loader, etc.

(b) Trailers shall be equipped with conspicuity systems (red and white reflective tape and/or reflectors) as described the above illustrations. Conspicuity systems shall meet the applicable requirements of Federal Motor Vehicle Safety Standard 108 (49 CFR §571.108).

(c) *Prohibition on the use of amber stop lamps and tail lamps.* No commercial motor vehicle may be equipped with an amber stop lamp, a tail lamp, or other lamp which is optically combined with an amber stop lamp or tail lamp.

4-393.11PL Strobe Lamp or Light-emitting Diode (LED) Lamp on the Rear of Projecting Loads.

(a) Motor vehicles transporting loads which extend more than 4 feet beyond the body or bed of such vehicle, shall have securely affixed as close as practical to the end of such projections one amber strobe type lamp or amber LED lamp equipped with a multi-directional type lens so mounted as to be visible from the rear and sides of the projecting load. If the mounting of one strobe lamp or LED lamp cannot be accomplished so as to be visible from both sides and the rear of the projecting load, multiple strobe lamps or LED lamps shall be utilized so as to meet the visibility requirements.

(b) The strobe lamp or LED lamp shall flash a rate of at least 60 flashes per minute and shall be plainly visible from a distance of at least 500 feet to the sides and rear of the projecting load any time of the day or night. The lamp shall be operating at any time of the day or night when the vehicle is operated on any highway or parked on the shoulder or immediately adjacent to the traveled portion of any public roadway.

(c) The use of red marker lamps on projecting loads as enumerated in O.C.G.A. §40-8-27, being transported on vehicles under the jurisdiction of the Department, are not required if a strobe lamp or LED lamp is utilized as required by this rule.

(d) The projecting load shall also be marked with flag(s) as required by DPS Rule 1-393.87 and O.C.G.A. 40-8-27. The flag(s) required by this paragraph shall be a bright red or orange fluorescent color and shall be not less than 18 inches square. The required flag or flags shall be positioned as follows;

(1) if the load is 2 feet wide or less, there shall be a single flag at the extreme rear of the projecting load;

(2) if the load is wider than 2 feet, 2 warning flags shall be placed as far to the rear of the projecting load as practicable to indicate the overall width of the projecting load.

(e) In addition to the requirements of this Section and §4-393.11 above, motor vehicles transporting projecting loads in interstate commerce are required to comply with the Federal Motor Carrier Safety Regulations.

Subpart H-Emergency Equipment**4-393.95(g)(2) Additional restrictions on the use of flame-producing devices**

(2) *Additional restrictions on the use of flame-producing devices.* No vehicle transporting unmanufactured forest products may be equipped with or use any flame-producing stopped vehicle warning devices, including, but not limited to, liquid-burning flares, fuses, oil lanterns.

