

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

220 CMR 155.00: OPERATION OF MOTOR VEHICLES FOR THE CARRIAGE OF PASSENGERS FOR HIRE UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, CHARTER LICENSE, SPECIAL SERVICE OR SCHOOL SERVICE PERMIT

Section

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155.00: Definitions

The terms as used in 220 CMR 155.00 shall have the following meanings, unless another meaning is clearly apparent from the language or context:

Bus or Motor Bus shall mean any motor vehicle operated upon a public way in any city or town for the carriage of passengers for hire, in such a manner as to afford a means of transportation, similar to that afforded by a railway company, by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for hire as a business between fixed and regular termini, or for transporting passengers for hire under a charter license, special service or school service permit issued by the Department.

Bus Line shall mean any route, or system of routes over which a motor bus or motor buses are regularly operated and which are under the ownership or control of an individual, company or corporation which is licensed to operate over the same.

Certificate of Registration shall mean the certificate issued by the Registrar, registering the motor vehicle.

Commercial Driver's License (CDL) means a license issued by a State in accordance with the standards contained in 49 CFR Part 383, to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

Commercial Passenger Motor Vehicle means any self-propelled vehicle used on public ways for the carriage of passengers for hire.

Department shall mean the Department of Public Utilities.

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Driver shall mean the person who acts as the driver of a motor bus under a certificate issued by the Department.

Driver's Certificate shall mean the certificate issued by the Department to drive motor buses.

Motor Bus Permit shall mean the permit issued by the Department to operate a motor bus.

Operator's License shall mean the license issued by the Registrar to operate motor vehicles.

Owner shall mean the individual, partnership, company or corporation which is authorized to operate under authority of the Department.

Out-of-service Criteria shall mean the most current "Out of Service Criteria" as prescribed in the North American Uniform Out-of-service Criteria published by the Commercial Vehicle Safety Alliance (CVSA).

Registrar shall mean the Registrar of Motor Vehicles of the Commonwealth.

155.02: General Regulations

- (1) Preliminary Requirements. Every owner of a motor bus or motor buses to be operated on the public ways of the Commonwealth, doing an intrastate business either in whole or in part, shall conform to the law by obtaining licenses from the licensing authorities of each city and town in which the said bus or buses are to be operated. A certificate of public convenience and necessity from the Department must also be obtained. In applying for this certificate the applicant must file application in duplicate and specify the following:
 - (a) Name and business address of the owner.
 - (b) Termini of each route.
 - (c) Names of all cities and towns included in each route.
 - (d) Description of each route in detail by highways, and a map, plan or sketch showing the proposed route.
 - (e) Upon request of the Department a list of all bridges of ten feet or more clear span over which bus or buses are to operate.
 - (f) Motor buses to be operated with a description of each as follows:
 1. Numbers of buses.
 2. Make and type of buses.
 3. Weight of heaviest bus to be operated.

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4. Motor or vehicle identification numbers.

- (g) Cities and towns in which owner has license, stating date of each license. (Attach certified copy of each license.)
- (h) Date when operation is to begin.

Before a motor bus is put in operation, a motor bus permit shall be obtained from the Department. An application for a permit shall be filed by the owner on a form furnished by the Department. An inspection of the bus will be made upon receipt of the application. If required by any provision of M.G.L. c. 90, the bus shall be registered with the Registry of Motor Vehicles.

A motor bus permit is not transferable. It shall expire on September 30th of each year and be renewed unless earlier revoked or suspended by the Department. It shall be conspicuously posted on the bus for which it is issued. The decal shall be placed on the outside, right front of the vehicle passenger side and left of the front passenger door.

The Department shall charge a fee of \$60.00 for the issuance of an original permit, and a fee of \$40.00 for the annual renewal of such permit.

No bus, whether owned, rented, leased or loaned, shall be operated under any certificate or special or charter license or school service permits as provided for under M.G.L. c. 159A, and amendment thereto, unless a permit is issued by the Department for the operation of said bus under such certificate or special or charter license.

Any violation of the use of any permit will be deemed cause for suspension or revocation of said permit and/or the certificate or License under which the bus may be operated.

- (2) Bridges. No motor bus shall be operated over any bridge or culvert after a determination that such bridge or culvert is unsafe.
- (3) Rate Schedules. Every owner of a motor bus or bus line whose rates are subject to the jurisdiction of the Department shall file with the Department, and shall have plainly printed or typed and kept open to public inspection, schedules showing all rates, fares and charges for service of any kind rendered or furnished, or to be rendered or furnished, by him within the state, and all conditions and limitations, rules and regulations and other information in any manner affecting operations. No change shall be made in these schedules except after 30 days' notice to the Department and to the public, unless otherwise authorized by the Department.
- (4) Rates Differing from Schedules. No owner of a motor bus or bus line shall directly or indirectly, render or furnish, or allow to be rendered or furnished any service at rates, fares or charges which differ from those filed with the Department. Free transportation shall be furnished to inspectors of the Department while engaged in the performance of their duties.

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- (5) Operation to Begin. Every owner of a motor bus or motor bus line, after receiving a certificate of public convenience and necessity, shall begin operation over such route or routes designated in the certificate not later than 30 days after receiving said certificate unless otherwise authorized by the Department.
- (6) Time Schedule. Every owner of a motor bus or motor buses shall establish a schedule or schedules showing regular time of arrival and departure of buses at the termini and principal points on the route or routes over which they operate. Unless otherwise ordered by the Department, no change shall be made in an established regular service without 14 days notice to the public and the Department except as to added service. Schedules and changes to be made shall be fully described in a notice posted in terminals and in all buses operated over the affected route by the company. No schedule shall require a speed which in the judgment of the Department is unsafe or unreasonable.
- (7) Discontinuance of Service. Any discontinuance of service on a bus line for a period of 24 hours or more shall be reported to the Department, together with the cause for the same. Any discontinuance of service found by the Department to be avoidable shall be cause for the revocation of the certificate issued by the Department. The Department may, after a hearing, revoke a certificate for failure to render service or failure to operate routes described in a certificate for a period exceeding six months.
- (8) Books, Returns and Reports. The owner of a motor bus shall annually, within the time prescribed by the Department, transmit to the Department a return for the preceding calendar year. Such return shall be sworn to by the owner or treasurer and chief accounting officer of the owner and shall contain full and complete information upon the several items contained therein. The accounts, records and memoranda of the owner shall be kept in such form as may be prescribed by the Department from time to time. All such accounts, maintenance records, repair records, and memoranda shall be subject to inspection at any time by the Department or its authorized representatives, and shall be permanently preserved unless the Department shall otherwise provide.
- (9) Accidents. The owner of a motor bus which is involved in any accident resulting in loss of life or serious personal injury or considerable property damage shall forthwith report said accident to the Department. The report of such accident shall include the following information:
 - (a) Name and address of owner.
 - (b) The time and the place of accident.
 - (c) The name, license and certificate numbers of the driver.

