

Truck Hauling Guidelines for Non Commercial Source

All lease agreements are to be submitted to the WYDOT RE Office and loaded into CMS documents prior to operation. These agreements can be collected in the field if necessary.

WYDOT Construction Manual section 108 – Prosecution and Progress:

Trucks not owned by the prime or a subcontractor that are intended to be used to haul products/materials not hauling materials from a commercial source may, in lieu of a subcontract, operate under a lease agreement. If operating under a lease agreement, all of the following apply:

- 1. There must be a legal lease agreement between the prime/subcontractor and the driver/trucking company.*
- 2. The lease agreement must be carried in the truck at all times.*
- 3. The driver must display on their truck the name of the contractor to whom they are leased.*
- 4. The driver must carry in the truck a copy of the contractor's letter of operating authority.*
- 5. All drivers are to be shown on the respective contractor's payroll.*

If operating under a legal lease agreement, the driver effectively becomes an employee of the contractor and, therefore, the driver would have to be added to the contractor's payroll. Owner/operator payrolls do not have to show wage rate or hours but must be identified as owner/operator.

Trucking Company

- A company owning their own trucks and employing drivers:
 - Must have an approved subcontract submitting all required subcontract documents.
 - The company is responsible for submitting weekly payrolls following Davis Bacon Certified Wages.

Owner/Operator:

- Owner/Operators who carry their own Operating Authority can subcontract under the prime contractor or as a 2nd tier under another subcontractor:
 - Must have an approved subcontract submitting all required subcontract documents.
 - Responsible for submitting their own weekly payrolls.
- Owner/Operators can operate under a lease agreement with either the prime contractor or a subcontractor:
 - If the Owner/Operator does not have their own Operating Authority they would haul under the prime/subcontractors Operating Authority.
 - The prime/subcontractor will be responsible for submitting the weekly payrolls listing each Owner/Operator.

Truck Broker/Manager:

- A company brokering or managing leased trucks acquires lease agreements for multiple Owner/Operators:
 - Must have an approved subcontract submitting all required subcontract documents.
 - Owner/Operators may or may not have their own Operating Authority.
 - Owner/Operators who do not carry their own Operating Authority, will operate under the brokering/managing company's Operating Authority.
 - The brokering/managing company is responsible for submitting weekly payrolls for all Owner/Operators under their agreement.