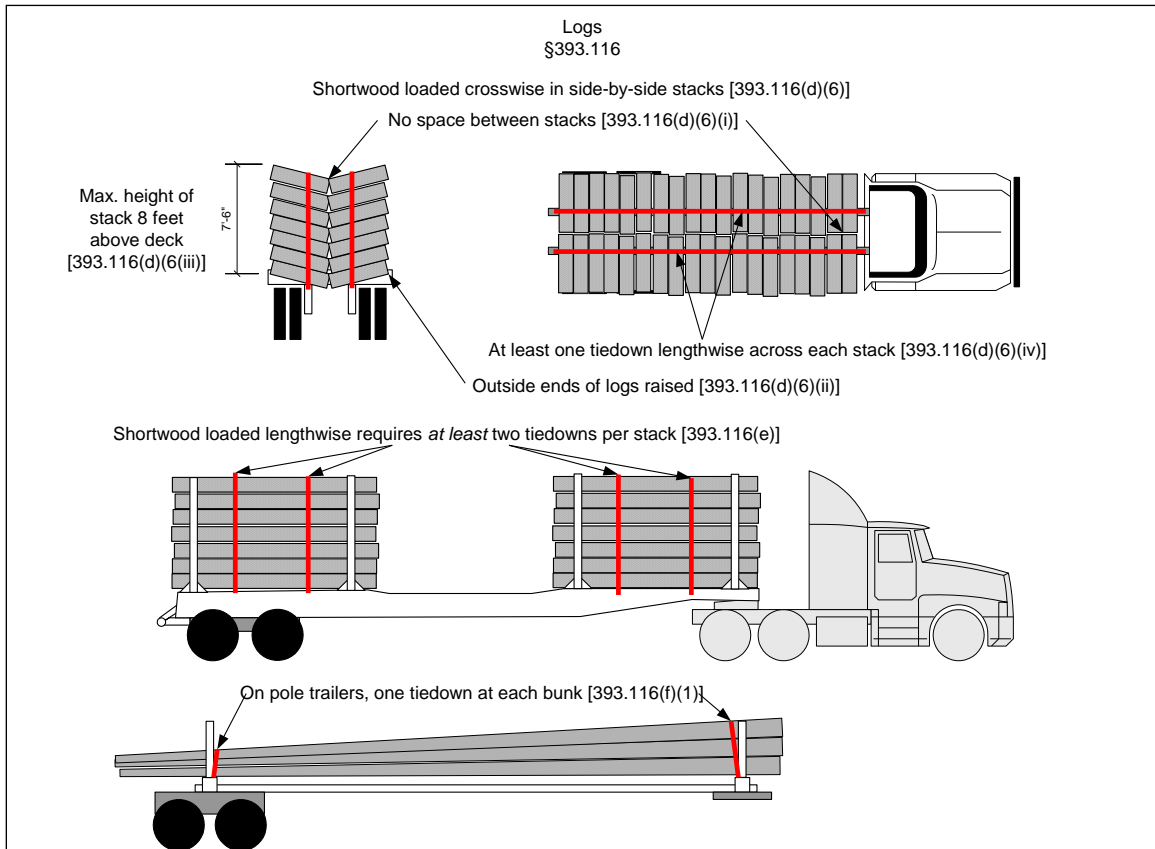
4-393.100(e) What occupant protection is required for drivers?

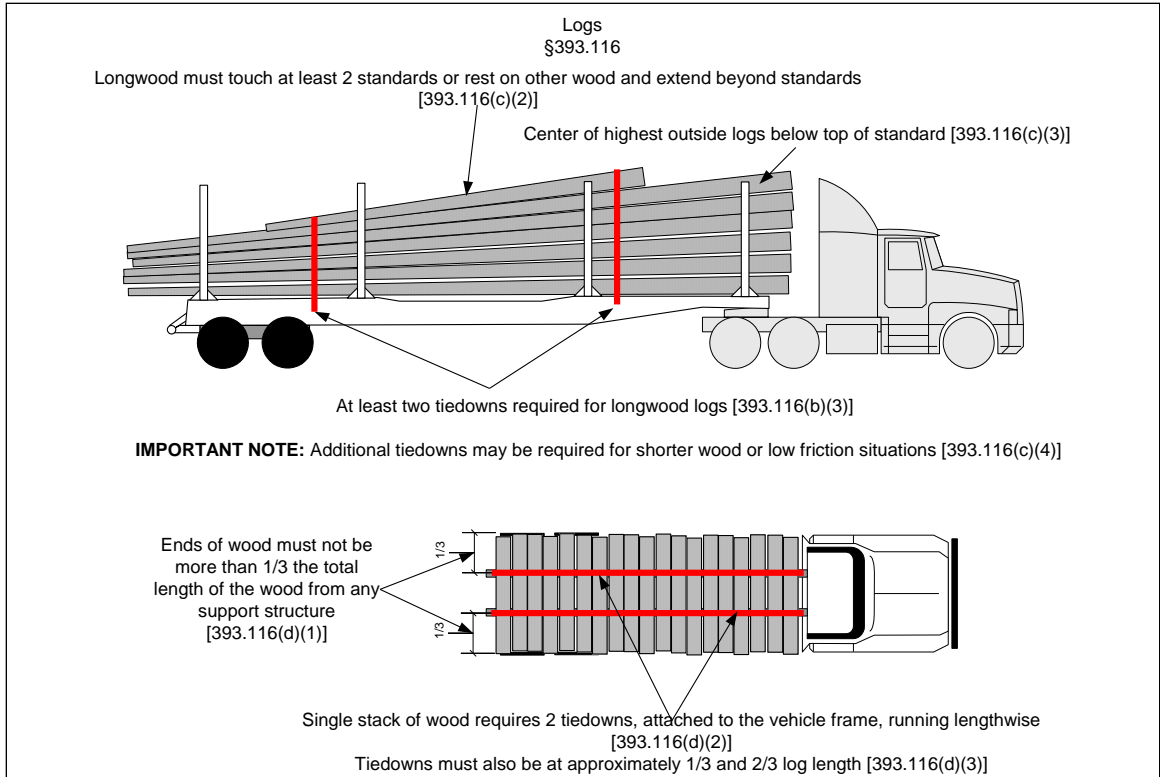
(e) *Occupant protection for drivers transporting log, poles, posts, beams, or articles of cargo of similar shape.* In addition to any other requirements of this subpart, vehicles operated in this state while transporting loads of logs, poles, posts, beams, or articles of cargo of similar shape shall be equipped with an occupant protection device (commonly known as a headache rack, header board, header rack, or front end structure) firmly mounted between the cargo and the driver. Such device shall be intended to protect the driver from the forward shifting of such loads in the event of rapid deceleration of the vehicle. The device may be mounted to the frame of the power unit or trailer, shall be installed and maintained in a workmanlike manner, and shall be free of cracks or breaks. The size, strength, and penetration resistance of such occupant protection device shall be the same as described in §393.114. An equivalent device (such as a trailer drop deck or similar device) may substitute for an occupant protection device provided the level of protect is equal to or greater than that provided by this section.

