

**BEFORE THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
UNITED STATES DEPARTMENT OF TRANSPORTATION**

PETITION FOR RULEMAKING

Pursuant to 49 CFR § 389.31

Docket FMCSA-2021-0054 - General Petitions for Rulemaking

Petitioner: Enterprise Auto Transport

Submitted by: Enterprise Auto Transport

USDOT: 2273104

MC: 774106

Website: <https://enterpriseautotransport.com>

Date: October 11, 2026

RE: Mandatory Individual Registration, Government-Issued Identity Verification, Verified Brokerage Affiliations, and Accountability for Interstate Transportation Brokerage Sales Agents

I. INTRODUCTION

I respectfully petition the Federal Motor Carrier Safety Administration (FMCSA), pursuant to 49 CFR § 389.31, to initiate rulemaking concerning individual registration, identity verification, and accountability for persons who solicit, negotiate, or arrange interstate property transportation on behalf of federally registered transportation brokers.

I own Enterprise Auto Transport, a federally registered auto transport brokerage, and have approximately 15 years of industry experience. Registered brokers must obtain appropriate operating authority, maintain financial security, and comply with federal requirements. Yet consumers have no comprehensive federal method to verify whether a particular salesperson is authorized to represent the brokerage whose name the salesperson invokes.

I request a framework that verifies individual identities, documents brokerage authorization, provides a public means of confirming current affiliation, establishes reasonable qualifications and consumer disclosures, and addresses knowing material misrepresentation. I also request examination of online and overseas solicitation in which third parties obtain vehicle transportation orders and other brokerages post those loads.

II. EXISTING FRAMEWORK AND REGULATORY GAP

Federal broker registration and financial responsibility are governed in relevant part by 49 U.S.C. §§ 13904 and 13906 and 49 CFR Part 371. Registered property brokers generally must maintain \$75,000 in approved financial security. FMCSA has also introduced identity and account-control features through the Motus registration system.

These protections do not themselves establish that an individual advertising transportation, answering a phone, negotiating terms, or seeking a deposit is authorized by the registered brokerage identified to the consumer. A valid MC number should not be mistaken for proof of a salesperson's authorization. FMCSA

should assess the extent of its current authority to regulate such individuals and identify any congressional authority needed for elements beyond existing law.

III. INDIVIDUAL REGISTRATION OF COVERED SALES AGENTS

FMCSA should consider requiring a unique individual registration for persons who regularly solicit consumers, negotiate brokerage transportation terms, obtain transportation orders, or accept or direct payments as authorized representatives of federally registered property brokers. The definition should exclude purely clerical activities and avoid improperly treating lawful carrier personnel as brokerage sales agents.

Individual registration should be distinct from the brokerage's operating authority. An individual independently acting as a broker should continue to meet applicable broker registration and financial security requirements. Individual agents employed or contracted by an authorized broker should not automatically need separate \$75,000 bonds solely because they perform covered sales work under that broker's authority.

IV. IDENTITY VERIFICATION THROUGH MOTUS OR AN EQUIVALENT SYSTEM

Covered applicants should provide valid government-issued photo identification, complete appropriate identity proofing, establish unique secure credentials, and maintain accurate contact and domicile information. They should identify each registered brokerage they represent, and each affiliation should require electronic confirmation by that brokerage. Registration records should be updated when material information changes.

FMCSA should prohibit credential sharing and false identities, consider periodic re-verification, and protect private identification documents. A public lookup should disclose only necessary information, such as the agent's registration status, registration number, and currently authorized brokerage affiliations.

V. QUALIFICATIONS, TRAINING, AND BROKER SUPERVISION

FMCSA should consider reasonable training standards covering broker obligations, truthful advertising, disclosure of the responsible brokerage, transportation agreements, deposits and refunds, customer privacy, carrier verification, and common fraud schemes. Qualified registered brokers could deliver approved training under uniform standards.

The agency should evaluate appropriate eligibility and registration-integrity screening, with privacy protections and procedures for correcting errors or challenging adverse decisions. Brokerages should maintain records of their authorized representatives, supervise their conduct, and promptly revoke an affiliation when authorization ends. Registration credentials should be portable between employers, but brokerage affiliation must be separately verified.

