17 NYCRR Part 820

Section 820.0. Applicability

In addition to the applicable requirements of the New York State Vehicle and Traffic Law and the regulations of the New York State Department of Motor Vehicles, the following definitions, rules and regulations are applicable to motor carriers and drivers operating in this State pursuant to or requiring registration or operating authority for the transportation of passengers or property including hazardous materials for the United States Department of Transportation or the commissioner and other motor vehicles operated for the commercial transportation of passengers or property

Section 820.1. General applicability and definitions.

(a) The Commissioner of Transportation adopts Part 390 of Title 49 of the Code of Federal Regulations (CFR) with the same force and effect as though herein fully set forth at length for those motor carriers operating commercial motor vehicles in commerce.

(b) Commerce. The term commerce shall mean trade, traffic, commerce or transportation within the jurisdiction of New York State which affects trade, traffic, commerce or transportation within the State.

(c) Commercial motor vehicle. For the purposes of this Part, excepting section 820.2, wherever in the provisions of Title 49 CFR, herein adopted, reference is made to commercial motor vehicle such reference shall mean any self-propelled or towed motor vehicle used on a highway in commerce to transport passengers or property when the vehicle:

(1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight of 4,537 kg (10,001 lbs.) or more, whichever is greater; or

(2) is designed or used to transport more than 8 passengers, including the driver for compensation; or

(3) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

(4) is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. section 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under 49 CFR, Subtitle B, Chapter I, Subchapter C.

(d) Farm plate vehicle. The term farm plate vehicle shall mean a motor vehicle, trailer or semitrailer registered pursuant to Vehicle and Traffic Law section 401(13) and when operated between points within New York State on public highways connecting portions of a farm or farms, municipal sanitary landfills and licensed motor vehicle repair shops, and traveling by the most direct route, but in no event further than 25 miles one-way from a point on the farm as designated by the vehicle owner and set forth in an attachment to the vehicle registration:

(1) between fields, buildings, and facilities managed or operated as part of a single farm enterprise in connection with the production, harvesting, processing or marketing on that farm of crops, livestock, or livestock products produced on that farm; or

(2) for the purpose of transporting materials from a farm to the nearest available municipal sanitary landfill; or

(3) for the purposes of transporting the motor vehicle, trailer or semi-trailer to a motor vehicle repair shop licensed pursuant to the Vehicle and Traffic Law for the repair or adjustment of equipment provided that, in addition to the route restrictions set forth in the Vehicle and Traffic Law, no such transport shall be authorized:

(i) if such vehicle has an out-of-service defect relating to load securement, brake systems, steering components and/or coupling devices, or after it has been placed out-of-service;

(ii) on any limited access highway; and

(iii) during the period of one hour before sunset to one hour after sunrise.

Section 820.2. Commercial driver's license standards and controlled substances and alcohol use and testing.

(a) The Commissioner of Transportation adopts Part 383 of Title 49 of the Code of Federal Regulations (CFR) with the same force and effect as though herein fully set forth at length for every person and to all employers of such persons who operate a commercial motor vehicle in intrastate, interstate, or foreign commerce, and is subject to the commercial driver's license requirements pursuant to of the Vehicle and Traffic Law section 501-a and this part.

(b) The Commissioner of Transportation adopts Part 382 of Title 49 CFR with the same force and effect as though herein fully set forth at length for every person and to all employers of such persons who operate a commercial motor vehicle in commerce, and is subject to the commercial driver's license requirements pursuant to Vehicle and Traffic Law section 501-a and 49 CFR Part 395.

Section 820.3. Qualifications of drivers.

(a) The Commissioner of Transportation adopts Part 391 of Title 49 of the Code of Federal Regulations (CFR) with the same force and effect as though herein fully set forth at length with respect to drivers of commercial motor vehicles, as herein defined operating in interstate or foreign commerce.

(b) The Commissioner of Transportation adopts 49 CFR Part 391 with the same force and effect as though herein fully set forth at length with respect to drivers operating solely in intrastate commerce operating motor vehicles:

(1) designed or used to transport 16 or more passengers, including the driver; or

(2) used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. section 5103 and transported in a quantity requiring placarding under regulations prescribed by the secretary under Title 49 CFR, subtitle B, chapter I, subchapter C.