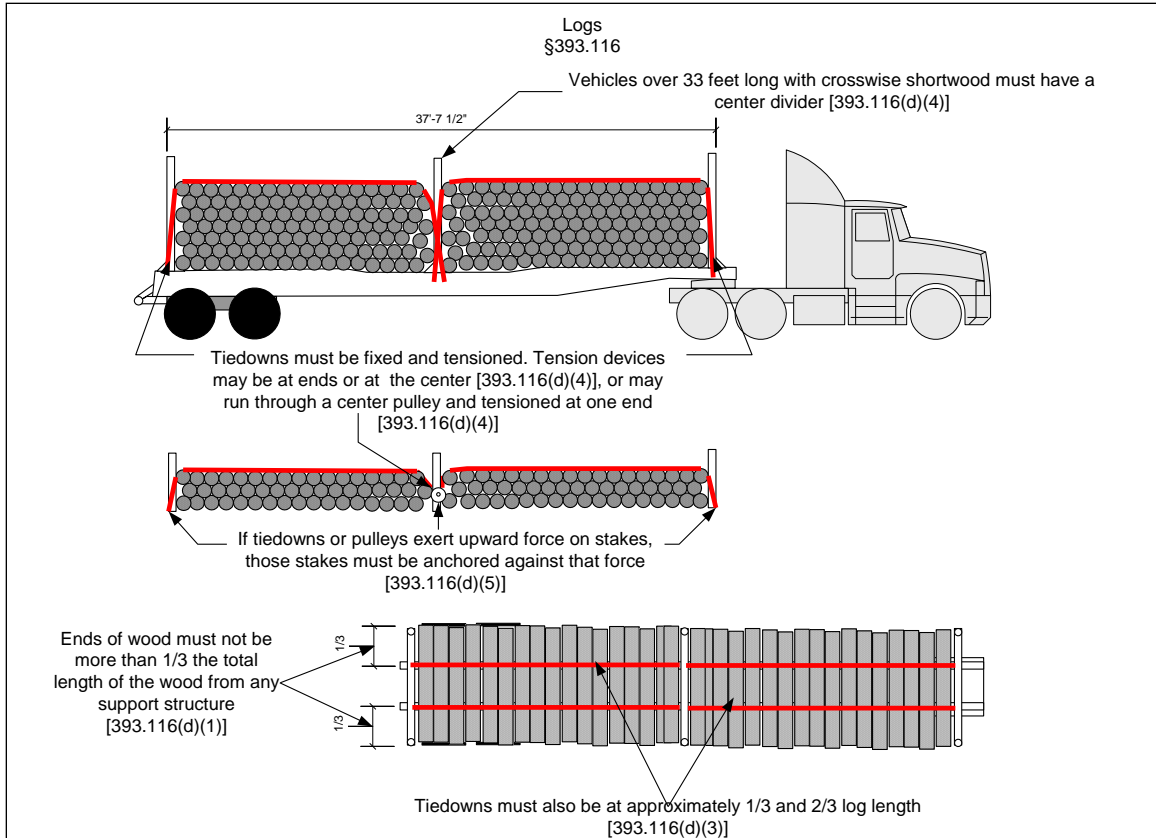
4-393.116(h) Strength and Positioning of Tiedowns.

