



Trade Information Notice (TIN)



TIN # 68683336

SAN DIEGO FIELD OFFICE

San Diego, CA

Subject: CBP Response to Trade Stakeholders Regarding Cabotage

1. Pedestrian Border Crossing for Drivers: Is it legally permissible for a driver to cross the border on foot? (Please indicate Yes or No).

- Yes, in general, a driver with a B1/B2 visa can enter on foot as a tourist or for other B1 activities.

Drivers of International Shipments:

- **Picking up a Shipment:** To collect an international shipment to depart the United States; must be traveling to a foreign country.
- **Backup Driver:** To complete a trip if the original driver cannot finish due to highway safety regulations; the original driver “timed” out while being held for inspection by a U.S. government agency.
- **Team Relay:** Must be part of the driving team and provide information related to the international shipment, destination and specifics related to the driving plan. There should be no delay in timing of entry or the additional driver meeting the shipment.

2. Requirements: If a pedestrian crossing is allowed, what specific legal and documentation requirements must the operator fulfill?

If entering as a driver of international commerce:

- All documentation required for basic admissibility.
- Specific documents detailing the truck/trailer, shipment, its current location, and final destination (information related to the international shipment for departure).

If Entering for Backup or Relay Driver:

- **Information related to the international shipment, including:**
 - **Time it crossed the border.**
 - **Original driver's information.**
 - **Original driver's logbook, demonstrating a highway safety "time out."**
 - **Shipment's destination.**
 - **Reason for the "time out" (e.g., government inspection, not due to waiting in line or improper scheduling).**
 - **Explanation for the timeliness of the backup/relay driver's entry (e.g., time to locate a suitable driver, travel time).**

3. FDA Cargo Management: For cargo pending FDA release at a San Diego carrier yard: Is the tractor authorized to unhook the trailer, exit to Mexico, and later re-enter the U.S. to recover the load?

- **Yes, the tractor and driver must be from the same company.**

4. International Partial Deliveries: On an international shipment, is it permissible to perform partial offloads at different points along the established route?

- **Yes, merchandise from an international shipment can be offloaded at multiple locations within the U.S., provided it arrived as part of that original international shipment.**
- **If any merchandise is picked up domestically (U.S.), that cargo must be taken foreign or it will be a violation (if that merchandise comes to rest before departure, it would be considered domestic and in violation).**

5. International Partial Pickups: Under the same international modality, is it allowed to perform partial pickups of merchandise during the transit?

- **All merchandise picked up domestically must be transported to a foreign country during that same movement. If any of this merchandise is delivered domestically or left at a yard for export processing, it will be considered a domestic shipment and a violation.**

6. Equipment Substitution: What is the correct protocol to justify a tractor change before the authorities to ensure the continuity of the cargo movement without penalties?

- **For emergency or safety reasons, an alien driver may enter the United States with an empty tractor (bobtail) to replace a tractor already in the United States, such as when the tractor in the United States has broken down, or when the original driver needs to return to either Canada or Mexico for a medical or other emergency.**
- **The replacement equipment must belong to the same company.**

7. Team Operations: Are both drivers in a team allowed to enter customs inside the vehicle, or is there a restriction requiring one of them to cross separately as a pedestrian?

- **The San Diego Filed Office permits only one driver to enter through commercial ports of entry with their tractor; any additional drivers must cross separately.**

Please note: All aliens seeking to enter the United States as temporary visitors are presumed to be intended immigrants. To be admitted, you must satisfy the examining officer that you are eligible for admission and have overcome all grounds of inadmissibility. The burden of proof for admissibility rests with the applicant, and officers may request additional documentation to meet this burden.