

January 2024

Guide to Farm Trucking in Oregon



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Introduction & Contact Info

This publication is a basic guide to farm trucking in Oregon, but it cannot contain everything a farmer needs to know.

Farmers with questions regarding regulations can contact their association representatives or the Oregon Department of Transportation listed below.

Oregon Department of Transportation

Commerce and Compliance Division (CCD)

455 Airport Road SE, Building A

Salem, OR 97301

Phone: 503-378-5203

Email: Farm@odot.oregon.gov

www.oregon.gov/odot/mct/pages/farmtrucking.aspx

Driver and Motor Vehicle (DMV) Services

1905 Lana Ave. NE

Salem OR 97314

Phone: 503-945-5000

www.oregon.gov/odot/dmv

DMV Forms

- Application for Registration, Renewal, Replacement or Transfer of Plates and/or Stickers (DMV Form 268): www.oregon.gov/ODOT/Forms/DMV/268fill.pdf
- Application for Title and Registration (DMV Form 226): www.oregon.gov/odot/dmv
- Farm Endorsement Application Form (DMV Form 6776): www.oregon.gov/odot/forms/dmv/6776fill.pdf
- Fee Schedule – Vehicles Registered for Farm Use (DMV Form 152): www.oregon.gov/ODOT/Forms/DMV/152.pdf

See a complete list of CCD Roadside Enforcement and Safety Offices throughout Oregon:

www.oregon.gov/odot/MCT/Documents/ContactCCDEnforcement-SafetyOffices.pdf

Oregon Wheat Growers League

115 SE 8th St.

Pendleton OR 97801

Phone: 541-276-7330

www.owgl.org

Oregon Farm Bureau

1320 Capitol St NE - Ste 200

Salem OR 97301

Phone: 503-399-1701 or

800-334-6323

www.oregonfb.org

Oregon Assoc. of Nurseries

29751 Town Center Loop W

Wilsonville OR 97070

Phone: 503-682-5089 or

888-283-7219

www.oan.org

Farm Trucking in Oregon - The Basics

Get a USDOT Number

A U.S. Department of Transportation (USDOT) number is used as an identification number and is issued by Federal Motor Carrier Safety Administration (FMCSA). Companies who operate vehicles with a gross vehicle weight rating or actual weight over 10,000 pounds must obtain a USDOT number.

Note: *The only option available for obtaining a USDOT number is through FMCSA Unified Registration System online: <https://portal.fmcsa.dot.gov/UrsRegistrationWizard>*

Get Farm-Certified

Apply for farm plates by first completing the Farm Certification Application (form 9670) and submitting it to the CCD Farm Certification Unit in Salem.

Some farm commodities require additional licensing through other state agencies. Christmas Trees, Nursery Stock, Apiary, Industrial Hemp, Hemp Seed, Medical Marijuana and Recreational Marijuana, require licensing from the Oregon Department of Agriculture, the Oregon Health Authority, or the Oregon Liquor Control Commission. If you have one of these commodities listed on your Farm Certification Application you will need to include the Regulated Commodities Verification (form 9370a).

Certain types of vehicles are not what you would consider a Farm vehicle, but may have a purpose or specific use for the farming operation. Vehicles such as Dump Trucks, Water Trucks, Fire Trucks and Vans would not be considered Farm vehicles. If you intend to register a vehicle like these with Farm plates you will need to fill out the Oregon Farm Special Use Vehicle Application (form 735-9925) and submit it to the Farm Certification Unit. The description of use for special use vehicle section on the form, is where you provide specific details on the use of the vehicle on the farm.

Forms can be found at www.oregon.gov

Benefits of Oregon Farm Certification

- Lower annual vehicle registration fees. A 26,000 pounds farm vehicle pays \$195.00, which is \$882.00 less than the fee for a non-farm vehicle. An 80,000 pounds farm vehicle pays \$625.00, which is \$389.00 less than the fee for a non-farm vehicle.
- Exemption from Oregon weight-mile tax when used for qualified Farm operations. May still be subject to Oregon state fuels tax.
- Exemption from CCD insurance requirements. Farm vehicles must comply with DMV insurance requirements.
- Farm vehicles are exempt from some motor carrier safety regulations when operating in Oregon.

