

## **Understanding Regulatory Requirements for Drivers of Pennsylvania Registered and Registration-Exempt Farm Vehicles**

### **INTRODUCTORY NOTE – PLEASE READ COMPLETELY**

*The following attempts to summarize what is believed to be the current driver requirements and exemptions that apply under state and federal law to drivers of trucks and combinations powered by trucks with Pennsylvania farm vehicle registrations and biennial certificate of exemptions. Statutory changes enacted by Congress in 2012 under MAP-21<sup>1</sup> have significantly limited the application of commercial truck driver requirements to drivers of “covered farm vehicles,” including drivers of Pennsylvania farm trucks and farm-truck-powered combinations.*

**PLEASE NOTE:** MAP-21 expressly states that the driver exemptions provided in the legislation do not apply to drivers of any truck or truck-powered combination (farm or otherwise) transporting hazardous materials in quantities that require hazmat placards to be displayed. Also, MAP-21 does not expressly extend application of the “covered farm vehicle” driver exemptions to drivers of trucks with commercial registration plates or to drivers of combinations powered by trucks with commercial registration plates.

*The discussion below is only intended to provide information on requirements and exemptions that apply to drivers of trucks and combinations powered by trucks with Pennsylvania farm vehicle registrations or Pennsylvania farm vehicle biennial certificates of exemption that are not transporting hazardous materials in quantities that require the display of hazardous materials placards.*

### **BACKGROUND ON CHANGES IN FEDERAL LAWS AFFECTING DRIVERS OF PENNSYLVANIA FARM TRUCKS AND FARM-TRUCK-POWERED COMBINATIONS**

#### ***Exemptions to drivers of farm trucks and farm-truck powered combinations provided under MAP-21 and recent federal regulations changes:***

- MAP-21, enacted by Congress in 2012, provides exemptions to drivers of “covered farm vehicles” from requirements for:
  1. Periodic medical exams and valid medical certification cards.
  2. Participation in random and post-accident drug and alcohol testing.
  3. “Hours of service” (daily driver’s logs, recordkeeping and limitation in driver work and driving time).
  4. Daily inspections and written reports of the vehicle’s condition by drivers, and repair and written reports of repair by employers.
  5. Commercial driver’s license (CDL).
- The farm driver exemptions provided under MAP-21 apply to drivers of intrastate-operated farm vehicles and farm-vehicle combinations, as well as drivers of farm vehicles and farm-vehicle-powered combinations operated interstate.
  - \* The federal regulations adopted in March 2013 to implement MAP-21 clearly define a “covered farm vehicle” to include any farm truck or farm vehicle-powered combination used in intrastate travel, and exempt drivers of “covered farm vehicles” from the five “commercial driver” requirements noted above without limitation.
  - \* By operation of the Pennsylvania Vehicle Code and state transportation regulations, the farm driver exemptions provided under MAP-21 and the March 2013 regulations to implement MAP-21 are automatically part of Pennsylvania’s intrastate motor carrier regulations.

- For drivers of farm trucks and farm-truck-powered combinations with a weight and weight rating of 26,000 pounds or less, the driver exemptions provided under MAP-21 apply to drivers of intrastate-operated and interstate-operated farm vehicles and farm vehicle combinations, regardless of the distance the vehicle or combination is operated away from the farm.
- For drivers of farm trucks and farm-truck powered combinations with a weight or weight rating of greater than 26,000 pounds that are operated interstate (crossing state borders), the driver exemptions provided under MAP-21 are limited to operation of the truck or combination within 150 air-miles of the farm.<sup>2</sup>
- Additionally, in response to MAP-21 and the March 2013 federal regulations to implement MAP-21, Pennsylvania's Vehicle Code was amended to expressly recognize MAP-21's exemptions from CDL requirements for drivers lawfully operating: (1) any Pennsylvania farm truck or farm-truck powered combination intrastate (within Pennsylvania), regardless of distance from the farm the vehicle is operated, or (2) any Pennsylvania or out-of-state-designated farm truck or farm- truck powered-combination with a weight or weight rating over 26,000 pounds operated interstate within a radius of 150 air-miles of the farm.