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- (d) Registration number of bus.
- (e) The bus and permit numbers.
- (f) The name or names and addresses of all persons killed or injured.
- (g) The number of passengers, if any, in the bus.
- (h) A complete report of the accident.

(10) Drivers' Certificates

- (a) General Requirements. The driver of a motor bus shall be at least 18 years of age and must obtain a motor bus driver's certificate from the Department, in addition to obtaining a properly classified operator's license issued by the Registrar of Motor Vehicles. They shall carry with them while on duty, their operator's license and driver's certificate, and shall exhibit them on demand to any representatives of the Department, any police officer, inspector of motor vehicles, or any other authorized person. Effective February 25, 1994, motor bus drivers' certificates, for drivers who may not transport school children, need not be renewed as long as the driver holds a CDL with passenger endorsement and valid medical certificate. Effective January 1, 1991, motor bus drivers' certificates for drivers transporting school children shall expire on the anniversary of the operator's date of birth occurring in 1991, and application for renewal shall be filed annually. Motor bus driver certificates and school bus driver certificates held by drivers 70 years of age expire the day before the 70th birthday, and may be renewed by compliance with 220 CMR 155.02(10)(e) every six months. The certificate issued to an operator born on February 29th shall, for purposes of 220 CMR 155.02, expire on March 1st. When drivers change their home address, they shall notify the Department in writing within seven days of such change. If the operator's license issued by the Registrar of Motor Vehicles is revoked, suspended or not renewed, the motor bus driver's certificate shall be returned immediately to the Department accompanied by a statement of reasons. A motor bus driver's certificate may, after a hearing, be revoked or suspended for cause.
- (b) Fee. The Department shall charge a fee of \$10.00 for the examination for such certificate, \$20.00 for the issuance of the original certificate. The Department shall charge \$20.00 for each year the license is renewed. The Department shall charge \$10.00 for each six months the license is renewed for an over-70 driver. If a license is lost, a duplicate license may be issued for the fee of \$10.00.
- (c) Departmental Examination. New applicant or applicants who have not held a motor bus driver's certificate for four preceding years will not be granted a certificate until they have passed an examination satisfactory to an inspector of the Department as to the competency to safely operate the

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type of motor bus or buses they may be required to drive. Upon application for the motor bus certificate, the Department shall review the applicant's Registry of Motor Vehicles driving record.

- (d) Requirements of a Motor Bus Driver to Operate a School Bus Transporting Children to and from School. As required by M.G.L. c. 90 §, 8A, the holder of a motor bus driver's certificate who intends to drive a school bus carrying children to and from school must be certified as having satisfactorily completed the driver training program, and must present a satisfactory record, based on a Criminal Offender Record Investigation ("CORI"). Certification of training must be provided to the Department by the applicant.
 - (e) Physical Examination. New applicants or applicants who have not held a motor bus driver's certificate for two years shall not be granted a certificate until they have satisfactorily passed a physical examination. All persons holding a motor bus driver's certificate shall have a physical examination within not less than three months before the expiration and renewal of the license. No person shall drive nor shall any motor carrier require or permit any person to drive any motor vehicle unless such person has been examined and certified by a licensed doctor of medicine, osteopathy, or licensed chiropractor. Every motor carrier shall have in its files at its principal place of business for every driver, a copy of the aforesaid certificate. Drivers who have reached 70 years of age shall, at that time, satisfactorily pass a physical examination and twice in each year thereafter, in intervals of not less than three nor more than six months as in accordance with requirements established by the Department.
 - (f) Requirements of Non-Renewal Certificate Holders. Every motor bus operator holding a bus driver certificate not requiring renewal must provide to the carrier every 24 months, or more frequently if required by the carrier, a copy of a Registry of Motor Vehicles driving record. In addition, the holder of a bus driver certificate shall have a physical examination every 24 months and shall provide a copy of the physical examination form to the carrier.
- (11) Safe Operation. The driver of a motor bus shall at all times conform to the laws of the road as defined by statute and regulation. The driver shall not operate at a speed greater than is reasonable and proper having regard to the traffic and the use of the way and the safety of the public. The driver shall keep the bus under control at all times and be ready for any emergency that may arise. All doors shall be kept closed while the bus is in motion.
- (12) Hours of Service. No owner of a motor bus shall cause or allow any driver to

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drive a motor bus for more than ten hours in any period of 24 consecutive hours, unless such driver be afforded eight consecutive hours of rest immediately following the ten hours aggregate drive.

(13) Attention to Duty.

(a) Generally. No driver of a motor bus shall collect fares, make change, receive or discharge passengers while such bus is in motion: nor shall they have a lighted cigarette, lighted cigar, or lighted pipe in their possession while any passenger is being carried therein, nor drink any intoxicating beverage, nor take any drug or medication which would adversely affect their driving ability. A carrier may prohibit smoking by passengers and erect signs to that effect. If smoking is allowed, a section of the bus shall be designated for that purpose and proper signs shall be erected. A driver shall not use personal or citizen band radios other than company-installed radios which are limited to company or official use.

(b) Use of Electronic Device by Massachusetts Bay Transportation Authority Operators.

