

Federal Motor Carrier Safety Administration, DOT

§ 372.117

Preserved, such as jam  
 Purees, strawberry and other, frozen

*Grains:*  
 Oils extracted from grain  
 Popcorn, popped  
 Rice, precooked  
 Wheat germ

*Gravel*  
*Hair, hog or other animal, product of slaughter of animal*  
*Hay, sweetened with 3 percent molasses by weight*  
*Hemp fiber*  
*Hides, green and salted*  
*Insecticides*  
*Limestone, agricultural*  
*Livestock:*  
 Monkeys  
 Race horses  
 Show horses  
 Zoo animals

*Lumber, rough sawed or planed*  
*Maple syrup*

*Meal:*  
 Alfalfa  
 Copra  
 Cottonseed  
 Fish  
 Flaxseed  
 Linseed  
 Peanut  
 Soybean

*Meat and meat products, fresh, frozen or canned*

*Milk and Cream:*  
 Chocolate  
 Condensed  
 Sterilized in hermetically sealed cans

*Molasses*

*Nuts (including peanuts):*  
 Peanut meal  
 Roasted or boiled

*Oil, mint*  
*Oil, extracted from vegetables, grain, seed, fish or other commodity*

*Pelts*  
*Pies, frozen*  
*Pigeons, racing*  
*Pulp, beet*  
*Pulp, sugar cane*  
*Rock (except natural crushed, vesicular rock to be used for decorative purposes)*  
*Rubber, crude, in bales*  
*Rubber, latex, natural, liquid, from which water has been extracted and to which ammonia has been added*

*Sand*

*Seeds:*  
 Oil extracted from seeds

*Skins, animal*  
*Soil, potting*

*Soil, top*  
*Soup, frozen*  
*Sugar*  
*Sugar cane pulp*  
*Sugar raw*  
*Syrup, cane*  
*Syrup, maple*  
*Tea*

*Tobacco:*  
 Cigars and cigarettes  
 Homogenized  
 Smoking

*Top Soil*

*Trees:*  
 Sawed into lumber

*Vegetables:*  
 Candied sweet potatoes, frozen  
 Canned  
 Cooked  
 French fried potatoes  
 Oil, extracted from vegetables  
 Soup, frozen  
 Soybean meal

*Wool imported from a foreign country*  
*Wool tops and noils*  
*Wool waste (carded, spun, woven, or knitted)*  
*Wool yarn*

*Note 1:* Under 49 U.S.C. 13506(a)(6)(D), any listed fish or shellfish product that is not intended for human consumption is *exempt*.

*Note 2:* Under 49 U.S.C. 13506(a)(6)(E), any listed livestock feed, poultry feed, agricultural seeds, or plants that are transported to a site of agricultural production or to a business enterprise engaged in the sale to agricultural producers of goods used in agricultural production is *exempt*.

[53 FR 17707, May 18, 1988, as amended at 62 FR 15421, Apr. 1, 1997]

**§ 372.117 Motor transportation of passengers incidental to transportation by aircraft.**

(a) *Passengers having an immediately prior or subsequent movement by air.* The transportation of passengers by motor vehicle is transportation incidental to transportation by aircraft provided (1) that it is confined to the transportation of passengers who have had or will have an immediately prior or immediately subsequent movement by air and (2) that the zone within which motor transportation is incidental to transportation by aircraft, except as it may be individually determined as provided in section (c) herein, shall not exceed in size the area encompassed by a 25-mile radius of the boundary of the airport at which the passengers arrive or depart and by the boundaries of the

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commercial zones (as defined by the Secretary) of any municipalities any part of whose commercial zones falls within the 25-mile radius of the pertinent airport.

(b) *Substituted motor-for-air transportation due to emergency conditions.* Transportation of passengers by motor vehicle is transportation incidental to transportation by aircraft if it constitutes substituted motor-for-air service performed at the expense of the air carrier in emergency situations arising from the inability of the air carrier to perform air transportation due to adverse weather conditions, equipment failure, or other causes beyond the control of the air carrier.

(c) *Individual determination of exempt zones.* Upon its own motion or upon petition filed by any interested person, the Secretary may in an appropriate proceeding, determine whether the area within which the transportation by motor vehicle of passengers having an immediately prior or subsequent movement by air must be performed, in order to come within the provisions of paragraph (a) of this section, should be individually determined with respect to any particular airport or city served by an airport, and whether there should be established therefor appropriate boundaries differing in extent from this defined in paragraph (a)(2) of this section.

(d) *Exempt zones and operations—(1) Dulles and Baltimore-Washington International Airports.* The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between Dulles International Airport, near Chantilly, Va., and Baltimore-Washington International Airport, near Baltimore, Md., is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

(2) *Savannah, Ga., Airport.* The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between Savannah, Ga., Airport and all points on Hilton Head Island, SC, is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

(3) *Chicago O'Hare International Airport (Chicago, Ill.).* The transportation

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by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between O'Hare International Airport, at Chicago, Ill., on the one hand, and, on the other, points in Indiana on and north of U.S. Highway 30 and on and west of Indiana Highway 49, is partially exempt from regulation under 49 U.S.C. 13506(a)(8)(A).

[32 FR 20036, Dec. 20, 1967, as amended at 37 FR 5252, Mar. 11, 1972; 42 FR 10003, Feb. 18, 1977; 42 FR 15705; Mar. 23, 1977; 62 FR 15421, Apr. 1, 1997]

### Subpart B—Commercial Zones

SOURCE: 41 FR 56653, Dec. 29, 1976, unless otherwise noted. Redesignated at 61 FR 54708, Oct. 21, 1996.

#### § 372.201 Albany, NY.

The zone adjacent to, and commercially a part of Albany, N.Y., within which transportation by motor vehicle, in interstate or foreign commerce, not under common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such zone, is partially exempt from regulations under 49 U.S.C. 13506(b)(1) includes and is comprised of all points as follows:

(a) The municipality of Albany, N.Y., itself.

(b) All points within a line drawn eight miles beyond the municipal limits of Albany.

(c) All points in that area more than eight miles beyond the municipal limits of Albany bounded by a line as follows: Beginning at that point on the western boundary of Cohoes, N.Y., where it crosses the line described in paragraph (b) of this section, thence along the western and northern boundary of Cohoes to the Mohawk River thence along such river to the northern boundary of the Town of Waterford thence along the northern and eastern boundaries of the Town of Waterford to the northern boundary of the City of Troy (all of which city is included under the next provision).

(d) All of any municipality any part of which is within the limits of the combined areas defined in paragraphs (b) and (c) of this section, and