(h) Strength and positioning of tiedowns.

- (1) Longwood (commonly known as tree-length wood) loaded lengthwise (as described in paragraphs (b)(3) and (f) of this section) shall be secured to the vehicle with two or more tiedowns, spread out and positioned along the length of the load to provide effective securement. The tiedowns must encircle the top of the load and must be attached to the frame or bunk of the vehicle at each end providing downward pull on the load. When two tiedowns are used, each tiedown and tensioning device shall be equal or greater in working load limit (WLL) strength to that of 4" synthetic webbing as described in §393.108 and the aggregate WLL strength of all the tiedown assemblies shall be equal to at least one-sixth the weight of the load of logs.
- (2) Double-bunked wood loaded lengthwise (shortwood or longwood) shall be secured to the vehicle with two or more tiedowns per section. The tiedowns shall be spread out and placed near the ends of the section or near the standards to provide effective securement. The tiedowns must encircle the top of the load and must be attached to the frame or bunk of the vehicle at each end providing downward pull on the load. When two tiedowns are used, each tiedown and tensioning device shall be equal or greater in WLL strength to that of 3" synthetic webbing as described in §393.108 and the aggregate WLL strength of the tiedown assemblies shall be equal to at least one-sixth the weight of the section of logs.





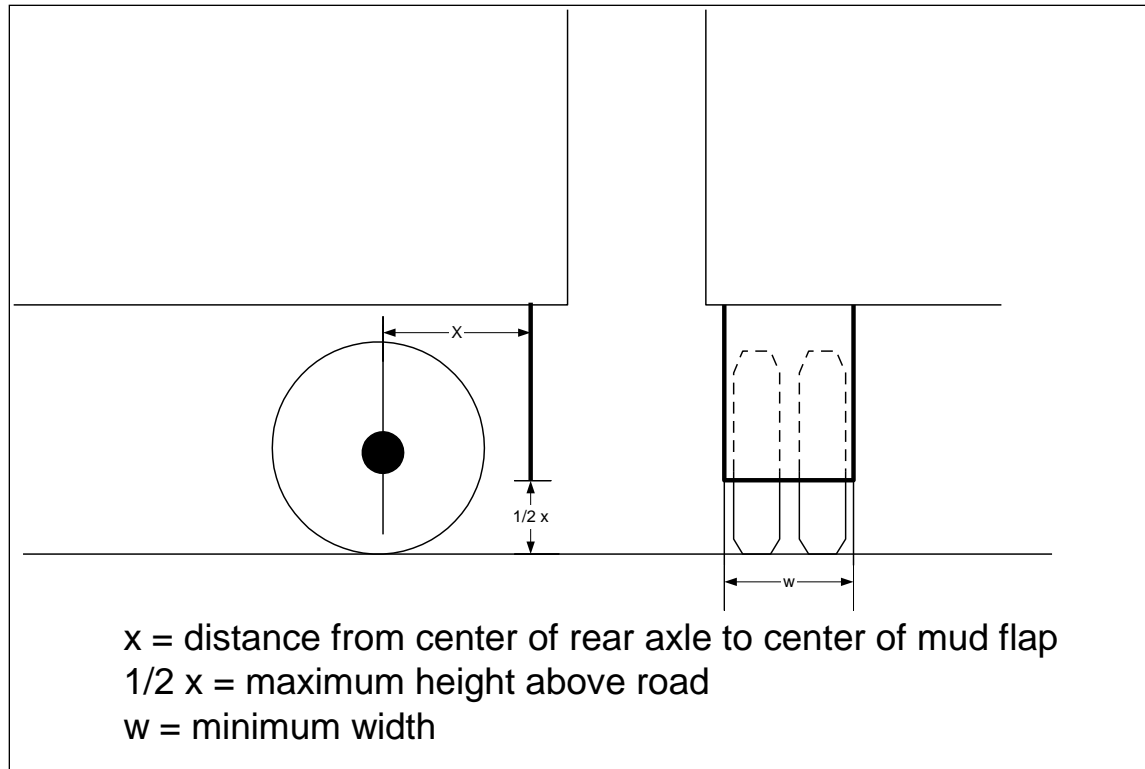


4-393.117 What are the requirements for securing sawdust, wood chips, bark, shavings, saw-mill waste, or pine straw?

