

Farm, Ranch, and Agricultural Transportation Exemption Reference Guide

Step 1 – Occasional Personal Use?

§ 390.3(f)(3) provides an exception for the occasional transportation of personal property by individuals not for compensation and not in the furtherance of a commercial enterprise. This includes individuals who occasionally use CMVs to transport horses to races, tournaments, shows or similar events, even if prize money or scholarships are offered. For more information on the transportation of horses to shows, rodeos, etc., please click [Horse Q&A](#)

If this exception applies:



The transportation is not subject to the Federal Motor Carrier Safety Regulations. However, please beware that States may have more stringent regulations of their own.

If this exemption does not apply:



Proceed to Step 2.

Step 2 – Covered Farm Vehicle?

A Covered Farm Vehicle (CFV)

1. Is a straight truck or articulated vehicle,
2. Is operated by an owner or operator of a farm or ranch, or by a family member or employee of the owner or operator,
3. Transports agricultural commodities, livestock, machinery or supplies to or from a farm or ranch,
4. Has a license plate or some other means specified by the State that identifies it as a farm vehicle,
5. Is not used in for-hire motor carrier operations (but 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),
6. Is not transporting hazardous materials that require placarding, and either of the following:
 - a. Has a GVW or GVWR (whichever is greater) of 26,001 or less*, in which case the CFV exemptions in § 390.39 apply anywhere in the United States.
 - b. Has a GVW or GVWR (whichever is greater) 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.

*Please note that these limits are different than the definitions for commercial motor vehicles found in § 383.5 or in § 390.5.

If this exception applies:



The transportation is not subject to Parts 382, 383, 395, 396, and Subpart E of Part 391 of the Federal Motor Carrier Safety Regulations. However, please beware that States may have more stringent regulations of their own.

If this exemption does not apply:



Proceed to Step 3.

Step 3 - Miscellaneous Agricultural Exceptions and Exemptions

Part 383

Farm Waiver (CDL)

A farm waiver for operators of a farm vehicle, is available in some States when that vehicle—

1. Controlled and operated by a farmer, including operation by employees or family members,
2. Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm,
3. Not used in the operations of a for-hire motor carrier, except for an exempt motor carrier as defined in §390.5 of this subchapter, and,
4. Used within 241 kilometers (150 miles*) of the farmer's farm.

*Note that this is not air-miles.

If this exception applies: A State may waive the requirements of Part 383, however, this waiver is limited to the driver's home State, unless there is a reciprocity agreement with adjoining States. **Contact your State driver's licensing office for additional information.**

Restricted CDL for Certain Drivers in Farm-Related Service Industries

A State may, at its discretion, waive the required knowledge and skills tests of subpart H of this part and issue restricted CDLs to employees of these designated farm-related service industries:

- Agri-chemical businesses
- Custom harvesters
- Farm retail outlets and suppliers
- Livestock feeders

If this exception applies: Refer to § 383.3(f) for additional information and contact your State driver's license office to determine if this type waiver is offered.

Part 391

Farm Custom Operations

Certain exceptions from Part 391 are available to a driver who drives a commercial motor vehicle controlled and operated by a person engaged in custom-harvesting operations, if the commercial motor vehicle is used to—

1. Transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm; or
2. Transport custom-harvested crops to storage or market.

If this exception applies: Part 391 does not apply, except for § 391.15(e) and (f). (These sections discuss the disqualifications for texting while driving a CMV and using a hand-held device.)

Apiarian Industries (Bees)

This exception applies to drivers who operate commercial motor vehicles controlled and operated by beekeepers engaged in the seasonal transportation of bees.

If this exception applies: Part 391 does not apply, except for § 391.15(e) and (f). (These sections discuss the disqualifications for texting while driving a CMV and using a hand-held device.)

Step 3 - Miscellaneous Agricultural Exceptions and Exemptions (continued)

Part 391 Continued

Certain Farm Vehicle Drivers (does not apply to combination vehicles)

A farm vehicle driver means a person who drives only a commercial motor vehicle that is—

1. Controlled and operated by a farmer as a private motor carrier of property;
2. Being used to transport either agricultural products, or farm machinery, farm supplies, or both, to or from a farm;
3. Not being used in the operation of a for-hire motor carrier;
4. Not carrying hazardous materials of a type or quantity that requires the CMV to be placarded; and
5. Being used within 150 air-miles of the farmer's farm.

If this exception applies: Part 391 does not apply, except for § 391.15(e) and (f). (These sections discuss the disqualifications for texting while driving a CMV and using a hand-held device.)

Farm Vehicle Drivers of Articulated Commercial Motor Vehicles (combination vehicles)

A farm vehicle driver means a person who drives only a commercial motor vehicle that is—

1. Controlled and operated by a farmer as a private motor carrier of property;
2. Being used to transport either agricultural products, or farm machinery, farm supplies, or both, to or from a farm;
3. Not being used in the operation of a for-hire motor carrier;
4. Not carrying hazardous materials of a type or quantity that requires the CMV to be placarded; and
5. Being used within 150 air-miles of the farmer's farm.

If this exception applies: The following rules do not apply to a farm vehicle driver who is 18 years of age or older and who drives an articulated commercial motor vehicle—

- Section 391.11(b)(1), (b)(6) and (b)(8) (relating to general qualifications of drivers);
- Subpart C (relating to disclosure of, investigation into, and inquiries about the background, character, and driving record of drivers);
- Subpart D (relating to road tests); and
- Subpart F (relating to maintenance of files and records).

Part 395

Agricultural Operations

This exception applies to drivers transporting—

1. Agricultural commodities from the source of the agricultural commodities to a location within a 150 air-mile radius from the source;
2. 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
3. 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.

If this exception applies: Part 395 is not applicable during planting and harvesting periods, as determined by each State.

Transportation of Commercial Bees

If this exception applies: The provisions requiring a 30-minute rest break, do not apply to a driver engaged in the interstate transportation of bees by commercial motor vehicle as long as the bees are on the vehicle.

Transportation of Livestock

If this exception applies: The provisions requiring a 30-minute rest break, do not apply to a driver engaged in the interstate transportation of livestock by commercial motor vehicle while livestock are on the vehicle.

Step 4 – General Rules and Exemptions

FMCSR

Once you have determined if any miscellaneous agricultural exceptions and exemptions apply, you would then review the Federal Motor Carrier Safety Regulations for any general exemptions that may pertain to the driver and/or motor carrier's operation. For example, if the driver or motor carrier was determined to be subject to Part 395, you would determine if any of the following exceptions apply:

- Short-haul operations,
- State of Alaska or Hawaii exceptions,
- ELD Exception, etc.