

Brian Parke

From: Tim Doyle
Sent: Thursday, November 17, 2022 11:25 AM
To: Tim Doyle
Subject: FW: FR Notice - Interim Guidance and request for comments - Broker and Bona Fide Agents. Comment by January 17, 2023
Attachments: Broker and Bona Fide Agent_Interim Guidance_Comment by Jan 17 2023_2022-24923 (11-16-2022).pdf

Please see information below from FMCSA.

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Good Morning,

Please see below/attached for information regarding the subject FR notice.

SUMMARY: FMCSA is issuing this interim guidance to inform the public and regulated entities about FMCSA's interpretation of the definitions of "broker" and "bona fide agents" as it relates to all brokers of transportation by motor vehicle. FMCSA is taking this action to better define the terms in response to a mandate in the Infrastructure Investment and Jobs Act (IIJA). After consideration of public comments received, FMCSA is providing clarification on its interpretation of the definitions of "broker" and "bona fide agents," in addition to meeting other criteria required by the IIJA. While this interim guidance is effective immediately, FMCSA is also seeking comments in response to this interim guidance and may issue updated guidance if comments demonstrate a need.

DATES: Effective date: This updated guidance is effective November 16, 2022. Comment date: Comments must be received on or before January 17, 2023.

This notice includes guidance on:

- A. Definition of Broker
- B. Definition of Bona Fide Agent
- C. Role of Dispatch Services
- D. Dispatch Service: Broker or Bona Fide Agent
- E. Dispatch Services That Would Not Require Broker Authority
- F. Dispatch Services That Require Broker Authority
- G. Financial Penalties

-Brendan

Brendan Shaughnessy

State Program Specialist

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U.S. Department of Transportation
Federal Motor Carrier Safety Administration

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