***Areas not changed under MAP-21 or recent federal regulations changes:***

- **Minimum Age Requirements:** MAP-21 does not exempt drivers of intrastate-operated or interstate-operated farm trucks and farm-truck-powered combinations from having to comply with minimum age requirements established under federal regulations. The minimum weight or weight rating threshold of a farm truck or farm-truck-powered combination for which a minimum age requirement may apply is 26,001 pounds for intrastate travel and 10,001 pounds for interstate travel. Whether the farm truck or farm-truck-powered combination is operated intrastate or interstate, the following principles apply:
  - The driver of a farm truck (with no trailer) that is operated within 150 air-miles of the farm is not subject to any minimum age requirement.
  - The driver a farm-truck-powered combination (with trailer) that meets the minimum weight threshold must be at least 18 years old when operating that combination within 150 air-miles of the farm.
  - The driver of a farm truck or a farm-truck-powered combination that meets the minimum weight threshold must be at least 21 years old when operating that truck or combination beyond 150 air-miles of the farm.
- **Standards for Safe Operation of Vehicles:** MAP-21 does not exempt drivers of farm trucks and combinations from complying with the minimum standards for safe operation of "commercial motor vehicles" imposed under the federal regulations and incorporated into Pennsylvania's intrastate motor carrier safety regulations, including the use of equipment to properly secure loads.<sup>3</sup> Drivers of intrastate-operated Pennsylvania farm trucks and farm-truck-powered combinations with a weight or weight rating of 26,001 pounds or more and interstate-operated Pennsylvania farm trucks and farm-truck-powered combinations greater than 10,001 pounds will still need to comply with these requirements.

# **DRIVER REQUIREMENTS AND EXEMPTIONS FOR OPERATING PENNSYLVANIA FARM VEHICLES 4**

*The following summarizes the exemptions and requirements that will apply to drivers of particular types and operations of trucks and combinations powered by trucks and truck tractors with Pennsylvania's farm vehicle registration or farm vehicle biennial certificate of exemption:*

## **FARM TRUCKS AND FARM-TRUCK-POWERED COMBINATIONS WITH AN ACTUAL WEIGHT AND WEIGHT RATING OF 26,000 POUNDS OR LESS:**

### **Intrastate Operation of Farm Truck or Farm-Truck-Powered Combination (Not Crossing State Borders):**

- The driver of the farm truck or farm-truck powered-combination is exempt from:
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers.
  5. Commercial driver's license (CDL) requirements.
  6. Minimum age requirements.
  7. Other driver requirements imposed on "commercial motor vehicle" drivers under federal and state regulations.

### **Interstate Operation of Farm Truck or Farm-Truck-Powered Combination (Crossing State Borders):**

- The driver of the farm truck or farm-truck powered-combination is exempt from:
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
- The driver of the farm truck or farm-truck powered combination with a weight or weight rating greater than 10,000 pounds, may be subject to minimum age requirements depending on the circumstances:
  - The driver will not be subject to any minimum age requirement when operating a farm truck (with no trailer) interstate within 150 air-miles of the farm.
  - The driver must be at least 18 years of age when operating a farm-truck-powered combination (with trailer) interstate within 150 air-miles of the farm.
  - The driver must be at least 21 years of age when operating either a farm truck or a farm-truck-powered combination interstate beyond 150 air-miles of the farm.
- The driver of the farm truck or farm-truck powered combination with a weight or weight rating greater than 10,000 pounds is subject to other driver requirements imposed on "commercial motor vehicle" drivers under federal regulations.

## FARM TRUCKS (WITH NO TRAILER) WITH AN ACTUAL WEIGHT OR WEIGHT RATING GREATER THAN 26,000 POUNDS:

### Intrastate Operation of Farm Truck within 150 Air-Miles of the Farm (Not Crossing State Borders):

- **The driver of the farm truck is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
  6. Minimum age requirements.
- **The driver of the farm truck is subject to other driver requirements imposed on "commercial motor vehicle" drivers under federal and state regulations.**

### Intrastate Operation of Farm Truck More Than 150 Air-Miles Away from the Farm (Not Crossing State Borders):

- **The driver of the farm truck is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
- **The driver of the farm truck is subject to:**
  1. Minimum age requirement of 21 years.
  2. Other driver requirements imposed on "commercial motor vehicle" drivers under federal and state regulations.

