

**Pt. 374**

**49 CFR Ch. III (10–1–04 Edition)**

through bills of lading, covering transportation from origin to ultimate destination, on each shipment for which it arranges transportation in interstate commerce. Where a motor common carrier receives freight at the origin and issues a receipt therefor on its form with a notation showing the HHGFF's name, the HHGFF, upon receiving the shipment at the "on line" or consolidating station, shall issue a through bill of lading on its form as of the date the carrier receives the shipment.

[55 FR 11201, Mar. 27, 1990. Redesignated at 61 FR 54708, Oct. 21, 1996.]

**PART 374—PASSENGER CARRIER REGULATIONS**

**Subpart A—Discrimination in Operations of Interstate Motor Common Carriers of Passengers**

Sec.

- 374.101 Discrimination prohibited.
- 374.103 Notice to be printed on tickets.
- 374.105 Discrimination in terminal facilities.
- 374.107 Notice to be posted at terminal facilities.
- 374.109 Carriers not relieved of existing obligations.
- 374.111 Reports of interference with regulations.
- 374.113 Definitions.

**Subpart B—Limitation of Smoking on Interstate Passenger Carrier Vehicles**

- 374.201 Prohibition against smoking on interstate passenger-carrying motor vehicles.

**Subpart C—Adequacy of Intercity Motor Common Carrier Passenger Service**

- 374.301 Applicability.
- 374.303 Definitions.
- 374.305 Ticketing and information.
- 374.307 Baggage service.
- 374.309 Terminal facilities.
- 374.311 Service responsibility.
- 374.313 Equipment.
- 374.315 Transportation of passengers with disabilities.
- 374.317 Identification—bus and driver.
- 374.319 Relief from provisions.

**Subpart D—Notice of and Procedures for Baggage Excess Value Declaration**

- 374.401 Minimum permissible limitations for baggage liability.

- 374.403 Notice of passenger's ability to declare excess value on baggage.
- 374.405 Baggage excess value declaration procedures.

**Subpart E—Incidental Charter Rights**

- 374.501 Applicability.
- 374.503 Authority.
- 374.505 Exceptions.

AUTHORITY: 49 U.S.C. 13301 and 14101; and 49 CFR 1.73.

EDITORIAL NOTE: Nomenclature changes to part 374 appear at 66 FR 49871, Oct. 1, 2001.

**Subpart A—Discrimination in Operations of Interstate Motor Common Carriers of Passengers**

SOURCE: 36 FR 1338, Jan. 28, 1971, unless otherwise noted. Redesignated at 61 FR 54709, Oct. 21, 1996.

**§ 374.101 Discrimination prohibited.**

No motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B shall operate a motor vehicle in interstate or foreign commerce on which the seating of passengers is based upon race, color, creed, or national origin.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.103 Notice to be printed on tickets.**

Every motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B shall cause to be printed on every ticket sold by it for transportation on any vehicle operated in interstate or foreign commerce a plainly legible notice as follows: "Seating aboard vehicles operated in interstate or foreign commerce is without regard to race, color, creed, or national origin."

NOTE: The following interpretation of the provisions of § 374.103 (formerly § 1055.2) appears at 27 FR 230, Jan. 9, 1962:

The words, "Seating aboard vehicles operated in interstate or foreign commerce is without regard to race, color, creed, or national origin", should appear on the face of every ticket coming within the purview of the section. If the ticket is in parts or consists of additional elements, such as coupons, identification stubs, or checks, it shall be

**Federal Motor Carrier Safety Administration, DOT**

**§ 374.113**

sufficient for the purposes of §374.103 that the notice appear only once on the ticket and be placed on the face of that portion of the ticket which is held by the passenger.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.105 Discrimination in terminal facilities.**

No motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B shall in the operation of vehicles in interstate or foreign commerce provide, maintain arrangements for, utilize, make available, adhere to any understanding for the availability of, or follow any practice which includes the availability of, any terminal facilities which are so operated, arranged, or maintained as to involve any separation of any portion thereof, or in the use thereof on the basis of race, color, creed, or national origin.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.107 Notice to be posted at terminal facilities.**

No motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B shall in the operation of vehicles in interstate or foreign commerce utilize any terminal facility in which there is not conspicuously displayed and maintained so as to be readily visible to the public a plainly legible sign or placard containing the full text of these regulations. Such sign or placard shall be captioned: "Public Notice: Regulations Applicable to Vehicles and Terminal Facilities of Interstate Motor Common Carriers of Passengers, by order of the Secretary, U.S. Department of Transportation."

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.109 Carriers not relieved of existing obligations.**

Nothing in this regulation shall be construed to relieve any interstate motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B of any of its obligations under 49 U.S.C.

subtitle IV, part B or its certificate(s) of public convenience and necessity.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.111 Reports of interference with regulations.**

Every motor common carrier of passengers subject to 49 U.S.C. subtitle IV, part B operating vehicles in interstate or foreign commerce shall report to the Secretary, within fifteen (15) days of its occurrence, any interference by any person, municipality, county, parish, State, or body politic with its observance of the requirements of these regulations in this part. Such report shall include a statement of the action that such carrier may have taken to eliminate any such interference.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]

**§ 374.113 Definitions.**

For the purpose of these regulations the following terms and phrases are defined:

(a) *Terminal facilities.* As used in these regulations the term "terminal facilities" means all facilities, including waiting room, rest room, eating, drinking, and ticket sales facilities which a motor common carrier makes available to passengers of a motor vehicle operated in interstate or foreign commerce as a regular part of their transportation.

(b) *Separation.* As used in §374.105, the term "separation" includes, among other things, the display of any sign indicating that any portion of the terminal facilities are separated, allocated, restricted, provided, available, used, or otherwise distinguished on the basis of race, color, creed, or national origin.

[36 FR 1338, Jan. 28, 1971. Redesignated at 61 FR 54709, Oct. 21, 1996, as amended at 62 FR 15423, Apr. 1, 1997]