1. Purpose and Scope. 220 CMR 155.02(13)(b) is applicable to motor bus drivers employed by the Massachusetts Bay Transportation Authority (Transportation Authority).

2. Definitions.

Operator means a Transportation Authority Bus Operator who is on duty and on his or her bus.

Electronic Device means wireless or portable electronic handheld equipment that may be hands-free or not. This includes, but is not limited to, cellular telephones, smartphones, two-way pagers, portable internet devices, MP3 players, iPods, Bluetooth devices or any headphones or earbuds of any type, and any other portable electronic devices.

3. Use or Possession of Electronic Device While on Duty. An Operator is prohibited from using or having in his or her possession an Electronic Device while the Operator is on duty and on his or her motor bus. The Electronic Device cannot be anywhere on the Operator's person or property, such as pocketbook or other belongings. The Electronic Device cannot be on the vehicle he or she is operating. The Operator cannot give the Electronic Device to another person on the motor bus, whether or not that person is a Transportation Authority employee.

The Operator is prohibited from any use of any Electronic Device while on duty, including, but not limited to, telephoning, checking the time, texting, playing games, reading, e-mailing, or listening to music.

(14) Stops. Any driver of a motor bus, unless prevented by conditions beyond their

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control, shall always stop at the right side of a highway or in an area provided for receiving and discharging passengers, or the best possible location where passengers may depart safely from the bus. The driver shall announce all regular stops.

- (15) Descending Grades. Before descending a long steep grade, the driver of a motor bus shall make a test application of the brakes. The driver shall then downshift to the proper gear to keep the bus in safe control while a descent is made.
- (16) Riding Outside. Passengers or other persons shall not be allowed to ride on bumpers, steps or fenders of a motor bus.
- (17) View of Driver. The driver of a motor bus must not allow passengers to occupy positions in the bus which will obstruct his clear view ahead or on either side.
- (18) Driver Leaving Bus. No driver of a motor bus shall leave said bus without locking the ignition and setting the ratchet or other holding brake device. Chock blocks shall be used as required pursuant to 220 CMR 155.03(3).
- (19) Highway-Rail Crossings. The driver of a motor bus, upon approaching a highway-rail crossing at grade, shall bring the bus to a stop at a point clear of the railroad track, but not more than 50 feet or closer than 15 feet from the track. The driver shall open the door while the bus is stopped and determine whether the way is clear before crossing. Before proceeding, the driver shall close the door. Gear changes shall not be made while passing over a highway-rail crossing at grade.
- (20) Dimensions and Weight of Buses. No motor bus shall be operated on public ways within the Commonwealth whose overall length exceeds 45 feet for a motor coach or whose overall length exceeds 60 feet for an articulated bus, or whose outside width shall exceed 102 inches, including tires, provided that such width may be further exceeded by the lateral projections of mirrors or other devices on a bus or a school bus so long as such mirrors or devices will not increase the outside width of such motor vehicles above 112 inches and provided that such mirrors or such other devices are so mounted as not to constitute a hazard to pedestrians on or adjacent to any public way. Excepted from 220 CMR 155.02(20) are those dimensions in excess of the ones listed in 220 CMR 155.02(20) which are permitted by local authority or M.G.L. c. 90, §§ 1 and 19.
- (21) Strength of Buses. Every motor bus shall be so constructed and maintained as

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to have ample strength in the judgment of the Department to safely carry its maximum load. The Department may from time to time require that proof of certain strength tests be submitted by the carriers or manufacturer.

- (22) Maintenance. Every motor bus shall be maintained in a safe and sanitary condition and shall, at all times, be subject to the inspection of the Department and its duly authorized representatives. All maintenance records, repair records, and memoranda shall be subject to inspection at any time by the Department or its authorized representatives, and shall be preserved for a period of 12 months unless the Department shall otherwise provide. The equipment shall in all cases be in conformity with the provisions of M.G.L. c. 90; and 49 CFR 396.3.
- (23) Reserve Equipment. The owner of a motor bus shall provide sufficient reserve equipment to insure the reasonable maintenance of established routes and schedules.
- (24) Lock and Key. Every motor bus shall be provided with an ignition lock and key, or other security device, to prevent it from being set in motion by unauthorized persons.
- (25) Seats and Aisles.
 - (a) Vehicles shall conform to the requirements of M.G.L. c. 90 and the regulations of the Registrar of Motor Vehicles. (540 CMR)
 - (b) The use of portable or aisle seats is forbidden.
 - (c) Aisles and doorways shall be kept clear of all obstructions.
 - (d) The seating capacity in any motor bus shall not be changed without notification to the Department. Buses in which such changes have been made shall not be operated until inspected and approved by the Department.
- (26) Standees. Passengers in excess of 25% above the seating capacity of a motor bus shall not be habitually carried where the inside length of the bus is less than 23 feet, or the inside height is less than 74 inches, or the width of the aisle is less than 16 inches. Passengers in excess of 40% above the seating capacity of a motor bus shall not habitually be carried where the dimensions are in excess of the foregoing. Where the number of passengers regularly exceeds these excess numbers of passengers, it shall be the duty of the owner to furnish additional vehicles to carry such passengers. In no event shall standing passengers be carried for a distance in excess of 20 miles. All standees on the bus must stand behind the standee line.