- Exemption from Oregon DEQ pollution control equipment and emissions testing.
- Lower fee for participation in the Oregon International Fuel Tax Agreement (IFTA).
- Farm plates help identify vehicles that can be operated with a regular driver license with a "Y" or "Z" farm endorsement.

Get Farm License Plates.

Oregon DMV issues "F" farm plates, with the approval of ODOT Commerce and Compliance Division (CCD). DMV requires CCD approval of the Farm Certification Application before issuing farm plate(s). If there is a delay getting CCD approval of either the initial Farm Certification Application or a later request for additional plates, DMV staff issues temporary, 45-day farm registration permits for a farmer's vehicle(s).



Permitted Uses of Farm-Plated Vehicles

Oregon law ORS 805.390 allows farm-registered vehicles to be used in the following ways:

- Hauling the farmer's own agricultural commodities, products or livestock that were originally grown or raised by the farmer on their own farm, ranch or orchard. This includes products or byproducts of commodities or livestock that were packed, processed or manufactured by the farm or for the farm, if the farmer retains ownership of the products. This does not include products that have been transformed into a finished state.
- Hauling materials that are incidental to the regular operation of the farmer's farm. Also, hauling supplies, equipment or materials that will be consumed or used on the farmer's farm.
- Hauling forest products to their farm or hauling forest materials originating on a farm or as an incident to the regular operation of the farm. But the vehicle cannot be used to haul piling or poles over 30 inches around at the large end or logs over 8 foot 6 inches long. A farm-plated vehicle with a loaded weight of 16,000 pounds or less may, however, transport logs over 8 foot 6 inches if they're not over 16 foot 6 inches long.
- Transporting straw, whether or not the straw was grown on the farmer's own farm, if the farmer hauling the straw is the one who bales it. "Straw" is defined as the stalk of grass or grain left after threshing.

- Personal use by the farmer, any member of their immediate family or any person employed by the farmer. “Personal use” includes such things as taking the boat to the lake, hauling the camper and going to the movies or the grocery store.
- Hauling products, supplies, equipment or materials for another qualifying farmer on a bona fide, documented exchange of labor basis if what is hauled will be used or consumed on that farmer’s farm or is directly related to the operation of the farm.
- Farm vehicles may be rented or borrowed by a farmer to haul their own agricultural commodities, products or livestock that were originally grown or raised on their farm, but only if that farmer could qualify for farm registration for vehicles of the type and size rented or borrowed.

“T” Truck Plate Requirements

Vehicles that don’t have a farm plate will need an Oregon “T” plate if they operate with a combined weight over 10,000 pounds Truck-tractors will need one if they operate with a combined weight over 8,000 pounds, per ORS 803.430(3) (a)(b). “Combined weight” means the total empty weight of all vehicles in a combination plus the total weight of the load carried on that combination of vehicles, per ORS 801.199. Commercial Motor Vehicles (CMV) over 26,000 pounds are subject to weight-mile tax display an Oregon Commercial or Apportioned plate rather than a T-plate.



Determining Commercial Vehicle Registration Weight

Registration weight is the total weight of a vehicle or all vehicles in a combination (e.g., a vehicle and any trailers it may pull) plus the total weight of the load carried on that vehicle or combination of vehicles.

The weight of a camper or the trailing vehicles listed below should not be included when determining registration weight:

- Trailers with a loaded weight of 8,000 pounds or less.
- Special-use trailers, travel trailers or manufactured structures and fixed load vehicles.
- Towed motor vehicles.

If your vehicle will temporarily exceed your registration weight, you must obtain a temporary Registration Weight Trip Permit. This permit is available from a DMV field office or CCD. CCD Registration can be reached at 503-378-6699.

Note: Operations that exceed legal size and weight may need a variance permit issued by the CCD Over-Dimension Permit Unit.

