

Section 393.43--Breakaway and Emergency Braking

FMCSA revises Sec. 393.43(a) to include better guidance on the performance requirements for towing vehicle brake protection systems. An explicit requirement that the tractor protection valve or similar device operate when the air pressure on the towing vehicle is between 138 kilopascals (kPa) and 310 kPa (20 pounds per square inch (psi) and 45 psi) is added. This criterion has been used for many years during roadside inspections and its inclusion in Sec. 393.43(a) should not create a problem for motor carriers.

FMCSA revises Sec. 393.43(b) to codify its interpretation of the number of trailer brakes required to apply automatically upon breakaway from the towing vehicle. On November 17, 1993, the FMCSA published regulatory guidance which indicated that all brakes must be applied upon breakaway (58 FR 60734). This is consistent with the FMCSA's November 23, 1977, interpretation (42 FR 60078). Because FMVSS No. 121 does not specify the number of trailer brakes that must apply automatically, it is possible that some trailers may be able to meet those performance requirements without having all the brakes apply upon breakaway. To ensure the enforceability of the breakaway requirements and consistency between Sec. 393.43 and the FMVSSs, FMCSA amends the regulation to specify that all brakes must apply automatically, but the requirement is not applicable to trailers with more than two axles. Trailers with more than two axles typically would not have brakes that apply automatically upon breakaway, on each axle.

Sections 393.45 and 393.46--Brake Tubing and Hose