

DESIGNATION AS A KANSAS COVERED FARM VEHICLE

The undersigned designates the following vehicles as a “covered farm vehicle”, as defined in Section 32934 of Pub. L. 112-141, Moving ahead for Progress in the 21st Century Act (MAP-21) or 49 C.F.R. §390.5.

Vehicle Information:

Year: _____ Make: _____ Model: _____

VIN: _____

Owner Name: _____

Owner Address: _____
Street Address City State Zip

Signature of Owner or Authorized Representative Printed Name

Date Title (if applicable)

Note: This designation is effective only when the vehicle is being operated within the scope of Section 32934 of Pub. L. 112-141. Designation must be carried in power unit during all covered operations. Before operating in states other than Kansas, consult with those states to determine whether they will recognize the covered farm vehicle exemptions. Furthermore this designation does not interfere with the Intrastate farm operation exemption found in K.S.A. 66-1,129(c)(1).

Section 32934 of MAP-21

This section provides a statutory exemption from certain Federal Motor Carrier Safety Regulation (FMCSR’s), including those pertaining to commercial driver licenses (CDLS) and driver physical qualifications (medical) requirements, for the operation of covered farm vehicles by farm and ranch operators, their employees and family members under specific circumstances. The operation of covered farm vehicles are exempt from the following:

- 49 C.F.R. Part 383: Commercial Driver’s License Standards; Requirements and Penalties,
- 49 C.F.R. Part 382: Controlled substances and Alcohol Use and Testing
- 49 C.F.R. Part 391: Subpart E: Physical Qualifications and Examinations
- 49 C.F.R. Part 395: Hours of Service
- 49 C.F.R. Part 396: Inspection, Repair and Maintenance

Covered farm vehicles and their operators are not exempt from and must comply with the following: 49 C.F.R. §367.30, Unified Carrier Registration (UCR); 49 C.F.R. Part 390: FMCSRs, General, USDOT number and marking requirements; 49 C.F.R. Part 392: Driving of Commercial Motor Vehicles (CMV); 49 C.F.R. Part 393: Parts and accessories needed for safe operation and all state size, weight, safety, fuel tax and operating laws applicable to the operation of motor vehicles.

What is a Covered Farm Vehicle?

Vehicles that are:

- operated by a farm or ranch owner or operator, employee or family member.
- used to transport to or from a farm or ranch and contains agricultural commodities, livestock, machinery or supplies.
- equipped with a special license plate or other designation by the state in which the vehicle is registered to allow for identification of the vehicle as a farm vehicle by enforcement personnel.
- has a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR) or gross vehicle weight or gross combination weight, whichever is greater and is either;
 - 26,001 pounds or less,
 - greater than 26,001 pounds and traveling anywhere within the state in which it is registered, or within 150 air miles of the farm or ranch with respect to which the vehicle is being operated.

A covered farm vehicle does not include a vehicle that is transporting hazardous materials in an amount that requires placarding, nor a vehicle that is operating on a for-hire basis. These vehicles and their operators are not subject to the covered farm vehicle exemption.

Operation of a truck-tractor/semi-trailer combinations are covered farm vehicles, although the operator of a covered farm vehicle is not required to hold a CDL to operate a vehicle within the scope of Section 32934, a Kansas operator is still required to have a non CDL Class A Driver’s License.

If you need information regarding the FMCSR’s or Kansas law regarding the operation of CMV’s, whether designated as a covered farm vehicle or not, call the Kansas Corporation Commission (KCC) at 785-271-3151 or 785-271-3333. Phone: (785) 368-8222.