

## **DRIVER'S LICENSE**

**Commercial Driver's License (CDL)** is not required by an operator of a farm vehicle which is:

- (i) Controlled and operated by a farmer, including operation by employees or family members;
- (ii) Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm;
- (iii) Not used in the operations of a common or contract motor carrier; and
- (iv) Used within 150 miles of the farmer's farm, including the crossing of state line.

Federal legislation pre-empts any state regulation or reciprocity agreement that overlaps in subject matter.

**Moving Ahead for Progress in the 21st Century Act (MAP-21)** overrides any reciprocity agreement between states where and when MAP-21 is applicable. If a farmer is operating outside 150 miles from the farm, reciprocity agreements may apply. See *covered farm vehicle flow chart inside*.

**Commercial Driver's License** requirements apply outside 150 miles of the farmer's farm if not operating wholly within Kansas.

**Class A** motor vehicles include any combination of vehicles with a gross combination weight rating of 26,001 pounds or more, providing the gross vehicle weight rating (GVWR) of the vehicle or vehicles being towed is in excess of 10,000 pounds;

**Class B** motor vehicles include any single vehicle with a gross vehicle weight rating of 26,001 pounds or more, or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating.

## **IFTA – INTERNATIONAL FUEL TAX AGREEMENT**

For IFTA purposes, a qualified motor vehicle is:

- (1) A motor vehicle with a gross vehicle weight (GVW) or registered gross weight exceeding 26,000 lbs. or;
- (2) A motor vehicle having 3 or more axles or;
- (3) A combination vehicle with a gross combination weight or combined registered gross weight exceeding 26,000 lbs.

If entering or returning from another state in a qualified motor vehicle in the furtherance of agribusiness, the IFTA license and two affixed decals, OR a temporary motor fuel permit will be required, unless exempt registration (KSA 79-3401)

Online application for IFTA.

[www.ksrevenue.gov/forms-mfifta.html](http://www.ksrevenue.gov/forms-mfifta.html)

Temporary motor fuel permits may be obtained from K-TRIPS at (785) 368-6501 and/or online.

<https://k-trips.ksdot.gov>

### **Hazardous Materials (HAZMAT)**

Please see the Pipeline and Hazardous Materials Safety Administration website: [www.phmsa.dot.gov](http://www.phmsa.dot.gov)

Online application for USDOT Number

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

### **Questions?**

**Call (785) 296-7189**

**KHP.TruckInspection@ks.gov**

**www.KansasHighwayPatrol.org**



# Interstate Farming Operations



**Kansas farmers crossing state lines**

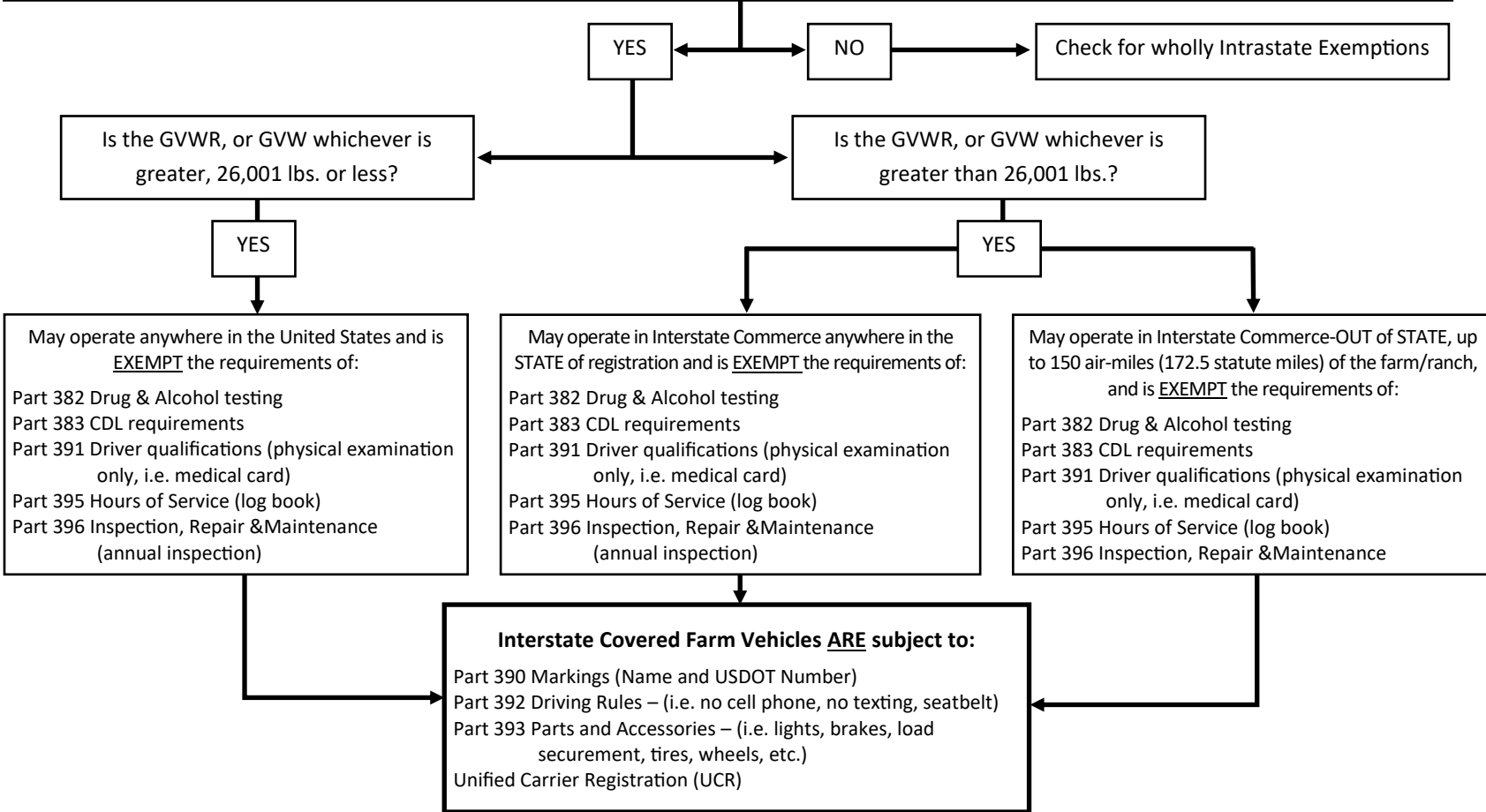
# INTERSTATE AGRICULTURAL EXEMPTIONS FROM FMCSRs

