

Rules Governing Trailer Brakes

Federal Motor Carrier Safety Regulations Part 393

General requirements

All commercial motor vehicles (including trailers) must be equipped with brakes acting on all wheels. These brakes must be capable of operating at all times.

Exceptions

- A truck or truck tractor which has 3 or more axles and was manufactured before July 25, 1980 does not have to have brakes on the front axle, provided all brake components—except the spider and drum—have been removed
- Any full trailer, any semitrailer or any pole trailer having a gross vehicle weight rating (GVWR) of 3,000 pounds or less does not have to have brakes if the weight of the towed vehicle resting on the towing vehicle does not exceed 40 percent of the towing vehicle's GVWR
- Disabled vehicles being towed

Note: There are some exceptions for vehicles in a driveaway-towaway operation. Complete details of all exemptions can be found in the *Federal Motor Carrier Safety Regulations*.

Use of surge brakes

FMCSR 393.48 and 393.49 require CMV brakes to be operable at all times from a single valve operation. Surge brakes therefore are prohibited for use during interstate operation.

Exception: (MMCSA 181, 480.13a) Trailers with a gross weight rating of 15,000 pounds or less or trailer-vehicle combinations with an actual gross vehicle weight or a gross vehicle weight rating of 26,000 pounds or less may be equipped with surge brakes for intrastate operation as allowed by MVC 257.705(1)(c) An intrastate trailer or semitrailer of a gross weight rating of 15,000 pounds or less may be equipped with surge brakes.

Breakaway and emergency braking

Every commercial motor vehicle, if used to tow a trailer equipped with brakes, shall be equipped with means for providing that in the case of a breakaway of the trailer, the service brakes on the towing vehicle will be sufficiently operative to stop the towing vehicle.

Every trailer required to be equipped with brakes shall be equipped with brakes so that, upon breakaway from a towing vehicle, all trailer brakes shall automatically and promptly engage and then remain engaged for at least 15 minutes.