### Interstate Operation of Farm Truck within 150 Air-Miles of the Farm (Crossing State Borders):

- **The driver of the farm truck is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
  6. Minimum age requirements.
- **The driver of the farm truck is subject to other driver requirements imposed on "commercial motor vehicle" drivers under federal regulations.**

### Interstate Operation of Farm Truck More Than 150 Air-Miles Away from the Farm (Crossing State Borders):

- **None of the farm driver exemptions provided under MAP-21 applies.** The driver of the farm truck is subject to the requirements imposed under the federal regulations for:
  1. Medical certification.
  2. Drug and alcohol testing.
  3. "Hours of service" (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Minimum age – the driver must be at least 21 years old.
  6. Commercial driver's licensing (CDL).
- **The driver of the farm truck is subject to other driver requirements imposed on "commercial motor vehicle" drivers under federal regulations.**

## **FARM-TRUCK-POWERED COMBINATIONS (WITH TRAILER) WITH AN ACTUAL WEIGHT OR WEIGHT RATING GREATER THAN 26,000 POUNDS:**

### **Intrastate Operation of Farm-Truck-Powered-Combination within 150 Air-Miles of the Farm (Not Crossing State Borders):**

- **The driver of the farm-truck-powered combination is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
- **The driver of the farm-truck-powered combination is subject to:**
  1. Minimum age requirement of 18 years.
  2. Other driver requirements imposed on "commercial motor vehicle" drivers under federal and state regulations.

### **Intrastate Operation of Farm-Truck-Powered Combination More Than 150 Air-Miles Away from the Farm (Not Crossing State Borders):**

- **The driver of the farm-truck-powered combination is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
- **The driver of the farm-truck-powered combination is subject to:**
  1. Minimum age requirement of 21 years.
  2. Other driver requirements imposed on "commercial motor vehicle" drivers under federal and state regulations.

### **Interstate Operation of Farm-Truck-Powered Combination within 150 Air-Miles of the Farm (Crossing State Borders):**

- **The driver of the farm-truck-powered combination is exempt from:**
  1. Medical certification requirements.
  2. Drug and alcohol testing requirements.
  3. "Hours of service" requirements (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Requirements for daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Commercial driver's license (CDL) requirements.
- **The driver of the farm-truck-powered combination is subject to:**
  1. Minimum age requirement of 18 years.
  2. Other driver requirements imposed on "commercial motor vehicle" drivers under federal regulations.

### **Interstate Operation of Farm-Truck-Powered Combination More than 150 Air-Miles Away from the Farm (Crossing State Borders):**

- **None of the farm driver exemptions provided under MAP-21 applies.** The driver of the farm-truck-powered combination is subject to the requirements imposed under the federal regulations for:
  1. Medical certification.
  2. Drug and alcohol testing.
  3. "Hours of service" (daily driver's logs, recordkeeping and limitation in driver work and driving time).
  4. Daily driver inspections and written reports of the vehicle's condition by drivers and repairs.
  5. Minimum age requirement of 21 years.
  6. Commercial driver's licensing (CDL).
- **The driver of the farm truck is subject to other driver requirements imposed on "commercial motor vehicle" drivers under federal regulations.**

# **FREQUENTLY ASKED QUESTIONS REGARDING THESE REGULATIONS**

## ***Do I need a commercial driver's license (CDL) to operate my farm truck?***

CDL requirements do not apply to drivers of vehicles or combinations until the actual weight or weight rating of the vehicle or combination is greater than 26,000 pounds. If the actual weight and weight rating of your vehicle or combination do not exceed 26,000 pounds, you do not need a CDL, regardless of whether your vehicle or combination is farm or commercial. The only exception is when you are transporting hazardous materials in quantities that require hazmat placards to be displayed. In this case, you must have a CDL.

An exemption from CDL is also provided to drivers of trucks and truck tractors with a farm vehicle registration or biennial certificate of exemption whose gross weight rating (or combination weight rating) is greater than 26,000 lbs. A CDL is not required, if:

- ✓ the driver has a Class C License,
- ✓ the vehicle is being operated in accordance with the farm vehicles restrictions in use,
- ✓ the vehicle is either (i) being operated intrastate, or (b) is being operated interstate within a radius of 150 air-miles from the farm, and
- ✓ the vehicle is not carrying hazardous materials in quantities that require display of hazmat placards.

The farm driver exemption from CDL does not apply in situations where the farm truck or farm-truck-powered combination has an actual weight or weight rating of greater than 26,000 pounds and is being used in interstate travel more than 150 air-miles from the farm. Also, the farm driver exemption normally should not apply to the operation of vehicles or combinations powered by vehicles with commercial registrations.