**IMPORTANT NOTE:** The provisions of MAP-21 generally only apply to **INTERSTATE COMMERCE**. The determination of whether a shipment occurring within a State is interstate or intrastate commerce is rather complex and must be made on a case-by-case basis. (Effective 10/1/2012)

**MAP-21 DEFINITION OF A COVERED FARM VEHICLE – Straight or Articulated Truck:**

1. Is the Vehicle you are operating in Interstate Commerce, **AND**
2. Is the Driver: (1) a farm owner or operator; or (2) a ranch owner or operator; or (3) an employee or family member of the farm, ranch or operator; or operated pursuant to a crop share agreement, **AND**
3. Is the Driver transporting agricultural commodities, livestock, machinery or supplies to or from the farm or ranch, **AND**
4. Does the interstate farm vehicle have farm registration or other designation by the state, the vehicle is registered in, identifying it as a Covered Farm Vehicle? **AND**
5. The vehicle is **NOT** transporting hazardous materials **requiring** placards.

(MUST MEET ALL 5 REQUIREMENTS TO BE A COVERED FARM VEHICLE)  
DOES THE VEHICLE MEET THE DEFINITION OF A COVERED FARM VEHICLE?



## NON-COVERED FARM VEHICLE AGRICULTURAL EXEMPTIONS

### Farm Vehicle Driver

Interstate Farm Vehicle Drivers are not subject to driver qualification requirements. (i.e. Medical Certificate, Age, English speaking). If driving an **ARTICULATED** farm vehicle, then the farm vehicle driver **IS** subject to the Medical Certificate requirements.

A “Farm Vehicle Driver” is in a farm operated vehicle within a 150 air-miles of the farm, transporting farm products or supplies and not transporting placardable amounts of HazMat. (49 CFR 391.67)

### Agricultural Commodity Hours of Service (Log Book) Exemption

Interstate driver’s transporting agricultural products, as defined, are not required log books. during harvest season (KS - Jan. 1 to Dec. 31)

- Transporting agricultural commodities from the source (field, intermediate storage or handling location away from the farm FMCSA guidance) to a location within a 150 air-mile radius from the source; or
- Farm supplies for agricultural purposes from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used within a 150 air-mile radius from the distribution point; or
- Farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a 150 air-mile radius from the wholesale distribution point.
- Livestock (including insects) within a 150-air mile radius from the final destination of the livestock.

“Agricultural commodity” means:

- 1) Any agricultural commodity, non-processed food, feed, fiber, or livestock as defined in this section.
- 2) As used in this definition, the term “any agricultural commodity” means horticultural produces at risk of perishing, or degrading in quality during transport by commercial motor vehicle, including plants, sod, flowers, shrubs, ornamentals, seedlings, live trees, and Christmas trees.

“Farm Supplies” means products directly related to the growing or harvesting of agricultural commodities during the planting and harvesting seasons within each State, as determined by the State, and livestock feed at any time of the year.

### Hazardous Materials and Intrastate Exceptions

Intrastate hazmat exemptions are found in 49 CFR 173.5.

### CDL

Kansas has limited Interstate Farm CDL exception agreements with Missouri, Nebraska and Oklahoma.