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- (27) Trailer. No motor bus shall be operated with a trailer.
- (28) Baggage and Express. No express or baggage matter shall be carried in a motor bus which would cause discomfort or inconvenience to passengers or interfere with the safety of operation. Motor buses transporting hazardous material are subject to the regulations and restrictions of 49 CFR 397.
- (29) Bus Windows. No owner and/or operator shall display ad wrap material on passenger side windows of a motor bus.
- (30) Buses Exempt from Certain Rules. Motor vehicles operated under a certificate of public convenience and necessity, License, or permit issued by the Department, may, upon application, be exempted from 220 CMR 155.00 as the Department may determine.
- (31) Application of Rules and Regulations. The foregoing rules and regulations for the operation of motor buses are for general application and are subject to such changes and modifications as the Department may, from time to time, deem advisable. They are also subject to exceptions as the Department may consider just and reasonable upon application of a carrier.
- (32) Penalty. The violation of any of the foregoing rules shall be cause for the revocation of the certificate, License, permit, motor bus permit or driver's certificate, issued by the Department in accordance with the provisions of M.G.L. c. 159A, § 15.
- (33) Certificates and Permits. Certificates and permits shall be issued, signed by the Chairman of the Commission or by a person so designated by the Chairman. The Department may suspend or revoke a certificate or permit for cause after a hearing. The Director of the Transportation Division may suspend a permit or certificate for the protection of the public safety pending a hearing.
- (34) Additional Rules by Owner of Motor Bus. Nothing contained in 220 CMR 155.00 shall be construed as prohibiting any motor carrier from enforcing additional rules and regulations relating to safety of operation, not inconsistent with 220 CMR 155.00, tending to a greater degree of precaution against accidents.

155.03: Inspection of Commercial Passenger Motor Vehicles

At the beginning of an inspection the Department's inspector shall make a visual check of the vehicle and examine the vehicle for the equipment and features specified in

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220 CMR 155.03(1) through (31):

- (1) Outside Markings. Every commercial passenger motor vehicle shall display on each side of the bus the name of the owner, trade name, if any, seating capacity, and such other designation as may be approved by the Department. The bus number shall be displayed on both left and right front sides and in a conspicuous location on the rear of the bus, said numbers and lettering to be not less than four inches in height and not less than 1/2 inch in stroke. A vehicle authorized to operate under a lease arrangement shall display the names of the lessor and the lessee.
- (2) Reflectors. Every commercial motor vehicle weighing, with its load, more than 12,000 pounds shall be equipped with a red reflector at the rear.
- (3) Chock Blocks. Every passenger motor vehicle having a seating capacity of more than seven passengers shall be equipped with one pair of adequate safety chock blocks.
- (4) Splash Guards. Every passenger motor vehicle shall be equipped with suitable guards which will effectively reduce the spray or splash, to the rear, of mud, water, or slush, caused by the rear wheels.
- (5) Marker Light. Passenger motor vehicles having a registered carrying capacity of three tons or over, shall have an amber light attached to the extreme left of the front of the vehicle, so attached and adjusted as to indicate the extreme left lateral extension of the vehicle or load.
- (6) Speedometer. Every bus shall be equipped with a speedometer indicating vehicle speed in miles per hour, which shall be operative with reasonable accuracy.
- (7) Horn. Sound horn to test for adequate signal. The horn must be securely fastened to the vehicle and maintained in accordance with federal or manufacturers specifications.
- (8) Warning Devices. Every commercial passenger motor vehicle that is required to have a back-up warning device shall be checked for proper operation of said device.
- (9) Bumpers. The existence of broken or bent bumpers, fenders, exterior sheet metal, or moldings, having sharp edges or abnormal protrusions extending beyond normal vehicle extremities so as to constitute a danger to pedestrians and

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other motor vehicle traffic shall be reason for rejection. The vehicle hood, door(s), luggage compartment lid, and battery or engine compartment doors or lids, if so equipped, must be capable of being firmly latched.

- (10) Fenders. Front and rear fenders must be in place. Every commercial motor vehicle which is equipped with tires which extend beyond the fenders or body of such vehicle shall be equipped with flaps or suitable awards to reduce such spray or splash to the rear and side.
- (11) Seat Belts shall be inspected to assure that all are maintained in good order. The requirements of 49 CFR 393.93 are applicable.
- (12) Brakes. Each motor bus shall have two separate braking systems with independent operations. They shall be designed in such a way that failure of any one part of either system will not deprive the bus of an effective brake acting on at least two wheels. One braking system shall consist of a power brake as provided for in M.G.L. c. 90 §, 7, acting on at least four wheels and arranged in such a way as to be operated by the foot. It shall be capable of stopping the bus within a distance of 25 feet when moving at a speed of 20 miles per hour on a dry, level road.

A second braking system shall consist of an emergency brake which shall be capable of stopping a bus within a distance of 60 feet when moving at a speed of 20 miles per hour on a dry, level road. Buses employing a braking system complying with 49 CFR 393.41(a), (b) and (c) shall employ a parking brake which will hold a bus stationary headed up or down with a full load on a 20% grade.
- (13) Air Equipment. Every commercial passenger motor vehicle equipped with a compressed air tank shall be provided with a safety valve. There shall be a distinct and separate visible signal to warn the driver when the air pressure in the reservoir reaches a point below the effective working pressure. Said tank shall also be equipped with a drain valve to be operated either manually or automatically. Alcohol injection systems may be employed.
- (14) Interior Lights. Every commercial passenger motor vehicle with a top shall be equipped with electric lights so located as to provide for a well distributed illumination of the interior, platform and steps of the bus. Such lights shall be kept lighted at all times when the lack of illumination may result in danger or discomfort to the passengers.
- (15) Mirrors. Every commercial passenger motor vehicle shall be equipped with exterior rear view mirrors which provide the driver with a clear view of the

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roadway on each side and to the rear of the vehicle. It shall also be equipped with an interior rear view mirror which shall provide the driver with a clear view of the interior of the vehicle. Vehicles used in school bus service shall conform to M.G.L. c. 90, § 7B.

- (16) Sun Visors. Every commercial passenger motor vehicle shall be equipped with a device which will protect the eyes of the driver from the direct rays of the sun.
- (17) Steps. The lowest step at the entrance and exit doors of a commercial passenger motor vehicle shall not be more than 16 inches from the ground when the tires are fully inflated and the bus is unloaded, nor shall the height between any two steps be more than 15 inches. All steps shall be provided with safety treads of type that will prevent passengers from slipping.
- (18) Emergency Exits.
 - (a) Emergency Door. Every commercial passenger motor vehicle shall be provided with an emergency door located in the middle of the rear of the bus or on the side opposite the receiving door. The emergency door shall be easily opened. It shall, unless otherwise authorized by the Department, open outward and shall be kept free from obstructions. The words "Emergency Door" shall be conspicuously marked on or near this door. Each bus designed with transverse seats extending the full width of the body shall be provided with a door at each end of said seat. The words "Emergency Door" shall be conspicuously marked on or near each door on the left hand side of this type vehicle. The minimum clearance of a bus emergency door and approach thereto shall be 48 inches from floor of bus and 18 inches wide, and it shall provide at least 12 inches floor clearance. Emergency doors shall be identified by a red light which shall be lighted as required and readily visible to passengers. They shall be equipped with an audible signal that sounds whenever the door is opened.

