



**MONTANA  
ADMINISTRATIVE  
REGISTER**



**DEPARTMENT OF TRANSPORTATION**

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**NOTICE OF ADOPTION**

**MAR NOTICE NO. 2025-87.3**

**Summary**

ARM 18.8.1502, 18.8.1503, and 18.8.1505 are revised annually to adopt the most current published federal motor carrier safety regulations (49 CFR parts 373-399), ensuring MDT compliance with commercial vehicle safety in accordance with the federal motor carrier safety regulations as listed in 61-10-154, MCA.

**Previous Notice(s) and Hearing Information**

On April 11, 2025, the department published MAR Notice No. 2025-87.1 pertaining to the proposed amendment of the above-stated rules in Issue Number 7 of the 2025 Montana Administrative Register.

On May 9, 2025, in Issue 9 of the 2025 Montana Administrative Register, the department published MAR Notice No. 2025.87.2, a supplemental notice of proposed rulemaking that extended the comment period.

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**Final Rulemaking Action – Effective June 28, 2025**

**AMEND AS PROPOSED**

The agency has amended the following rules as proposed:

**18.8.1502 FEDERAL MOTOR CARRIER SAFETY RULES AND STATE MODIFICATIONS**

**18.8.1503 TRANSPORTATION OF HAZARDOUS MATERIALS**

## **AMEND WITH CHANGES**

The agency has amended the following rule with the following changes from the original proposal, stricken matter interlined, new matter underlined:

### **18.8.1505 SAFETY INSPECTION PROGRAM: PURPOSE AND OUT-OF-SERVICE CRITERIA**

- (1) remains as proposed.
- (2) In addition to the federal regulations adopted in ARM 18.8.1502, the safety inspection program will follow Commercial Vehicle Safety Alliance (CVSA), North American Standard Out-of-Service Criteria (June 25 ~~April 1~~, 2025), incorporated by reference. A copy of the North American Standard Out-of-Service Criteria may be obtained from the Commercial Vehicle Safety Alliance, 6303 Ivy Lane, Suite 310, Greenbelt, MD 20770-6319 or at [www.cvsa.org](http://www.cvsa.org).
- (3) remains as proposed.

**Authorizing statute(s):** 61-10-155, MCA

**Implementing statute(s):** 61-10-154, MCA

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### **Statement of Reasons**

The agency has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

Comment 1: On April 28, 2025, President Trump issued an executive order, Enforcing Commonsense Rules of the Road for America's Truck Drivers, which rescinded ELP Testing Enforcement Policy MC-ECE-2016-006, issued on June 16, 2016, and revised the Commercial Vehicle Safety Alliance (CVSA) Out of Service Criteria found in 49 CFR 3895.4. This change was approved by the CVSA Board of Directors with an effective date of June 25, 2025.

Response 1: The department recognizes the change to 49 CFR 3895.4, and revises ARM 18.8.1505 as shown above.

Comment 2: A commenter requested a summary of the CFR updates and how they could improve safety.

Response 2: The program provided the requested information.

**Contact**

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**Rule Reviewer**

Valerie A. Balukas

**Approval**

Christopher Dorrington