VI. FIRSTHAND CONCERN: UNAUTHORIZED CLAIM OF ENTERPRISE AUTO TRANSPORT AFFILIATION

An unrelated individual purchased the domain enterpriseautotransport.org, which resembles my company's established website, enterpriseautotransport.com. The individual does not work for Enterprise Auto Transport and has no authorization from me to represent my brokerage. To my knowledge, that individual does not independently hold federal broker registration.

My concern is not the purchase of a similar domain itself, nor do I allege that the .org website currently advertises transportation services. Rather, I have become aware that when callers contact the individual, the person allegedly represents themselves as Enterprise Auto Transport. This illustrates the difficulty consumers face in verifying whether the person they reach is actually authorized to speak for a federally registered brokerage.

VII. CUSTOMER-REPORTED INCIDENT INVOLVING [COMPANY NAME REMOVED]

An Enterprise Auto Transport customer reported that while trying to contact our company, she dialed a telephone number displayed in a Google advertisement and reached [company name removed]. According to her account, a sales representative said that I worked at [removed] but was temporarily in the bathroom. The representative encouraged her to book transportation with [removed] and reassured her that I would contact her later.

I do not work for [removed] and did not authorize any representative to make such claims, speak on my behalf, or promise my later contact. The customer recognized that something was wrong and ended the call. She did not book transportation or pay money.

This is a customer-reported allegation, not an adjudicated finding against [removed] or the individual. If FMCSA requests it, the customer may be asked to provide a written statement describing the call.

The incident illustrates why safeguards should apply at the solicitation stage, before a payment or completed transaction.

VIII. OVERSEAS AND SOCIAL MEDIA SOLICITATION

I request that FMCSA examine persons operating outside the United States who advertise auto transport brokerage services to American consumers through Facebook Marketplace, Facebook groups, and other online platforms, and then arrange for other brokerages to post the resulting vehicle shipments on load boards. Based on my industry observations, some such arrangements may obscure who solicited the customer, which registered brokerage authorized the solicitation, who is responsible for the contract, and who receives customer information or payments.

Operating overseas is not inherently unlawful, and legitimate agency or brokerage arrangements may exist. My request is for FMCSA to investigate the practices and assess whether verified identities, authorization records, and clear consumer disclosures are necessary to distinguish lawful arrangements from unauthorized brokerage or misleading solicitation.

IX. THIRD-PARTY SOLICITATION AND LOAD BOARD POSTING

When one person or business obtains a customer's vehicle transportation order and another federally registered brokerage posts the shipment, the responsible brokerage should document the relationship and the authorization of the original solicitor. Records should identify the customer-facing business, the individual who negotiated the transaction, the brokerage assuming responsibility, and the recipient of any deposit.

FMCSA should assess when such arrangements are lawful agency relationships, transactions between registered brokers, or unauthorized brokerage activity. The consumer should be told in writing which federally registered brokerage is responsible before entering the transportation agreement.

X. PROHIBITION OF KNOWING MISREPRESENTATION

I request consideration of enforceable prohibitions, where authorized by law, against knowingly and materially claiming to work for or represent a brokerage without authorization; falsely claiming another brokerage's owner works for a salesperson's company; misrepresenting which broker is responsible for a shipment; using another brokerage's MC number to imply nonexistent authority; and continuing to claim affiliation after it has been revoked.

Enforcement should provide notice, fair investigation, appropriate evidentiary standards, and a means to contest allegations. Registered brokerages should have a clear reporting pathway for suspected impersonation.

XI. CONSUMER PAYMENT AND INFORMATION PROTECTION

Before requesting a deposit or entering a transportation agreement, covered agents should accurately disclose the responsible brokerage's legal name and MC number, their individual registration or other verified identifier, the business receiving payment, and material cancellation and refund terms. FMCSA should evaluate recordkeeping sufficient to investigate disputed transactions and prevent undisclosed personal-account collections that conceal the actual payment recipient.

