**Section 392.2000 Incorporation by Reference of 49 CFR 392**

a) "Driving of Commercial Motor Vehicles" (49 CFR 392) is incorporated by reference as that part of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 380, 382, 383, 385, appendix B of 386, 387, 390, 391, 392, 393, 395, 396 and 397) was in effect on October 1, 2014. No later amendments to or editions of 49 CFR 392 are incorporated. Copies of the appropriate material are available from the Division of Traffic Safety, 1340 N. 9th Street, Springfield, Illinois 62702 or by calling 217/785-1181. The FMCSR are available on the National Archives and Records Administration's website at http://ecfr.gpoaccess.gov. The Division of Traffic Safety's rules are available on the Department's website at http://www.dot.il.gov/safety.html.

b) References to subchapters, parts, subparts, sections or paragraphs shall be read to refer to the appropriate citation in the FMCSR.

1. The following addition to 49 CFR 392 shall apply for purposes of this Part.

 Authorized Illinois State Police shall place drivers out-of-service for any violation of the Illinois Motor Carrier Safety Law [625 ILCS 5/Ch. 18B] or the Illinois Motor Carrier Safety Regulations that warrants placing the driver out-of-service under the "North American Uniform Out-of-Service Criteria" as defined at 92 Ill. Adm. Code 390.1020.

d) 49 CFR 392.9a (Operating authority) is not incorporated and the following is substituted therefor:

1) Registration required. A motor vehicle providing transportation requiring registration under 49 USC 13902 may not be operated without the required registration or operated beyond the scope of its registration.

2) Penalties. Every motor vehicle providing transportation requiring registration under 49 USC 13902 shall be ordered out-of-service if determined to be operating without registration or beyond the scope of its registration. In addition, the motor carrier may be subject to penalties in accordance with 49 USC 14901.

3) Driver compliance. Upon the issuance of the out-of-service order under subsection (d)(2), the driver shall comply immediately with the order.

e) 49 CFR 392.9b (Prohibited transportation) does not apply to a commercial motor vehicle used in intrastate commerce.

(Source: Amended at 40 Ill. Reg. 2042, effective January 8, 2016)