(c) The Commissioner of Transportation adopts Part 391 of Title 49 CFR with the same force and effect as though herein fully set forth at length with respect to drivers operating solely in intrastate commerce operating commercial motor vehicles other than those described (b)(1) and (b)(2) of this section and received their initial commercial driver's license pursuant to Vehicle and Traffic Law section 501-a on or after September 9, 1999.

(d) The Commissioner of Transportation adopts 49 CFR Part 391 with the same force and effect as though herein fully set forth at length with respect to drivers operating solely in intrastate commerce operating commercial motor vehicles other than those described in subparagraphs (b)(1) and (b)(2) of this section and received their initial Commercial Driver's License pursuant to Vehicle and Traffic Law section 501-a before September 9, 1999, except as so much of 49 CFR sections 391.41 and 391.45 require a driver to be medically examined and to have a medical certificate on his/her person shall not apply.

(e) The Commissioner of Transportation adopts 49 CFR Part 391 with the same force and effect as though herein fully set forth at length with respect to drivers operating solely in intrastate commerce operating commercial motor vehicles other than those described in subparagraphs (b)(1), (b)(2) and (c) of this section and received their initial driver's license on or after January 1, 2004.

(f) The Commissioner of Transportation adopts 49 CFR Part 391 with the same force and effect as though herein fully set forth at length with respect to drivers operating solely in intrastate commerce operating commercial motor vehicles other than those described subparagraphs (b)(1), (b)(2) and (c) of this section and received their initial driver's license before January 1, 2004, except as so much of

section 391.41 and 391.45 requires a driver to be medically examined and to have a medical certificate on his/her person shall not apply.

(g) A limited age exception of 49 CFR section 391.11(b)(1) is granted to drivers operating solely in intrastate commerce operating a commercial motor vehicle requiring a Class B Commercial Drivers License pursuant to Vehicle and Traffic Law section 501-a and drivers operating commercial motor vehicles as described in paragraph (e) of this section may operate such vehicles at the age of 18.

(h) Any additional qualifications of drivers involved solely in intrastate commerce are set forth in the Vehicle and Traffic Law of the State of New York and the regulations of the Commissioner of Motor Vehicles promulgated pursuant thereto. Any violation of such law or regulations shall be deemed a violation of this Part, for enforcement purposes.

Section 820.4. Driving of commercial motor vehicles.

The Commissioner of Transportation adopts Part 392 of Title 49 of the Code of Federal Regulations with the same force and effect as though herein fully set forth at length.

Section 820.5. Parts and accessories necessary for safe operation.

The Commissioner of Transportation adopts Part 393 of Title 49 of the Code of Federal Regulations with the same force and effect as though herein fully set forth at length.

Section 820.6. Hours of service of drivers.

(a) General applicability for interstate or foreign commerce. The Commissioner of Transportation adopts Part 395 of Title 49 of the Code of Federal Regulations (CFR) with the same force and effect as though herein fully set forth at length and shall apply to all motor carriers and drivers of commercial motor vehicles as defined in section 820.1 of this Part operating in interstate or foreign commerce.

(b) General applicability for intrastate commerce. The Commissioner of Transportation adopts 49 CFR Part 395 with the same force and effect as though herein fully set forth at length and shall apply to

all motor carriers and drivers of commercial motor vehicles as defined in section 820.1 of this Part operating in intrastate commerce except that the provisions of this section shall not apply to:

(1) the operation of a commercial motor vehicle owned by a farmer and operated by himself or an employee when used in the hauling of farm, dairy, or horticultural products and farm supplies for himself or his farm neighbors to market;

(2) the operation of tow trucks while responding to requests to provide roadside service or to remove wrecked, disabled, abandoned or illegally parked motor vehicles; or

(3) nor shall the hours of service accrue to a driver of a utility service vehicle. For purposes of this regulation, utility service vehicle means any commercial motor vehicle:

(i) used in the furtherance of repairing, maintaining, or operating any structures or any other physical facilities necessary for the delivery of public utility services, including the furnishing of electric, gas or steam service, water, sanitary sewer, telephone, and television cable or community antenna service;

(ii) while engaged in any activity necessarily related to the ultimate delivery of such public utility services to consumers, including travel or movement to, from, upon, or between activity sites (including occasional travel or movement outside the service area necessitated by any utility emergency as determined by the utility provider); and

(iii) except for any occasional emergency use, operated primarily within the service area of a utility's subscribers or consumers, without regard to whether the vehicle is owned, leased, or rented by the utility.

