

B1 CARRIER INFORMATION

The challenges of running a successful trucking operation are multiplied with the additional complexities of having B1 drivers in your fleet. There are benefits from utilizing these drivers in your business model, but there are also specific pitfalls be aware of when utilizing drivers with a B1 visa. This document was created to address some of these issues but, is not a complete guide to establishing a B1 Program in your organization. Every carrier is unique and should rely on multiple resources and their own research to build their specific program.

Cabotage General Principles (How B1 Drivers can Transport within the US)

- Cabotage refers to the point-to-point transportation of property or passengers within one country.
- Goods transported by commercial vessel, vehicle, or aircraft across the United States border must be entering or leaving the United States and remain in the stream of international commerce.
- Drivers may be admitted delivering or pick up cargo traveling in the stream of international commerce, i.e., the cargo is entering or leaving the United States.

<https://www.dhs.gov/xlibrary/assets/policy/dhs-cross-border-trucking-guidelines.pdf>

Driver Selection and Requirements

- Have a residence in a foreign country which he or she has no intention of abandoning
- Intend to depart the United States at the end of the authorized period of temporary admission
- Adequate financial means to carry out the purpose of the visit to, and departure from, the United States
- Establish that he or she is not inadmissible to the United States, including for health-related reasons, criminal convictions, or previous immigration violations.

Carrier Best Practices

- Pull a PSP on every prospective driver. This is critical to be able to determine the driver's violation and collision activities in the US for the past three years.
- Pull an MVR at hire and annually from the driver's domicile country. As of May 9, 2022 every carrier must pull an MVR from their driver's country of origin (Mexico, US or Canada) to fulfil their requirements under Regulation <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-391/subpart-C/section-391.25>
- The complete ruling is at this link: https://public-inspection.federalregister.gov/2022-04930.pdf?utm_source=federalregister.gov&utm_medium=email&utm_campaign=pi+subscription+mailing+list
- Pulling an MVR annually and documenting any driver violations from your [CSA Portal](#) should satisfy §391.27. Two documents are needed to pull an MVR from Mexico:

Medical Status: <http://app.sct.gob.mx/ConsultaExamen/hismedres.jsp>

License Status: <http://app.sct.gob.mx/ConsultaInfracciones/detalleLicFederal.do>

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Most Common Violations for B1 Drivers

- Unable to Speak English – This one of the most received violations for B1 Drivers. Frequently, officers may not be informed of the specific rules regarding B1 drivers. These violations may be disputed via the Data-Q process. These are unique violations that require expertise that many safety professionals or carriers may not have the experience to address. Contact a safety professional that understands this unique segment of the transportation industry.

Unable to Speak English Violation 391.11b2:

- ****This is NOT an OOS violation**
- Train your drivers in basic English
- Coach your drivers to NEVER say they can't speak English. ****If a non-English speaking driver acknowledges that he/she does not speak English, the driver should be cited for violation of 391.11b2**

By Federal Memorandum, your drivers can use the following to assist in inspection communication:

- Google Translate.
- -Speak cards.
- Cue Cards.
- Smart Phone Apps.
- Interpreters (whether in person or by phone).

****Use of any of these tools does not constitute a violation of 391.11b2**

**** Taken directly from USDOT Memorandum to all states regarding this specific issue.**

For assistance with this or any safety and compliance issue, my contact information is below.

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