FMCSA-ELD-395-Q043(2022-03-10)

**Question:** Are Canada/Mexico domiciled motor carriers that operate in the United States (U.S.) eligible to use the exemptions for “covered farm vehicles” under 49 CFR 395.1(s), as defined in § 390.5, including the exemption from the Hours of Service rules and thus from the rule on electronic logging devices (ELDs)?

**Guidance**: No.  The definition of “covered farm vehicle” in § [390.5](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-390/subpart-A/section-390.5T) includes, among other things, the requirement that the vehicle be “Registered in a State with a license plate or other designation issued by the State of registration that allows law enforcement officials to identify it as a farm vehicle.” Because the term “State” means one of the 50 U.S. States and the District of Columbia, motor carriers domiciled in Canada/Mexico are not eligible for the covered farm vehicle exemption, including the hours of service and ELD elements of that exemption.

**Contact Info:** FMCSA ELD Information, 1-800-832-5660 or [ELD@dot.gov](mailto:ELD@dot.gov).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Note: This guidance document does not have the force and effect of law and is not meant to bind the public in any way.  It is intended only to provide information and clarity regarding existing requirements under the law or agency policies.*

**Regulatory Topic: ELD Guidance**

Effective Date: Thursday, March 10, 2022

Issued Date: Thursday, March 10, 2022