Each load of sawdust, wood chips, bark, shavings, saw-mill waste, or pine straw carried in open top trailers must be secured on the top with a tarpaulin or similar cover, which must prevent the loss of cargo in normal transportation. Tarpaulins alone may not be used for side securement, but may be used to supplement other side securement. Furthermore, such loads must meet the applicable general cargo securement rules of §§ 393.100 through 393.114.

4-393.220 Tire Covers (wheel flaps; mud flaps).

Every bus, truck, trailer, semi-trailer, and pole trailer, shall be equipped with suitable metal protectors or substantial flexible flaps on the rearmost wheels to prevent, as far as practicable, such wheels from throwing dirt, gravel, rocks, water or other materials on the windshields of following vehicles. Such protectors or flaps shall have a ground clearance of not more than one-half the distance from the center of the rearmost axle to the center of the protector or flap under any conditions of loading of the vehicle and shall be at least as wide as the tire or tires they are covering; provided, however, that if any such bus, truck, trailer, semi-trailer, and pole trailer is so designed and constructed that the foregoing requirements are accomplished by means of fenders, body construction, or other enclosures, then no such protectors or flaps shall be required. (See O.C.G.A. §40-8-75)



NOTE: Balance of Part 393, except as amended herein, is contained in Department's Motor Carrier Safety Regulations issued under Chapter 1.

Part 395

Hours Of Service

(For Unmanufactured Forest Products)

(See Note)

4-395 Motor Carrier Safety Regulations—Hours of Service.

Except as amended herein, Balance of Rule 4-395, is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 4-395.

4-395.1 Applicability.

Part 395 does not apply to vehicles and drivers engaged solely in the intrastate transportation of unmanufactured forest products.

NOTE: For regulations on commercial motor vehicle drivers operating CMVs transporting other than unmanufactured forest products, see Chapter 1 of the Department's Transportation Rules.

Part 396
Inspection, Repair, And Maintenance
(For Unmanufactured Forest Products)
(See Notes)

4-396 Motor Carrier Safety Regulations—Inspection, Repair, and Maintenance.

Except as amended herein, Balance of Rule 4-396, is contained in the Motor Carrier Safety Regulations of the Department contained in Rule 1-396.

Note: The following rules do not apply to vehicles engaged solely in the intrastate transportation of unmanufactured forest products (as defined in 4-390.5 of this subchapter): §396.11, §396.13, and §396.15, (all relating to daily inspection reports).

NOTE: Balance of Part 396, except as amended herein, is contained in the Department's Motor Carrier Safety Regulations issued under Chapter 1.

NOTE: For regulations on commercial motor vehicles transporting other than unmanufactured forest products, see Chapter 1 of the Department's Transportation Rules.

4-396.9 Inspection of Motor Vehicles in Operation.

(a) (1) *Personnel authorized to perform inspections.* Every Law Enforcement Officer of the Department or other persons designated by the Department are authorized to stop, enter upon, and perform inspections of motor carrier's vehicles in operation and intermodal equipment in operation; said personnel are further authorized to examine vehicles, including, but not limited to, cargo and compartments where cargo or equipment and supplies may be carried, driver's compartments and sleeper berths, and to examine documents normally carried onboard such vehicles, including but not limited to, driver qualification and training documents, driver's licenses, records of duty status, hours of service records, inspection reports, shipping documents, receipts, leases, permits, vehicle registrations, and insurance documents. This authority extends to all stations, garages, offices, vehicles and their compartments, and all records kept or required to be kept.

(2) Certified law enforcement officers of the Department who are designated by the commissioner to perform Regulatory Compliance Inspections as outlined in O.C.G.A. 40-1-8, shall follow and adhere to procedures as outlined in the North American Standard Vehicle Inspection Procedures published by the Commercial Vehicle Safety Alliance related to the level of inspection being performed. All officers, agents and employees of a motor carrier shall comply with all reasonable and lawful request of officers in the performance of their official duties to include inspection of required registrations, inspection and examination of required records and operation of vehicle controls.