Section 820.7. Inspection, repair and maintenance.

The Commissioner of Transportation adopts Part 396 of Title 49 of the Code of Federal Regulations with the same force and effect as through herein fully set forth at length.

Section 820.8. Transportation of hazardous materials.

(a) Every person whether by highway, by rail, by water or by air or otherwise, engaged in the transportation of hazardous materials within this State shall be subject to the rules and regulations contained in this Part.

(b) No person shall offer or accept a hazardous material for transportation within this State unless that material is properly classed, described, packaged, clearly marked, clearly labeled, and in the condition for shipment as required by this Part.

(c) No person shall offer or accept a hazardous material for transportation unless that material is handled and transported in accordance with this Part.

(d) Whenever the word person is used in this section, such word shall mean an individual, firm, copartnership, corporation, company, association or joint-stock association, including any public utility, and includes any trustee, receiver, assignee agent or personal representative thereof. Whenever the term motor carrier is used in this section, such term shall be interpreted to mean and include any person who transports, arranges for transport or is otherwise responsible for transportation of hazardous materials in or through the State, and shall not be limited to any technical definition of such term.

(e) Wherever, in the provisions of Title 49 of the Code of Federal Regulations (CFR) herein adopted, reference is made to "motor carrier" such reference shall be deemed to include "person" as defined in subdivision (d) of this section.

(f) Where these state regulations require a shipper of hazardous materials to have someone available at all times, 24 hours a day, to answer questions with respect to the material being carried and the hazards involved, the commissioner may permit the use of a governmental agency or hotline, which is available 24 hours a day, provided that the shipper submits to the commissioner written assurance that such agency would have personnel available 24 hours a day for the purposes herein before set forth. This

paragraph shall only apply to vehicles used exclusively in intrastate transportation. For vehicles used in interstate and foreign commerce, the provisions of Title 49 CFR shall apply.

(g) Wherever, the provisions of Title 49 CFR herein adopted, reference is made to the making of reports or giving of notices, such reference shall be deemed to mean, include and require the giving of such report, within, the time required by the incorporated provisions to: the Motor Carrier Compliance Bureau, New York State Department of Transportation, 50 Wolf Rd., Albany, NY 12232, (518) 457-1016 or e-mail trucksafety@dot.ny.gov.

(h) All motor carriers and persons engaged in the transportation of hazardous materials shall report immediately to the fire or police department of the local municipality or to the Division of State Police in the event there is no local police department, any incident that occurs during the course of transportation (including loading, unloading and temporary storage) as a direct result of hazardous materials:

(1) a person is killed;

(2) a person receives injuries requiring hospitalization;

(3) estimated carrier or other property damage exceeds $50,000;

(4) fire, breakage, spillage, or suspected radioactive contamination occurs involving shipment of radioactive material;

(5) fire, breakage, spillage, or suspected contamination occurs involving shipment of etiologic agents; or

(6) a situation exists of such nature that in the judgment of the carrier a continuing danger to life or property exists at the scene of the incident.

(i) All motor carriers and persons engaged in the transportation of hazardous materials shall afford to authorized employees of the New York State Department of Transportation, authorized

employees of the New York State Department of Environmental Conservation, police officers and the Division of New York State Police and the Federal Motor Carrier Safety Administration reasonable opportunity to enter vehicles or any place where hazardous materials are offered into commerce for the purpose of inspection to determine compliance with the provisions of this Part.

