

INFORMATION BULLETIN



April 11, 2024

VEHICLES OPERATED WITH A SUSPENDED MOTOR CARRIER OF PROPERTY PERMIT

The purpose of this Information Bulletin (IB) is to provide information regarding vehicles operated by a motor carrier with a suspended Motor Carrier of Property Permit (MCP), in violation of Section 34623(h) of the California Vehicle Code (CVC). Section 34623(h) CVC states, "A motor carrier of property may not operate a commercial motor vehicle on any public highway in this state during any period its motor carrier of property permit is suspended pursuant to" Division 14.85 of the CVC.

A motor carrier of property is defined by Section 34601 CVC as "any person who operates any commercial motor vehicle" which is self-propelled and listed in subdivisions (a), (b), (f), (g), and (k) of Section 34500 CVC, or any other motor vehicle used to transport property for compensation. Any vehicle found to be operating in **intrastate** or **interstate** commerce when the motor carrier's MCP is suspended is in violation of Section 34660 CVC and shall not be operated on any California roadway until the motor carrier has taken the necessary steps to clear the suspension.

While not all motor carriers are required to possess a valid MCP, the provisions of Section 34623(h) CVC prohibit any motor carrier from operating on California highways with a suspended MCP regardless of whether they operate in **intrastate** or **interstate** commerce. Motor carriers who obtained an MCP but no longer require an MCP for their operations should contact the California Department of Motor Vehicles (DMV) to withdraw their MCP.

Section 34623(a) CVC gives the Department exclusive jurisdiction for the regulation of the safe operation of motor carriers of property. Departmental personnel should use sound, professional judgement when enforcing the provisions of Section 34623(h) CVC. Additionally, enforcement shall only occur at such time as the motor carrier's MCP status has been verified as outlined in Highway Patrol Manual 82.6, Commercial Enforcement Manual, Chapter 13, Motor Carrier Registration and Operating Authority.



Questions regarding this IB should be directed to Commercial Vehicle Section at (916) 843-3400.

OFFICE OF THE COMMISSIONER