Note: If any bus permitted by the Department is equipped with a locking device on its emergency door, the locking device shall not be engaged while the bus is in motion. This type of bus shall be equipped with an interlocking device which will prevent the starting of the engine and the movement of the bus while the door is locked.
 - (b) Emergency Escape Kick-out Windows. All commercial passenger motor vehicles shall have an emergency door at the rear or rear left side, or in lieu thereof, shall be provided with emergency escape push-out windows. Each window shall be in a form of a parallelogram with dimensions of not less than 18 inches by 24 inches, and each shall contain an area of not less than 432 square inches. There shall be a sufficient number of

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such push-out or kick-out windows in each vehicle to provide a total escape area equivalent to 67 square inches per seat, including the driver's seat. No less than 40% of the total escape area shall be on one side of the vehicle. Emergency escape kick-out or push-out windows shall be conspicuously marked by sign or light and shall always be kept in good working order so that they may be readily opened in an emergency. Windows shall not be obstructed by bars or other such means located either inside or outside such windows so as to hinder escape.

- (19) Engine Covers. Commercial passenger motor vehicles equipped with engines installed within the area of the driver's compartment must be fully covered and properly protected from fire, and from noxious and toxic fumes and gasses.
- (20) Fire Extinguisher. Every commercial passenger motor vehicle shall be equipped with a pressurized dry chemical type fire extinguisher of a type approved by the Underwriter's Laboratory Inc., with a rating of not less than ten B.C. (one 10 B.C. or two 5 B.C. permitted).
- (21) Drive Shaft Protection. The drive shaft on every commercial passenger motor vehicle must be protected in a way to prevent same from falling on the ground or coming in contact with the floor of the bus in case it becomes disconnected.
- (22) Driver's First Aid Kit. Every school bus shall be equipped with a suitable first aid kit in compliance with M.G.L. c. 90, § 7B.
- (23) Emergency Road Markers. Every commercial passenger motor vehicle shall be equipped with at least three red emergency reflectors which comply with 49 CFR 393.95(i) and which shall be placed in a suitable position on the roadway when required.
- (24) Driver's Seat Belts. Every commercial passenger motor vehicle manufactured after January 1, 1974, must be provided with a seat belt for the driver which will conform with U.S. Department of Transportation safety standards and which shall be fastened around driver whenever bus is in motion. All buses used in school service shall be equipped with driver seat belts which shall be used when the bus is in motion.
- (25) Driver's Guard. Every commercial passenger motor vehicle shall be provided with a guard or other means to prevent passengers from crowding or interfering with the driver. No person shall be permitted, at any time, inside the guard.

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- (26) Grab Handles for Doors. Every commercial passenger motor vehicle shall be provided with a grab handle conveniently located at each receiving door.
- (27) Grab Handles for Standees. Every commercial passenger motor vehicle carrying standing passengers shall be provided with grab handles, straps or bars for their support.
- (28) Ventilators. Every closed commercial passenger motor vehicle shall be equipped with ventilators of a suitable type to insure proper ventilation. Vehicles equipped with an air conditioning system and solid type windows shall have at least two windows of sliding type or roof ventilators which will allow ventilation in the event of loss of the system. These windows shall be located on opposite sides of each other. The latter two sentences apply to buses of model year 1978 and thereafter.
- (29) Signal to Driver. Every commercial passenger motor vehicle used in regular route service shall be provided with a bell or buzzer which can be conveniently sounded by a passenger from any part of the interior of the bus as a signal to the driver for the bus to come to a stop.
- (30) Route and Destination Signs. Every commercial passenger motor vehicle shall properly display a destination or route sign at the front which shall be clearly visible by day or night. Special, charter or school bus signs shall be displayed whenever the bus is engaged in such service. "No Passengers" signs shall be displayed when passengers are not desired. Whenever transit or coach type vehicles are used under a school permit issued by the Department, school bus signs must be displayed.
- (31) Heaters and Defrosters. Every commercial passenger motor vehicle shall be equipped with adequate heaters and defrosters which shall comply with U. S. Department of Transportation Motor Carrier Safety Regulation, 49 CFR 393.77 and 393.79.

155.04: Procedures for Inspecting Pursuant to Federal Regulations

The Federal Regulations, 49 CFR 390 through 397, including Sub-chapter B, Appendix G, as appearing in 155.04, or as may be revised in the Code of Federal Regulations, as related to the inspection of Commercial Motor Vehicles or any activity related thereto, are hereby adopted as the Regulations of the Department of Public Utilities. Said regulations are applicable to vehicles transporting more than 16 persons including the driver. In the event of any conflict between these regulations and any other regulations or law of the Commonwealth of Massachusetts, the stricter more

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stringent standard shall apply.

Vehicles will not be in compliance with 220 CMR 155.04 if, when submitted for inspection, the following conditions exist:

(1) Brake System.

(a) Service Brakes.

1. All brake systems are to be inspected in accordance with the manufacturer's recommended procedures. Absence of braking action of any axle required to have brakes upon application of the service brakes (such as missing brakes or brake shoe(s) failing to move upon application of a wedge, S-cam, cam, or disc brake).
2. Missing or broken mechanical components; shoes, lining, pads, springs, anchor pins, spiders, cam rollers, push rods, and air chamber mounting bolts.
3. Loose brake components including air chamber spiders, and cam shaft support brackets.
4. Audible air leak at brake chamber (example-ruptured diaphragm, loose chamber clamp, etc.).
5. Re-adjustment limits. The maximum stroke at which brakes should be re-adjusted is given below. Any brake 1/4 or more past the re-adjustment limit or any two brakes at the readjustment limit on less than 1/4 beyond the re-adjustment limit shall be cause for rejection. Stroke shall be measured with the engine off and reservoir pressure of 80 to 90 Pounds per Square Inch (PSI) with brakes fully applied.

