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| <p>WHAT IS A COMMERCIAL MOTOR VEHICLE?</p> | <p>FMCSR INTERSTATE COMMERCE</p> <p>A motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle—</p> <ol style="list-style-type: none">1) Has a GVWR or GCVWR of 10,001 pounds or greater;2) Is designed or used to transport more than 8 passengers (including the driver) for compensation; or3) Is designed or used to transport more than 15 passengers (including the driver); or4) Is used to transport hazardous materials. <p>49 C.F.R. § 390.5</p> | <p>TEXAS INTRASTATE COMMERCE</p> <p>A motor vehicle, that is used on a public highway to transport passengers or cargo if the vehicle—</p> <ol style="list-style-type: none">1) Has a GVWR or GCVWR exceeding 26,000 pounds;2) Is designed or used to transport more than 15 passengers (including the driver); or3) Is used to transport hazardous materials. <p>Tex. Transp. Code § 548.001</p> |
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2

INTERSTATE COMMERCE: WHAT IS IT?

The FMCSR define “interstate commerce” as “trade, traffic, or transportation in the United States—

- 1) Between a place in a State and a place outside such State (including a place outside the United States)
- 2) Between two places in a State through another State or a place outside of the United States; or
- 3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State of the United States.

FMCSR § 390.5



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IS THIS A COMMERCIAL MOTOR VEHICLE?



FMCSR INTERSTATE

Yes, over 10,001 pounds GVWR.

TEXAS INTRASTATE

No, under 10,001 pounds GVWR.

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IS THIS A **COMMERCIAL MOTOR VEHICLE**?



FMCSR (INTERSTATE)

Yes, if transporting passengers for compensation.

No, if transport is not for compensation.

TEXAS (INTRASTATE)

No.

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IS THIS A **COMMERCIAL MOTOR VEHICLE**?



FMCSR INTERSTATE

Yes, if hauling property. (GCVWR over 10,001 pounds).

TEXAS INTRASTATE

No. GCVWR under 26,001 pounds

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