GENERAL:
Past policy when issuing Divisible Load Overweight permits has only allowed permits to be issued to the name of the person or Company as it appears on the Power Units registration. This has caused some confusion and difficulty for customers or businesses that lease Power Units from leasing companies. A review of the New York State Vehicle and Traffic Law (NYS VTL) as well as the New York Code of Rules and Regulations (NYCRR)Section 154-2, has revealed that we can allow a customer to permit a leased vehicle in their name/their company name even if the Power Unit is registered in the leasing company’s name.

Per NYCRR section 154-2.2 (l) a leased vehicle is owned by a person in the business of renting or leasing vehicles, which is rented or leased without a driver to a person other than the owner, and registered in the name of the lessee or renter.

Per the NYS VTL section 385-15(f), it states that in order for a vehicle to obtain a permit it must be registered in New York state or if Apportion registered show New York as an apportioned state. Per the NYCRR section 154-2.10(b) the applicant must be the registered owner EXCEPT for a leased vehicle. In section 154-2.19(a) the Lessee of a leased vehicle that exceeds 30 days will be presumed to be the registered owner, unless shown otherwise.

NEW POLICY:
Based upon the above information, permits may now be issued to customers with leased vehicles under the following guidelines:

- The vehicle must be leased from a leasing company as described above.
- The customer must have a valid Divisible Load Overweight customer account or establish such prior to the permit being issued and the USDOT number must match the customers account name.
- The registration for the leased Power Unit must be valid. The registration may be in the lessee's name or the name of the leasing company.

REFERENCE:
- New York State Vehicle and Traffic Law – Section 385-15(f)
- New York Code of Rules and Regulations – Sections:
  - 154-2.3(f)(1)
  - 154-2.10(b)
  - 154-2.19(a)
  - 154-2.2(l)