(j) In addition to the requirements of this Part, the Commissioner of Transportation adopts the following sections and parts of Title 49 CFR with the same force and effect as though herein fully set forth at length, as the standard for classification, description, packaging, marking, labeling, preparing, handling and transporting all hazardous materials, and procedures for obtaining relief from the requirements of this Part, all of the standards, requirements and procedures contained in sections 107.101,107.105, 107.107, 107.109, 107.111, 107.113, 107.117, 107.121, 107.123, Part 171, except for section 171.1, Parts 172 through 199, including appendices, inclusive and Part 397.

Section 820.9. Investigation of motor carrier files.

The Commissioner of Transportation and the Commissioner of Motor Vehicles shall have the authority to examine or investigate the operation of motor carriers and their compliance with rules and regulations promulgated pursuant to the New York State Vehicle and Traffic Law Articles 19-A and 19-B, Transportation Law, Articles 2, 6, 7, 8, 9, 9-A and 9-B, and this Part.

Section 820.10. Penalties and remedies.

(a) Any person who operates, or any corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, who shall require or permit any person to operate, a motor vehicle in violation of the department's safety rules and regulations, shall be guilty of a traffic infraction and all of the provisions of the Vehicle and Traffic Law, except as otherwise specifically provided herein, shall be applicable thereto.

(b) Any person violating the provisions of section 820.6 of this Part as it pertains to hours of service of drivers or failing to keep or falsifying any records to be kept in compliance therewith, or any corporation, company, association, joint-stock association, partnership, person or any officer or agent thereof, who shall require or permit any person to violate the provisions of this section or to falsify any record to be kept in compliance therewith shall be guilty of a misdemeanor and punishable by a fine of $200, or by imprisonment not exceeding six months, or both.

(c) Any person, corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, found guilty of violating any of the department's safety rules or regulations involving an out-of-service defect relating to brake systems, steering components and/or coupling devices, except with regards to farm plate vehicles, as defined in section 820.1 of this Part, and except for the transportation of hazardous materials, shall be subject to a fine of:

(1) not less than $350 nor more than $1,000 for the first offense; and

(2) not less than $1,000 nor more than $2,500, or by imprisonment for not more than 60 days or by both such fine and imprisonment upon being found guilty of a second or subsequent offense committed within eighteen months.

(d) Any person, corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, found guilty of violating any of the department's safety rules or regulations involving an out-of-service defect relating to load securement, except with regards to farm plate vehicles, as defined in section 820.1 of this Part, and except for the transportation of hazardous materials, shall be subject to a fine of:

(1) not less than $500 nor more than $1,200 for the first offense; and

(2) not less than $1,000 nor more than $2,500, or by imprisonment for not more than 60 days or by both such fine and imprisonment upon being found guilty of a second or subsequent offense committed within 18 months.

(e) Any person, corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, found guilty of violating any of the department's safety rules or regulations involving a defect other than an out-of-service defect relating to brake systems, steering components, coupling devices, and/or load securement, and except with regards to farm plate vehicles, as defined in section 820.1 of this Part, and except for the transportation of hazardous materials, shall be subject to a fine of:

(1) not less than $150 nor more than $500 for the first offense; and

(2) not less than $500 nor more than $1,000, or by imprisonment for not more than 30 days or by both such fine and imprisonment upon being found guilty of a second or subsequent offense committed within 18 months.

(f) Any person operating a farm plate vehicle, as defined in section 820.1 of this Part, except for the transportation hazardous materials and if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the third full business day after the issuance of the summons and proof of such correction as set forth in subdivision (n) of this section is submitted to the court, the penalty for a first violation shall be a fine of:

(1) $150 for an out-of-service defect involving brake systems; steering components; and/or coupling devices;

(2) $250 for an out-of-service defect relating to load securement; and

(3) $50 for a first violation involving any other out-of-service defect.

(g) Any person, corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, transporting hazardous materials found guilty of violating any of the department's safety rules or regulations involving an out-of-service defect relating to brake systems, steering components and/or coupling devices, shall be subject to a fine of:

(1) not less than $500 nor more than $1,500, or by imprisonment for not more than 60 days or by both such fine and imprisonment for the first offense; and

(2) not less than $1,500 nor more than $2,500, or by imprisonment for not more than 90 days or by both such fine and imprisonment upon being found guilty of a second or subsequent offense committed within 18 months.