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BOLT TYPE BRAKE CHAMBER DATA

Type	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
A	12	6 15/16	1 3/8
B	24	9 3/16	1 3/4
C	16	8 1/16	1 3/4
D	6	5 1/4	1 1/4
E	9	6 3/16	1 3/8
F	36	11	2 1/4
G	30	9 7/8	2

ROTOCHAMBER DATA

Type	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
9	9	4 9/32	1 1/2
12	12	4 13/16	1 1/2
16	16	5 13/32	2
20	20	5 13/16	2
24	24	6 13/32	2
30	30	7 1/16	2 1/4
36	36	7 5/8	2 3/4
50	50	8 7/8	3

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CLAMP TYPE BRAKE CHAMBER DATA

Type	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
6	6	4 1/2	1 1/4
9	9	5 1/4	1 3/8
12	12	5 11/16	1 3/8
16	16	6 3/8	1 3/4
20	20	6 24/32	1 3/4
24	24	7 7/32	1 3/4 see note
30	30	8 3/32	2
36	36	9	2 1/4

Note: (2 inches for long stroke design).

Wedge Brake Data. Movement of the scribe mark on the lining shall not exceed 1/16 inch.

6. Brake linings or pads.
 - a. Lining or pad is not firmly attached to the shoe;
 - b. Saturated with oil, grease, or brake fluid; or
 - c. Non-steering axles: Lining with a thickness less than 1/4 inch at the shoe center for air drum brakes, 1/16 inch or less at the shoe center for hydraulic and electric drum brakes, and less than 1/8 inch for air disc brakes.
 - d. Steering axles: Lining with a thickness less than 3/16 inch at the shoe center for drum brakes, less than 1/8 inch for air disc brakes and 1/16 inch or less for hydraulic disc and electric brakes.
7. Missing brake on any axle required to have brakes.
8. Mismatch across any power unit steering axle of:
 - a. Air chamber sizes.
 - b. Slack adjuster length.

(b) Parking Brake System. No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including, a driveline hand controlled parking brake.

(c) Brake Drums or Rotors.

1. With any external crack or cracks that open upon brake application (do not confuse short hairline heat check cracks with flexural cracks).

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2. Any portion of the drum or rotor missing or in danger of falling away.
- (d) Brake Hose.
1. Hose with any damage extending through the outer reinforcement ply. (Rubber impregnated fabric cover is not a reinforcement ply). (Thermoplastic nylon may have braid reinforcement or color difference between cover and inner tube. Exposure of second color is cause for rejection.)
 2. Bulge or swelling when air pressure is applied.
 3. Any audible leaks.
 4. Two hoses improperly joined (such as a splice made by sliding the hose ends over a piece of tubing and clamping the hose to the tube).
 5. Air hose cracked, broken or crimped.
- (e) Brake Tubing.
1. Any audible leak.
 2. Tubing cracked, damaged by heat, broken or crimped.
- (f) Low Pressure Warning Device missing, inoperative, or does not operate at 55 PSI and below, or 1/2 the governor cut-out pressure, whichever is less.
- (g) Air Compressor.
1. Compressor drive belts in condition of impending or probable failure.
 2. Lose compressor mounting bolts.
 3. Cracked, broken or loose pulley.
 4. Cracked or broken mounting brackets, braces or adapters.
- (h) Electric Brakes. Absence of braking action on any wheel required to have brakes.
- (i) Hydraulic Brakes. (Including Power Assist Over Hydraulic and Engine Drive Hydraulic Booster).
1. Master cylinder less than 1/4 full.
 2. No pedal reserve with engine running except by pumping pedal.
 3. Power assist unit fails to operate.
 4. Seeping or swelling brake hose(s) under application of pressure.
 5. Missing or inoperative check valve.
 6. Has any visually observed leaking hydraulic fluid in the brake system.
 7. Has hydraulic hose(s) abraded (chafed) through outer cover to fabric layer.
 8. Fluid lines or connections leaking, restricted, crimped, cracked or broken.
 9. Brake failure or low fluid warning light on and/or inoperative.
- (j) Vacuum Systems. Any vacuum system which:
1. Has insufficient vacuum reserve to permit one full brake

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application after engine is shut off.

2. Has vacuum hose(s) or line(s) restricted, abraded (chafed) through outer cover to cord ply, crimped, cracked, broken or has collapse of vacuum hose(s) when vacuum is applied.
3. Lacks an operative low-vacuum warning device as required.

(2) Exhaust System.

- (a) A bus exhaust system leaking or discharging to the atmosphere:
 1. Gasoline powered in excess of six inches forward of the rearmost part of the bus (See 540 CMR 7.00 for school buses.)
 2. Other than Gasoline Powered in excess of 15 inches forward of the rear most part of the bus. (See 540 CMR 7.00 for school buses).
 3. Other than Gasoline Powered forward of a door or window designed to be opened. (Exception: Emergency exits).
- (b) No part of the exhaust system of any motor vehicle shall be so located as would be likely to result in burning, charred, or damaging the electrical wiring, the fuel supply, or any combustible part of the motor vehicle.
- (c) The exhaust system, exhaust manifold(s), exhaust pipe(s), muffler(s), and tailpipe(s), if designed to be so equipped, shall be tight and free of leaks. System components shall be securely fastened with fasteners in place and undamaged.
- (d) A gas or diesel powered vehicle will be rejected if, at normal operating temperature, and at any constant speed over 15 MPH (approximately 1,000 to 1200 RPM's) visible black or blue exhaust emissions are evident.

(3) Fuel System.

- (a) A fuel system with a visible leak at any point.
- (b) A fuel tank filler cap missing.
- (c) A fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or brackets (some fuel tanks use springs or rubber bushings to permit movement).

