

Form BOC-3 - Designation of Agents for Service of Process

Only a process agent, on behalf of the applicant (carrier), can file Form BOC-3 (Designation of Process Agents) with the FMCSA. A broker or freight forwarder applicant, without CMVs, can file Form BOC-3 on their own behalf. Only one completed form may be on file. It must include all states for which agency designations are required. One copy must be retained by the carrier or broker at its principal place of business.

A process agent is a representative upon whom court papers may be served in any proceeding brought against a motor carrier, broker, or freight forwarder. Every motor carrier (of property or passengers) shall make a designation for each State in which it is authorized to operate and for each State traversed during such operations. Brokers are required to list process agents in each state in which they have an office and in which they write contracts.

Service of Process Agents provides motor carriers and brokers with authorized attorneys who act as their agents in each state in compliance with this federal requirement. They make the BOC-3 filing with the FMCSA which is necessary for you to get and keep your authority.

The reason for the designation of agent requirement is so that an authorized person can receive suit papers in that state on your behalf. For example, if you are an Oklahoma carrier and someone wants to sue you in New York, you have to have a knowledgeable attorney in New York who can receive those papers for you, send them to you and instruct you and your local attorney in the procedures for filing an answer.