(h) Any person, corporation, company, association, joint stock association, partnership, person or any officer or agent thereof, transporting hazardous materials found guilty of violating any of the department's safety rules or regulations involving a defect other than an out-of-service defect relating to brake systems, steering components or coupling devices, shall be subject to a fine of:

(1) not less than $350 nor more than $1,000 for the first offense; and

(2) not less than $1,000 nor more than $2,500, or by imprisonment for not more than 90 days, or by both such fine and imprisonment upon being found guilty of a second or subsequent offense committed within 18 months.

(i) Operation of a motor vehicle after it has been placed out-of-service as provided for in the department's safety rules and regulations and not transporting hazardous materials, shall constitute a misdemeanor and shall be punishable by a fine of:

(1) not less than $1,000 nor more than $2,500, or by imprisonment for not more than 90 days, or by both such fine and imprisonment upon the first offense; and

(2) not less than $2,500 nor more than $5,000 or by imprisonment for not more than 180 days or by both such fine and imprisonment upon being found guilty of a second or subsequent offense within 18 months.

(j) Operation of a motor vehicle after it has been placed out-of-service as provided for in the department's safety rules and regulations and involving the transportation of hazardous materials, shall constitute a misdemeanor and shall be punished by a fine of:

(1) not less than $2,500 nor more than $5,000, or by imprisonment for not more than one year or by both such fine and imprisonment; and

(2) a conviction for a second or subsequent offense committed within 18 months shall constitute a class E felony and shall be punished by a fine of not less than $3,500 or by a period of imprisonment as provided in the Penal Law, or by both such fine and imprisonment.

(k) No person, corporation, limited liability company or business entity, joint stock association, partnership, or any officer or agent thereof, shall knowingly allow, require, permit or authorize any person to operate a commercial motor vehicle during any period in which such person or such commercial motor vehicle has been placed out of service as provided for in the department's safety rules and regulations, shall be subject to a fine of not less than $2,500 and not more than $10,000 for any violation thereof.

(l) Any complaint issued for an equipment violation, except for a violation involving an out-of-service defect relating to load securement, brake systems, steering components and/or coupling devices, and except for the transportation of hazardous materials, and except for a violation involving the operation of any motor vehicle after it has been placed out-of-service, shall be dismissed by the court before such summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day, or if such complaint involves a farm plate

vehicle as defined in section 820.1 of this Part, not later than one-half hour after sunset on the third full business day after the issuance of the summons and proof of such correction as set forth in subdivision (n) of this section is submitted to the court. For the purposes of this section, business day shall mean any calendar day except on, Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

(m) When transporting hazardous materials, any complaint issued for an equipment violation, except for a violation involving an out-of-service defect or except for a violation involving the operation of any motor vehicle after it has been placed out-of-service, shall be dismissed by the court before such summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day after the issuance of the summons and proof of such correction as set forth in subdivision (n) of this section is submitted to the court. For the purposes of this section, business day shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

(n) Acceptable proof of repair or adjustment shall consist of submission to the court on or before the return date of the summons of:

(1) a statement of correction from an officially designated State inspection station duly executed by the person performing or making such inspection and bearing the official stamp of the State inspection station;

(2) a statement of correction from an automobile repair shop on the letterhead of such repair shop duly executed by the person who made the correction; or

(3) a signed statement of any police officer or a department inspector that the necessary corrections have been made.

The statement required by this subdivision shall be directed to the court having jurisdiction of the alleged violation, shall be affirmed as true under penalty of perjury, and shall include the name, occupation and position of the person making the statement, the time and date that the repairs or inspection were made and a statement that the defective equipment, cited in the violation, on the vehicle in question, is in proper working order.

(o) In addition to, or in lieu of, any sanctions set forth in this section, the Commissioner of Transportation may, after a hearing, impose a penalty not to exceed a maximum of $5,000 in any one proceeding upon any person if the commissioner finds that such person or officer, agent or employee thereof has failed to comply with the requirements of this chapter or any rule, regulation or order of the commissioner promulgated thereunder.

Section 820.11. Exemptions.