(4) Lighting Devices. All lighting devices and reflectors required by 49 CFR 393(h) shall be operable.

(5) Steering Mechanism.

- (a) Steering Wheel Free Play (on vehicles equipped with power steering the engine must be running).

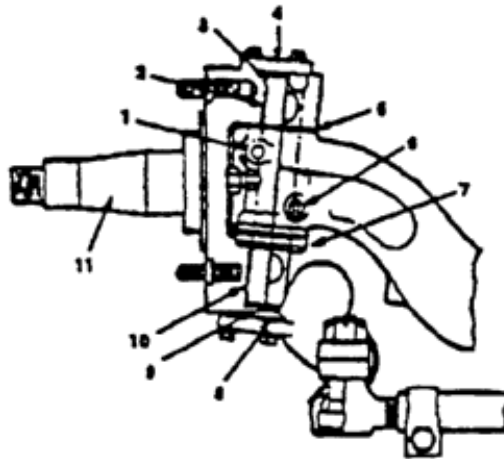
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Steering Wheel Diameter	Manual Steering System	Power Steering System
16 inches	2 inches	4 ½ inches
18 inches	2 ¼ inches	4 ¾ inches
20 inches	2 ½ inches	5 ¼ inches
22 inches	2 ¾ inches	5 ¾ inches

- (b) Steering Column.
1. Any absence or looseness of U-bolt(s) or positioning part(s).
 2. Worn, faulty or obviously repair-welded universal joint(s).
 3. Steering wheel not properly secured.
- (c) Front Axle Beam and All Steering Components Other Than Steering Column.
1. Any crack(s) in gear box or mounting brackets.
 2. Any obvious weld or repair(s).
- (d) Steering Gear Box.
1. Any mounting bolts loose or missing.
 2. Any crack(s) in gear box or mounting brackets.
- (e) Pitman Arm. Any looseness of the pitman arm on the steering gear output shaft.
- (f) Power Steering. Auxiliary power assist cylinder loose.
- (g) Ball and Socket Joints.
1. Any movement under steering load of a stud nut.
 2. Any motion, other than rotational between any linkage member and its attachment point of more than 1/8 inch.
- (h) Tie Rods and Drag Links.
1. Loose clamp(s) or clamp bolt(s) on tie rods or drag links.
 2. Any looseness in any threaded joint.
- (i) Nuts. Nut(s) loose or missing on tie rods, pitman arm, drag link, steering arm or tie rod arm.
- (j) Steering System. Any modification or other condition that interferes with free movement of any steering component.
- (k) King Pin. Reject Vehicle: if measured movement at top or bottom of tire is greater than:
- | | | |
|-------------|-------------------|-----------------------|
| Wheel Size: | 16 inches or less |1/4 inch (6.5mm) |
| | 17 to 18 inches |3/8 inch (9.5mm) |
| | Over 18 inches |1/2 inch (13mm) |

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KING PIN PLAY PROCEDURE: Recommended procedure is noted below. Be sure wheel bearing movement is eliminated by applying service brake during checking procedure.



- | | |
|--------------------------|------------------------------|
| 1. Draw Key-Upper | 7. Thrust Bearing |
| 2. Knuckle Pin | 8. Expansion Plug |
| 3. Knuckle Bushing Upper | 9. Expansion Plug Lower Ring |
| 4. Kin Pin Cap | 10. Knuckle Bushing Lower |
| 5. Shims | 11. Knuckle/Spindle |
| 6. Draw Key-Lower | |

Procedure:

First eliminate all wheel bearing movement by applying service brake. With front end lifted, grasp the tire at the top and bottom and attempt to move in and out to detect looseness. A pry bar may be necessary on heavy wheels. Measure the movement at the top or bottom of the tire at the outer circumference. Reject vehicle if

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measured movement at top or bottom of tire is greater than:

Wheel size:

- 16 inches or less -- ¼ inch (6.5mm)
- 17 to 18 inches -- 3/8 inch (9.5mm)
- Over 18 inches -- ½ inch (13mm)

(6) Suspension.

- (a) Any U bolt(s), spring hanger(s), or other axle positioning part(s) cracked, broken, loose or missing resulting in shifting of an axle from its normal position (After a turn, lateral axle displacement is normal with some suspensions.)
- (b) Spring Assembly.
 - 1. Any leaves in a leaf spring assembly broken or missing.
 - 2. Any broken main leaf in a leaf spring assembly (include assembly with more than one main spring).
 - 3. Coil spring broken.
 - 4. Rubber spring missing.
 - 5. One or more leaves displaced in a manner that could result in contact with a tire, rim, brake drum or frame.
 - 6. Broken torsion bar spring in a torsion bar suspension.
 - 7. Deflated air suspension, *i.e.*, system failure, leak, *etc.*
- (c) Torque, Radius, or Tracking Components. Any part of a torque, radius or tracking component assembly or any part used for attaching the same to the vehicle frame or axle that is cracked, loose, broken or missing. It does apply to loose bushings in torque or track rods.

(7) Frame.

- (a) Frame Members.
 - 1. Any cracked, broken, loose, or sagging frame member.
 - 2. Any loose or missing fasteners including fasteners attaching functional component such as engine, transmission, steering gear, suspension, body parts.
- (b) Tire and Wheel Clearance. Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel assemblies.

(8) Tires.

- (a) Any tire on any steering axle:
 - 1. With less than 4/32 inch tread when measured at any point on a major tread groove.
 - 2. Has body ply or belt material exposed through the tread or sidewall.

