

# MCSR EXEMPTIONS FOR FARMERS

FOR ILLINOIS FARMERS

## FVD **VERSUS** CFV



Now there are two sets of exemptions available to farmers from some of the Motor Carrier Safety Regulations (MCSR.) They are respectively referred to here as:

### Farm Vehicle Driver (FVD) **–and–** Covered Farm Vehicle (CFV)

Both address the CDL and the Medical Card. The CFV also addresses hours of service and equipment requirements. Both sets of exemptions are now in place in Illinois. However, there remains a good deal of unawareness and misunderstanding about the CFV provisions, so expect some confusion as the new rules are assimilated.

## How to qualify for exemptions

You and your vehicle must first meet the definition of FVD or CFV before being eligible for an exemption. In the case of the FVD, additional conditions can apply. *(See the reverse side for additional detail.)*

### Farm Vehicle Driver

*[Since 1992]*

1. Farmer, family member or employee
2. Hauling only for the farm
3. Not hauling for hire
4. Range (see chart)

### Covered Farm Vehicle

*[Most since November 2013. CDL since July 2015]*

1. Farmer, family member or employee
2. Hauling only for the farm
3. Not hauling for hire
4. Range (see chart)
5. Registered with a “farm” license plate
6. Not required to be placarded

| <b>RANGE</b>                                       |                         |                      |                         |
|--|-------------------------|----------------------|-------------------------|
| <i>(Within which the exemption may be applied)</i> |                         |                      |                         |
| <b>FVD</b>   | <b>Location</b>         | <b>CFV</b>           |                         |
|  |                         | <b>≤ 26,001 lbs.</b> | <b>&gt; 26,001 lbs.</b> |
| <b>Any Weight</b>                                  | <b>Inside Illinois</b>  | No limit             | No limit                |
| <b>150 Miles</b>                                   | <b>Outside Illinois</b> | No limit             | 150 Miles               |

*The 150 miles is from the carrier’s base of operation, (i.e.: the farm.)*

Where these regulations provide overlapping exemptions, farmers “will be able to choose the exemption, or set of exemptions, under which to operate.” —*FMCSA*

# Which regulations are exempted?

## Farm Vehicle Driver (FVD)

Exemptions cover two major areas:

- **Commercial Drivers License (CDL)** [49 CFR 383]
  - \* For most farm trucks
  - \* For semi operators, but only if driver is a farmer or family member (parent, spouse, sibling or child—in blood or in law)
- **DOT Physical** [49 CFR 391]
  - \* For operators of straight trucks only
  - \* Exemption does not apply if driving a combination vehicle [49 CFR 391.67 ]

The FVD rule provides a de facto exemption from drug and alcohol testing by virtue of its exemption from the CDL, (e.g.: if a CDL is not required then drug and alcohol testing is not required.)

## Covered Farm Vehicle (CFV)

Exemptions cover five major areas:

- **Commercial Driver's License (CDL)** [49 CFR 383]  
*Includes employees & most vehicle types.\**
- **Controlled Substances and Alcohol Use and Testing** [49 CFR 382]  
*Previously available to most farmers.*
- **Physical Qualifications and Examinations** [49 CFR 391, Subpart E]  
*Including medical card requirement.*
- **Hours of Service** [49 CFR 395]  
*Added to existing exemptions for HOS.*
- **Inspection, Repair and Maintenance** [49 CFR 396]  
*Only for interstate commerce vehicles.*

## Special Notes for Combination Vehicles

**Trailers:** When operating a truck and trailer combination, Illinois law generally requires that both the truck and the trailer display a "farm" license plate in order to qualify as a CFV. This does not apply to semi-trailers; those are allowed to use the standard "ST" semi-trailer plate. (See the following paragraphs for other trailer variations.)

**Pickups and Duallys ("B" and "D" plates):** Illinois' smallest "farm" plate is the "VF" at 16,000 pounds. That's far larger than typically necessary for a pickup truck or dually. Instead, in order to qualify for the CFV designation, these smaller trucks may be registered with a standard "B" or "D" license plate with an added (\$10 additional) CFV designation. That designation—plus a "farm" plate on the trailer—will satisfy the "farm" registration requirement for that combination vehicle. When not operating as a CFV, these trucks may be used as any other "B" or "D" -plated truck, including non-farm business and personal use.

**Implements of Husbandry:** When operating a truck pulling an implement of husbandry, only the truck needs to have the "farm" license plate (or in the case of "B" or "D"-plated trucks, the registered CFV designation) in order to satisfy the "farm" registration requirement for the CFV exemption.

**Combination Vehicles:** The exemption from the DOT physical under the FVD provision does not apply if operating a combination vehicle such as a semi or a truck and trailer. However, the CFV exemption from the DOT physical may be applied to combination vehicles.

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