## ***Do I need to display a hazardous materials placard?***

Drivers of trucks with farm registration plates and farm registration exemption stickers and combinations powered by these vehicles need to comply with the federal regulations governing transportation of hazardous materials, including display of hazardous materials placards when carrying materials in amounts that the regulations require placards to be displayed, regardless of whether the vehicle or combination is used in intrastate or interstate travel.

## ***Do I need a US DOT number for my farm truck?***

For intrastate operation, farm trucks should not be required to have or display a USDOT number, unless the truck is transporting hazardous materials in amounts that require the truck to display hazardous materials placards.

If you use your farm-registered truck outside of Pennsylvania and the actual weight or weight rating (or if towing, the combination) is greater than 10,000 pounds, you will be required to display on the vehicle the name of business and the USDOT number that has been assigned to the business. THERE ARE NO EXEMPTIONS.

## ***What if I drive a farm truck over 26,000 pounds, intrastate?***

Drivers of farm trucks and farm truck combinations greater than 26,000 lbs. need to still comply with the federal standards for safe operation of commercial motor vehicles, including the standards for securing vehicle loads, which are incorporated by reference in Pennsylvania's intrastate regulations, and understand what requirements may apply to local transportation activities.

## ***I have a commercially-plated truck, and I just use it in Pennsylvania. Do the farm driver exemptions provided under state law and the 2012 federal legislation apply to the driver of that truck?***

No provision of state law, MAP-21 or the amended federal regulations expressly exempts drivers of vehicles other than those vehicles that have been designated and identified by the state as farm vehicles, such as trucks with Pennsylvania farm registration plates and farm exemption stickers. If the truck has commercial registration plates and the truck or combination powered by that truck has a weight or weight rating of greater than 17,000 pounds, the driver should assume that he or she must comply with all of the driver requirements imposed under Pennsylvania's intrastate motor carrier safety regulations.

## ***I drive a vehicle with commercial plates interstate. Do I qualify for the farm driver exemptions recently provided in federal legislation if I operate that vehicle interstate?***

Neither MAP-21 nor the amended federal regulations expressly exempt drivers of vehicles other than those defined as "covered farm vehicles" (such as trucks with Pennsylvania farm registration plates and farm exemption stickers). If the truck has commercial registration plates and the truck or combination powered by that truck has a weight or weight rating of greater than 10,000 pounds, the driver should assume that he or she must comply with all of the driver requirements imposed under the Federal Motor Carrier Safety Regulations.

### **What if I want to operate my farm truck interstate?**

Drivers of farm-registered trucks and combinations powered by these trucks now have a limited exemption from federal requirements for commercial driver's licenses, drug testing, medical certification and cards, hours of service and mandates for drivers' logs, and driver vehicle safety inspections and written reports. This exemption does not apply when the farm truck or farm-truck-powered combination is carrying hazardous materials in quantities that require hazmat placards to be displayed. The exemption is also limited to those items specifically identified above. Farm truck drivers are not exempt from the requirements and standards imposed in federal regulations for safe operation of commercial vehicles and securing loads on vehicles.

## **HELPFUL RESOURCES FOR FARMERS**

- Pennsylvania Farm Bureau maintains an online transportation library at [transportation.pfb.com](http://transportation.pfb.com) where you can find the answers to many of your transportation questions.
- The form a doctor must complete in order to submit for a medical card can be found on the Federal Motor Carrier Safety Administration Website at: <http://www.fmcsa.dot.gov/regulations/medical>.

### **NOTES:**

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<sup>1</sup> Pub. L. 112-141, 126 Stat. 405.

<sup>2</sup> References to "air-miles," in this document have the same meaning as "air miles" defined in the federal regulations to identify the zone of exemption that applies to farm vehicle drivers. The exemption zone of "150 air-miles" provided in federal regulations would be a zone that includes a slightly larger area whose distance equals approximately 172.6 miles.

<sup>3</sup> 49 CFR Parts 392 and 393 establish minimum operation and safety equipment standards for "commercial motor vehicles", including farm trucks and farm-truck-powered combinations, with a weight or weight rating of greater than 10,000 pounds used in interstate travel.

<sup>4</sup> The discussion assumes the farm truck or farm-truck powered combination is being used according to the restrictions in use imposed on farm trucks under the Vehicle Code.