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3. Has any tread or sidewall separation.
 4. Has a cut where the ply or belt material is exposed.
 5. Labeled "Not For Highway Use" or displaying other marking which would exclude use on steering axle.
 6. A tube-type radial tire without radial tube stem markings. These markings include a red band on the tube stem, the word "radial" embossed in metal stems, or the word "radial" molded in rubber stems.
 7. Mixing bias and radial tires on the same axle.
 8. Tire flap protrudes through valve slot in rim and touches stem.
 9. Regrooved tires on buses equipped with front tires with a load carrying capacity of less than that of 8.25-20 8 ply-rating tires.
 10. Boot, blowout patch or other ply repair.
 11. Weight carried exceeds tire load limit. This includes overloading tire resulting from low air pressure.
 12. Tire is flat or has noticeable (*e.g.*, can be heard or felt) leak.
 13. Any bus equipped with recapped or retreaded tire(s).
 14. So mounted or inflated that it comes in contact with any part of the vehicle.
- (b) All tires other than those found on the steering axle:
1. Weight carried exceeds tire load limit. This includes overloaded tire resulting from low pressure.
 2. Tire flat or has noticeable (*e.g.*, can be heard or felt) leak.
 3. Has body ply or belt material exposed through the tread or sidewall.
 4. Has any tread or sidewall separation.
 5. Has a cut where ply or belt material is exposed.
 6. So mounted or inflated that it comes in contact with any part of the vehicle. (This includes a tire that contacts its mate.)
 7. Is marked "Not For Highway Use" or otherwise marked and having like meanings.
 8. With less than 2/32 inch tread when measured at any point on a major tread groove.
- (9) Wheels and Rims.
- (a) Lock or Side Rims. Bent, broken, cracked, improperly seated, springs or mismatched rings.
 - (b) Wheels and Rims. Cracked or broken or has elongated bolt holes.
 - (c) Fasteners (Both Spoke and Disc Wheels). Any loose, missing, broken, cracked, stripped or otherwise ineffective fasteners.
 - (d) Welds.

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1. Any cracks in welds attaching disc wheel disc to rim.
 2. Any cracks in welds attaching tubeless demountable rim to adapter.
 3. Any welded repair on aluminum wheel(s) on a steering axle.
 4. Any welded repair other than disc to rim attachment on steel disc wheel(s) mounted on the steering axle.
- (10) Windshields and Windows.
- (a) Wipers and Washer. Every motor bus shall be equipped with two automatically operated windshield wiper blades in operating condition. Wiper blades must properly contact the windshield, be of the same length as those furnished as original equipment and the rubber elements free from damage or tears. Buses manufactured after January 1, 1974, and in subsequent years, shall be equipped with a suitable windshield washer device.
 - (b) Windshield Safety Glass. All glass shall be installed with a visible and legible identification mark and it shall conform to U.S. DOT MVSS-205. Laminated AS-1 safety glass shall be used in the windshield.
 - (c) Windshield Critical Viewing Area is the area covered by the sweep of the wipers (exclusive of the outer two inches within the perimeter of the wiper sweep) provided by the vehicle manufacturer.
 - (d) Windshields and windows having any of the following defects will be rejected:
 1. Any broken glass with sharp or jagged edges inside or outside.
 2. Any stone bruise, star break, or bulls eye, damage in excess of one inch in diameter within the critical viewing area or larger than two inches outside the critical viewing areas, or multiple such damage.
 3. Single line cracks which extend more than three inches into the critical viewing area.
 4. Multiple cracks, having one or more which extends into the critical viewing area.
 5. Wiper scraper(s) in excess of 1/4 inch wide within the critical viewing area.
 6. Clouding extending more than three inches within the perimeter of the exposed glass.
 7. No poster, sticker decal, *etc.* shall be attached to the windshield in such a manner so as to obstruct the vision of the operator.
 - (e) Window Tinting. Any tinting or reflective material applied by brush, spray, or adhesive which is below the uppermost six inches of the windshield or which may encroach upon the driver's direct forward viewing area. (All such tinting provided by the original manufacturer in

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compliance with applicable Federal Motor Vehicle Safety Standards is acceptable.) Aftermarket tinting or alterations that do not change the transparency is acceptable on windows immediately adjacent to the operator and front passenger seat and the windows immediately to the rear of the operator and front passenger seat. The rear window may also be so tinted provided the vehicle is equipped with two outside rear view mirrors. The windshield may only be tinted down to the AS-1 line usually located in the uppermost six inches of the windshield.

155.05: Out-of-service Criteria for Commercial Passenger Motor Vehicles

If, in the course of inspecting a commercial passenger motor vehicle, a Department inspector finds a vehicle to be unsafe according to the current North American Uniform Vehicle Out-of-service Criteria, the following steps will be taken:

- (1) Decal. An Out-of-service decal shall be placed on the driver's side of the windshield of the vehicle. The passenger carrier or driver of the vehicle shall not operate the vehicle in passenger service until all necessary repairs have been made.
- (2) Repairs. The vehicle with the Out-of-service decal may be operated to the nearest repair facility if the Department inspector states in the inspection report that it is safe to do so. Except for the movement to the repair facility, any operation of the vehicle with an Out-of-service decal, subjects the carrier to suspension or revocation of the carrier's operating authority, pursuant to the provisions of M.G.L. c. 159A, § 15.
- (3) Reporting. Within 15 days of the inspection, the passenger carrier must mail to the Department's Transportation Division a copy of the inspector's report, and a copy of the vehicle repair order showing that all safety related-equipment defect(s) have been corrected.
- (4) Reinspection. After receiving the carrier's proof of repair, the inspector shall arrange a time to reinspect the Out-of-service vehicle to verify that the defect(s) noted in the inspector's report have been repaired.
- (5) Defects Other Than Out-of-service Defects. If a safety-related defect or defects noted during an inspection are not identified and listed in the North American Uniform Vehicle Out-of-service Criteria, and therefore do not subject the vehicle to an Out-of-service decal, that vehicle may be allowed to continue in operation for a period of 15 days after the inspection. Within the 15 days, the

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carrier must mail to the Department's Transportation Division a copy of the inspector's report and a copy of the vehicle repair order showing that the defect(s) have been corrected. Vehicles may be subject to reinspection. Failure to comply with Department regulations subjects a carrier to suspension or revocation of the carrier's operating authority, pursuant to the provisions of M.G.L. c. 159A, § 15.

REGULATORY AUTHORITY

220 CMR 155.00: M.G.L. c. 159A, § 9; M.G.L. c. 161B, § 6(i).