The Commissioner of Transportation shall have the authority pursuant to this Part to exempt certain motor carriers or drivers from the provisions of this Part in accordance with federal rules and regulations pursuant to Title 49 of the Code of Federal Regulations. In no event shall any exemption, modification of a requirement or other relief be granted which shall be less protective of public safety or longer in duration than any exemption which may have been granted by the United States Department of Transportation.

Section 820.12. Inspection of motor vehicles in operation.

(a) Any duly authorized employee or agent of the department and all police officers are authorized to enter upon and perform inspections of motor vehicles and review drivers’ credentials in operation and to stop such vehicles for the purposes of inspection, to perform inspections of motor carriers' facilities and

records at any time and place where they are found, to ascertain whether the rules and regulations of the commissioner are being obeyed and to ascertain whether such vehicles are maintained, equipped and operated in accordance with the regulations contained in this Part.

(b) Forms approved or designated by the department shall be used to record findings from motor vehicles selected for inspection by authorized department employees or agents of the department.

(c) Motor vehicles declared "out of service".

(1) Authorized department employees, agents of the department, and any police officer shall declare and mark "out of service" any motor vehicle which by reason of its mechanical condition or loading is so imminently hazardous to operate as to be likely to cause an accident or a breakdown. Forms designated by the department shall be used by authorized department employees and agents to mark vehicles and drivers "out of service."

(2) No motor carrier shall require or permit any person to operate nor shall any person operate any motor vehicle declared and marked "out of service" until all repairs required by the "out of service notice" or the department designated inspection form have been satisfactorily completed. The term operate as used in this section shall include towing the vehicle; provided, however, that vehicles marked "out of service" may be towed away by means of a vehicle using a crane or hoist or on a flat bed trailer or semitrailer; and provided further, that the vehicle combination consisting of emergency vehicle and the "out of service" vehicle meets the performance requirements of this Part.

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

(d) With regard to the disposition of department designated inspection forms:

(1) The driver of any motor vehicle receiving a department designated inspection form shall deliver such form to the motor carrier operating the vehicle upon his arrival at the next terminal or facility of the motor carrier, if such arrival occurs within 24 hours. If the driver does not arrive at the terminal or facility of the motor carrier operating the vehicle within the 24 hours, he shall immediately mail the form to the motor carrier; provided, however, that for operating convenience, motor carriers may designate any shop, terminal, facility or person to which it may instruct its drivers to deliver or forward the department designated inspection form. Provided further, however, that it shall be the sole responsibility of the motor carrier that department designated forms are returned to the department in accordance with the terms prescribed thereon and in accordance with paragraphs (2) and (3) of this subdivision. A driver, if also a motor carrier, shall return the department designated inspection form to the department in accordance with the terms described thereon and in paragraphs (2) and (3) of this subdivision.

(2) Motor carriers shall carefully examine department designated inspection forms. Any and all violations or mechanical defects noted thereon shall be corrected. To the extent drivers are shown not to be in compliance with these regulations, appropriate corrective action shall be taken by the motor carrier.

(3) Motor carriers shall complete the "motor carrier certification of action taken" on the department designated inspection form in accordance with the terms prescribed thereon. Motor carriers shall return the department designated inspection form to the department at the address indicated thereon or e-mail the inspection form to trucksafety.dot.ny.gov within 15 days following the date of the vehicle inspection.

Section 820.13. Incorporation by reference.

The provisions of the Code of Federal Regulations which have been incorporated by reference in this Part have been filed in the Office of the Secretary of State of the State of New York, the publication so filed being the booklets entitled: Title 49 Code of Federal Regulations Parts 100 to 177, Parts 178 to 199 and Parts 200 to 299 and Parts 300 to 399, revised as of October 1, 2013, published by the Office of the Federal Register, National Archives and Records Administration, as a special edition of the Federal Register. The regulations incorporated by reference may be examined at the Office of the Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, NY 12231-0001, at the law libraries of the New York State Supreme Court, the Legislative Library, the New York State Department of Transportation, Office of Counsel or Motor Carrier Compliance Bureau, 50 Wolf Road, Albany, NY 12232. They may also be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402. Copies of the Code of Federal Regulations are also available at many public libraries and bar association libraries.