

§365.413 Procedures for changing the name or business form of a motor carrier, freight forwarder, or property broker.

(a) *Scope.* These procedures apply in the following circumstances:

- (1) A change in the form of a business, such as the incorporation of a partnership or sole proprietorship;
- (2) A change in the legal name of a corporation or partnership or change in the trade name or assumed name of any entity;
- (3) A transfer of operating rights from a deceased or incapacitated spouse to the other spouse;
- (4) A reincorporation and merger for the purpose of effecting a name change;
- (5) An amalgamation or consolidation of a carrier and a noncarrier into a new carrier having a different name from either of the predecessor entities; and
- (6) A change in the State of incorporation accomplished by dissolving the corporation in one State and reincorporating in another State.

(b) *Procedures.* To accomplish these changes, a letter must be sent to the Federal Motor Carrier Safety Administration, Office of Registration and Safety Information (MC-RS), 1200 New Jersey Ave., SE., Washington, DC 20590-0001. The envelope should be marked "NAME CHANGE". The applicant must provide:

- (1) The docket number(s) and name of the carrier requesting the change;
- (2) A copy of the articles of incorporation and the State certificate reflecting the incorporation;
- (3) The name(s) of the owner(s) of the stock and the distribution of the shares;
- (4) The names of the officers and directors of the corporation; and
- (5) A statement that there is no change in the ownership, management, or control of the business. When this procedure is being used to transfer operating rights from a deceased or incapacitated spouse to the other spouse, documentation that the other spouse has the legal right to effect such change must be included with the request. The fee for filing a name change request is in §360.3(f) of this chapter.