Agents may access names, phone numbers, home addresses, vehicle identification numbers, shipment dates, and payment details. FMCSA should evaluate reasonable controls for individual credentials, limited access, secure handling, audit records, and termination of access when affiliation ends, while coordinating with existing privacy and payment requirements.

XII. U.S. DOMICILE AND DOMESTIC ACCOUNTABILITY

I request that FMCSA evaluate whether a verified U.S. domicile requirement for covered sales agents would improve investigative access, service of process, and regulatory accountability. I recognize that such a requirement raises substantial questions of statutory authority, necessity, and economic impact. If it is unavailable or unjustified, the agency should consider alternatives such as verified identity, domestic service-of-process arrangements, accessible business records, and accountability through the supervising registered brokerage.

This petition does not seek a U.S. citizenship requirement. FMCSA should also evaluate any domestic employment effects without presuming that a particular number of jobs would be created.

XIII. SMALL BUSINESS IMPLEMENTATION

The framework should provide affordable registration fees, streamlined online applications, portable individual credentials, approved broker-supervised training, reasonable transition periods, and proportionate recordkeeping. Small registered brokerages should not be required to duplicate the full broker financial security framework for every authorized sales agent.

XIV. PROPOSED REGULATORY FRAMEWORK

- (a) Require individual registration for persons performing clearly defined covered brokerage sales activities.
- (b) Require government-issued identity verification through Motus or an equivalent approved system.
- (c) Require affirmative brokerage authorization and prompt deactivation of terminated affiliations.
- (d) Offer public verification of agent status and authorized brokerage affiliations without disclosing sensitive ID records.
- (e) Establish appropriate training, eligibility, supervision, and recordkeeping standards.
- (f) Require accurate identification of the responsible brokerage and transparent payment terms before booking or deposit collection.
- (g) Require documentation of authorized third-party solicitation and brokerage responsibility.
- (h) Prohibit knowing material misrepresentation of brokerage identity or affiliation, subject to statutory authority and due process.
- (i) Establish reasonable customer information protections and small-business accommodations.

XV. FORMAL REQUEST FOR AGENCY ACTION

I respectfully request that FMCSA open a rulemaking proceeding to evaluate individual sales-agent registration, Motus identity verification, verified brokerage affiliations, training, supervision, consumer disclosures, payment accountability, and remedies for brokerage impersonation. I further request investigation of social media and overseas solicitation involving third-party sales agents and load board postings by other brokerages.

FMCSA should assess its statutory authority, identify any need for congressional action, evaluate costs and benefits, and consider practical accommodations for small businesses.

XVI. PETITIONER'S INTEREST AND CONCLUSION

I have approximately 15 years of experience operating Enterprise Auto Transport and a direct professional interest in brokerage compliance, consumer protection, carrier verification, and fraud prevention. The experiences described here are presented as my business concerns and a customer-reported account. I am not submitting separate evidence or exhibits with this petition.

A legitimate brokerage registration does not establish that every person invoking the brokerage's name is authorized to represent it. I respectfully request a federal framework under which transportation sales agents verify their identities, maintain documented brokerage affiliations, accurately disclose the responsible broker, and face appropriate accountability for knowing material misrepresentations. I request that FMCSA consider this petition pursuant to 49 CFR § 389.31.

Respectfully submitted,

Enterprise Auto Transport

<https://enterpriseautotransport.com>

October 11, 2026

REGULATORY REFERENCES

49 CFR § 389.31 - Petitions for Rulemaking

49 U.S.C. § 13904 - Registration of Brokers

49 U.S.C. § 13906 - Financial Responsibility

49 CFR Part 371 - Brokers of Property

FMCSA - Broker Registration: <https://www.fmcsa.dot.gov/registration/broker-registration>

FMCSA - Move into Motus: <https://www.fmcsa.dot.gov/registration/move-motus>

FMCSA - Broker and Carrier Fraud and Identity Theft:

<https://www.fmcsa.dot.gov/mission/help/broker-and-carrier-fraud-and-identity-theft>