

INFORMATION BULLETIN



January 10, 2025

EXEMPTIONS FOR COVERED FARM VEHICLES

The purpose of this Information Bulletin (IB) is to provide information regarding the application of the exemptions from federal requirements for covered farm vehicles (CFV) defined by Title 49, Code of Federal Regulations (CFR), Section 390.5T, when operated in **inter**state commerce.

NOTE: The provisions of Title 49, CFR, Part 390, are only applicable to employers, employees, and commercial motor vehicles that transport property or passengers in **inter**state commerce pursuant to Title 49, CFR, Section 390.3T.

Covered Farm Vehicle Definition

Title 49, CFR, Section 390.5T, defines a covered farm vehicle as follows:

- Has a license plate or some other means specified by the state of registration that designates it as a farm vehicle.

NOTE: The California Department of Motor Vehicles does not issue farm vehicle license plates or other indicia identifying a vehicle as a CFV. As a result, California based farm vehicles are not eligible for the federal CFV exemptions.

- Travels in the state in which the vehicle is registered or in another state.
- Is operated by an owner or operator of a farm or ranch, or by a family member or employee of the owner or operator.
- Transports agricultural commodities, livestock, machinery, or supplies to or from the farm or ranch.
- Is not used in for-hire motor carrier operations.

NOTE: For-hire operations do not include use of a vehicle owned and operated by a tenant farmer to transport the landlord's portion of the crops under a crop-share agreement.

- Is not transporting hazardous materials that require placarding, and either of the following:



- Has a gross vehicle weight (GVW) or a gross vehicle weight rating (GVWR) of 26,001 pounds or less, in which case the CFV exemptions contained in Title 49, CFR, Section 390.39 apply anywhere in the United States.
- Has a GVW or GVWR of more than 26,001 pounds and travels within the state where it is registered or, if traveling out of the state where it is registered, stays within 150 air miles of the owner or operator's farm or ranch.

Federal Exemptions

Title 49, CFR, Section 390.39, exempts a CFV and its operator from the following federal requirements:

- Any requirements relating to commercial driver's licenses contained in Title 49, Part 383.
- Any requirements relating to controlled substances and alcohol use and testing contained in Title 49, Part 382.
- Any requirement contained in Title 49, Part 391, Subpart E, Physical Qualifications and Examinations (medical card).
- Any requirement contained in Title 49, Part 395, Hours of Service of Drivers.
- Any requirements contained in Title 49, Part 396, Inspection, Repair, and Maintenance.

Applicability in California

California has not adopted the CFV definition contained in Title 49, CFR, Section 390.5T, or the exemptions contained in Title 49, CFR, Section 390.39. Enforcement personnel may encounter CFV from other states which are engaged in **inter**state commerce which display farm vehicle indica from a foreign jurisdiction and shall be afforded the applicable exemptions from federal requirements. However, farm vehicles operated in **intra**state commerce in California are not eligible for exemptions contained in Title 49, CFR, Section 390.39, and remain subject to all applicable state and federal requirements.

Questions regarding this IB should be directed to Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

OPI: 062

