



**DEPARTMENTAL NOTICE #33
NOVEMBER 2014
(Replaces Departmental Notice #33 dated September 2010)**

SUBJECT: MOTOR CARRIER VEHICLE OPERATION

REFERENCE: IC 9-21-8-58

DISCLAIMER: Departmental notices are intended to provide nontechnical assistance to the general public. Every attempt is made to provide information that is consistent with appropriate statutes, rules, and court decisions. Any information that is not consistent with the law, regulations, or court decisions is not binding on either the department or the taxpayer. Therefore, the information provided herein should serve only as a foundation for further investigation and study of the current law and procedures related to the subject matter covered herein. This document does not meet the definition of a “statement” required to be published in the Indiana Register under IC 4-22-7-7.

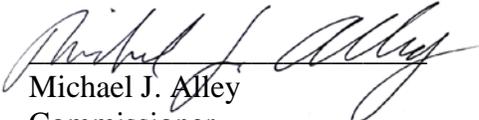
SUMMARY OF CHANGES

Aside from nonsubstantive technical changes, this notice provides that the department will recognize the certification issued on behalf of the State of Alabama for proper load securement of metal coils.

The Indiana Department of Revenue (“the department”) interprets IC 9-21-8-58 to apply only to intrastate motor carriers, meaning carriers based in Indiana that operate loads only within the state of Indiana. The loads must both originate and terminate within Indiana. Therefore, if a carrier is based in another state and the load initiates or terminates within Indiana, the statute does not apply. Likewise, if the carrier is based in Indiana and the load originates or terminates outside of Indiana, the statute does not apply because that carrier is not an intrastate carrier.

Drivers employed by applicable intrastate motor carriers discussed above must pass a training program certifying that the driver knows the proper load securement requirements for one or more metal coils, as provided in 49 CFR 393.120. After passing the training program, a certificate of completion will be issued to the driver. The certificate of completion must be kept in the vehicle when transporting one or more metal coils that, individually or grouped together, weigh at least 2,268 kilograms (5,000 pounds).

IC 9-21-8-58 mandates that the department recognize metal coil securement certificates issued by other states. An example of a training and certification program can be found at <http://metalcoiltraining.com/>, which the State of Alabama has utilized. The department will recognize a valid certificate of completion obtained from this program.



Michael J. Alley
Commissioner