

Covered Farm Vehicle Exemption

Qualifying for the CFV exemption allows farmers to enjoy breaks from the Federal Motor Carrier Safety Regulations (FMCSRs). There are limits to the exemptions. If at any time not all qualifications are met, none of the exemptions are available.

How to Qualify

1. Farmer, family member, or employee of a farmer
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

RANGE (Within which the exemption may be applied)		
Location	CFV	
	≤ 26,001 pounds	> 26,001 pounds
Inside Illinois	No limit	No limit
Outside Illinois	No limit	150 Miles

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

What’s Exempted

CFV exemptions cover five major areas

1. Commercial Driver’s License (CDL) [49 CFR 383]
Includes employees and most vehicle types
2. Controlled Substances, Alcohol Use and Testing [49 CFR 382]
3. Physical Qualifications and Examinations [49 CFR 391, Subpart E]
Includes the medical card requirement
4. Hours of Service [49 CFR 395]
5. Inspection, Repair, and Maintenance [49 CFR 396]
Only for interstate commerce vehicles.

Special Notes on Exemptions

CDL (Commercial Driver’s License)
[625 ILCS 5/6-500] & [49 CFR 383.5]

With some exceptions, a CDL generally must be obtained by the driver of any of the following vehicles:

- Any **combination** of vehicles with a Gross Combination Weight Rating (GCWR) or a Gross Combination Weight (GCW) of more than 26,000 pounds, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- Any **single** vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle towing another not in excess of 10,000 pounds.

- Any vehicle regardless of size, designed to transport **16 or more persons**, including the driver.
- Any vehicle required by federal regulations to be **placarded** for transporting hazardous materials.

[Note: This 26,000-pound threshold differs from the 10,000-pound threshold used for the Medical Card requirement.]

Classification

Whether operating with a CDL or a Non-CDL, drivers must have a properly-classified driver’s license for the vehicle size and type they are operating.

- **Class A** – Combination vehicles, 26,001 pounds or more GCWR or GCW, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- **Class B** – Single vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle
[May include trailer of 10,000 pounds or less.]
- **Class C** – Single vehicle with a GVWR of at least 16,001 pounds but less than 26,001 pounds.
[May include trailer of 10,000 pounds or less.]
- **Class D** – Single vehicle with a GVWR of less than 16,001 pounds. *[May include small trailer; but combined weight may not exceed 26,000 pounds.]*

CDL and the Farm Semi

For farm semi drivers, they must possess a Class A CDL or a Non-CDL farm semi license with a **J51** restriction. All tests and penalties for this Non-CDL farm semi license are the same as those required for the CDL so, there is little benefit in obtaining the **J51** instead of going ahead and getting the full CDL.

The Farm Vehicle Driver (FVD) exemption allows for a Non-CDL farm semi drivers license with a J50 restriction. See FVD exemption for more information.

Applicability

The CFV exemption applies to the truck-tractor/semi-trailer (semi) equally as it does to other vehicle types. No additional requirements need to meet to qualify.

Unlike the FVD exemption, the CFV exemption for farm semi operators can be applied to non-family farm employees, not just family members.

Endorsements

Drivers who qualify for a non-CDL license are not required to have the special endorsements associated only with the CDL. However, those drivers who are required to have a CDL must undergo special knowledge and/or skills testing if they will be driving a vehicle:

- With double or triple trailers;
- With a tank of 1,000 gallons or more liquid capacity or

multiple tanks each with a capacity of more than 119 gallons that, in aggregate, total to more than 1,000 gallons (*Measure tank capacity, not content. Applies to any liquid, even water*);

- That is placarded because of the type and quantity of hazardous materials carried (*Requires fingerprinting and background check. Apply at least 90 days in advance of driver's license expiration.*); or,
- With capacity for 16 or more passengers, including the driver.

Drug and Alcohol Testing

Requirement [49 CFR 382.103]

Generally, if a driver is required to have a CDL, he/she is also required to submit to drug & alcohol testing.

The testing involves pre-employment, random, postaccident, reasonable suspicion and return-to-duty testing requirements. Several other factors are worthy of note.

- Having a CDL when not required does not trigger this testing requirement.
- The employer is responsible for providing the testing program, not the driver.
- An employer who employs himself/herself as a driver (*as many farmers do*) must comply with both the requirements that apply to employers and the requirements that apply to drivers (employees.)
- Individual drivers must be pooled with a larger group (consortium) to ensure random selection.

Farm Exemption and the CFV [49 CFR 382.103(d) & (d)(4)]

There are two avenues of exemption. Drug and alcohol testing is generally not required of drivers who have been exempted from the requirement to have a CDL—even if that farmer has a CDL. (*It is the requirement that the driver have a CDL that triggers drug testing, not merely the coincidence that the driver has that license.*) And, drivers of a CFV are expressly exempted from drug and alcohol testing.

Overview of Drug & Alcohol Testing Requirements

<http://www.fmcsa.dot.gov/rules-regulations/topics/drug/engtesting.htm>

Medical Card

Requirement [49 CFR 391.1]

Drivers of commercial vehicles generally must undergo a DOT driver physical once every two years and carry a card (unless it is registered in CDLIS) signed by the examining physician indicating he/she is physically qualified to drive a commercial motor vehicle.

With some exceptions, a medical card must be obtained by a driver if they:

- Operate a commercial vehicle with a gross vehicle weight rating (GVWR) or a gross combination weight rating (GCWR) of 10,001 pounds or more in a commercial enterprise (*includes farming*); or
- Operate a passenger vehicle designed to transport 16 or more passengers—8 or more if for-hire—including the driver; or
- Operate a vehicle required by federal regulations to be placarded while transporting hazardous materials.

[*Note: This definition of “Commercial Vehicle” differs from that used for the CDL.*]

Medical Card and the CFV [49 CFR 391.2(d)]

Drivers operating a CFV are exempt from the requirement to have a Medical Card. Specifically, the exemption is from the rules in Part 391, Subpart E.

Hours of Service

Requirement [49 CFR 395]

Generally, drivers of a CMV are subject to limitations on the number of hours they may operate a CMV in any given day or week.

Hours of Service and the CFV [49 CFR 395.1(s)]

Drivers operating a CFV are exempt from the limitations on hours of service, including the maintenance of a log book. This is in addition to the more general, seasonal exemption for haulers of agricultural products that is also available to farmers.

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 : 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, these smaller trucks may be registered with any license plate for a second division vehicle that is 12,000 pounds or less to be eligible to qualify for the CFV designation. The \$10 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 standard-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 some pickup trucks, the registered CFV designation) in order to satisfy the “farm” registration requirement for the CFV exemption.