(b) *Prescribed inspection report.* The Driver Vehicle Inspection Report shall be used to record results of motor vehicle inspections and intermodal equipment inspections conducted by authorized personnel. In addition to or in place of written documents, inspections may be recorded in electronic form.

(c) *Motor vehicles, intermodal equipment, drivers, and cargo declared "out of service."*

(1) The Department has established the *North American Standard Out-of-Service Criteria* published (and as may be amended from time to time) by the Commercial Vehicle Safety Alliance as the uniform "out of service" criteria for placing unsafe vehicles, intermodal equipment, drivers, and cargo out of service. An "out of service" sticker shall be used to mark vehicles and intermodal equipment out of service. Authorized personnel shall declare and mark "out of service" any vehicle or intermodal equipment which by reason of its mechanical conditions or loading would likely cause an accident or breakdown. Authorized personnel are further authorized to declare "out of service" any driver who violates or any motor carrier operation found to be in

violation of an out of service order or that otherwise fails to comply with "out of service" criteria established pursuant to Parts 107, 130, 171-185, 365, 382, 383, 385, 386, 387, and 390-397.

(2) No motor carrier shall require or permit any person to operate any vehicle or intermodal equipment declared and marked "out of service" until all repairs required by the "out of service" notice have been satisfactorily completed. No driver declared "out of service" pursuant to criteria established under this section shall drive a vehicle, until the condition that caused the "out of service" action has been remedied and the conditions set forth in the "out of service" notice have been met. No cargo declared "out of service" pursuant to criteria established under this section shall be moved until the condition that caused the "out of service" action has been remedied and the conditions set forth in the "out of service" notice have been met. The term "operate" as used in this section shall include towing the vehicle, except that vehicles marked "out of service" may be towed away by means of a vehicle using a crane or hoist (commonly referred to as a wrecker). A vehicle combination consisting of an emergency towing vehicle and an "out of service" vehicle shall not be operated unless such combination meets the performance requirements of this Chapter except for those conditions noted on the Driver Vehicle Inspection Report. Hazardous materials cargo declared "out of service" may be allowed to be moved to the nearest facility with equipment and personnel capable of handling such materials.

(3) No person shall remove the "out of service" vehicle sticker from any motor vehicle prior to completion of all repairs required by the "out of service" notice.

(4) A motor carrier found to be operating after the motor carrier's operations have been declared out of service shall not continue on the current trip until conditions set forth by the Federal Motor Carrier Safety Administration are met.

(5) Violations or defects noted on the Driver Vehicle Inspection Report which do not render the driver, vehicle, intermodal equipment, or cargo "out of service" shall be repaired or corrected as soon as possible, but in any case before the vehicle, intermodal equipment, driver, or cargo is dispatched or sent on another trip.

(d) Motor Carrier or intermodal equipment provider disposition.

(1) The driver of any vehicle, including a driver transporting intermodal equipment, receiving an inspection report shall deliver it to both the motor carrier operating the vehicle and the intermodal equipment provider upon his or her arrival at the next terminal or facility. If the driver is not scheduled to arrive at a terminal or facility of the motor carrier operating the vehicle or at a facility of the intermodal equipment provider within 24 hours, the driver shall immediately mail, fax, or otherwise transmit the report to the motor carrier and intermodal equipment provider.

(2) Motor carriers and intermodal equipment providers shall examine the report. Violations or defects noted thereon shall be corrected. Repairs of items of vehicles or intermodal equipment placed out-of-service are also to be documented in the maintenance records for such equipment. (3) Within 15 days following the date of the inspection, the motor carrier or intermodal equipment provider shall—

(i) Certify that all violations noted have been corrected by completing the "Signature of Carrier/Intermodal Equipment Provider Official, Title and "Date Signed" portions of the form;

(ii) When applicable, have the repairer complete the "Signature of Repairer," "Facility," and "Date" portions of the report; and

(iii) Return the completed inspection form to the Department at the address indicated on the report and retain a copy at the motor carrier's principal place of business, at the intermodal equipment provider's principal place of business, or where the vehicle is housed for 12 months from the date of the inspection.

(e) *Penalties.* Violation of an "out of service" order, or false, fraudulent, or misleading statements regarding correction of the driver, vehicle, intermodal equipment, or cargo defects may subject the driver, carrier, intermodal equipment provider, and repairer, to civil and criminal penalties as provided by law.