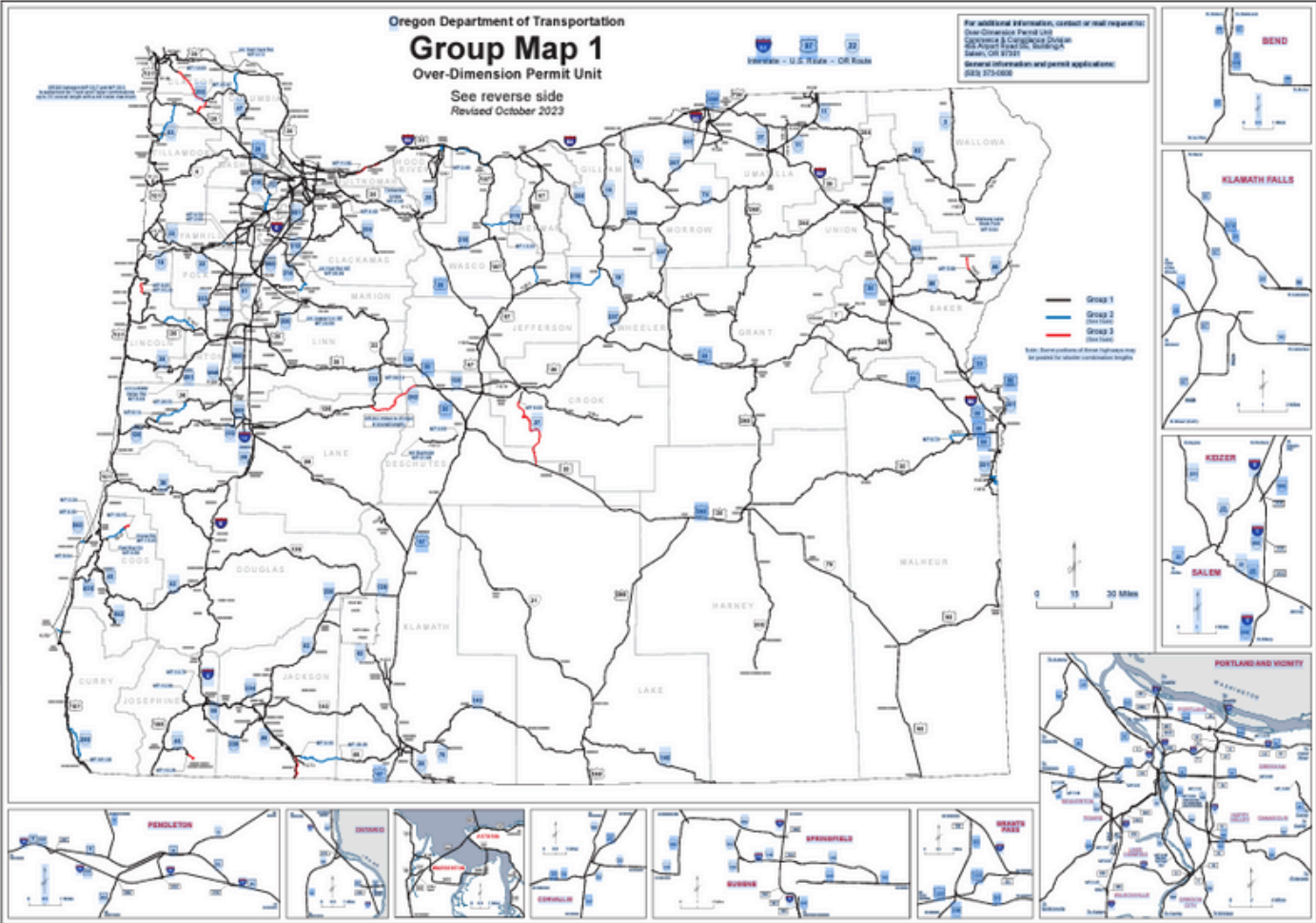
Over-Dimension Permits

CCD issues single-trip and annual variance permits for overweight, overheight, overwidth and overlength loads. Vehicles require an over-dimension permit when operated in combinations that exceed maximum size and/or weight limits. For example, a farm vehicle needs one when it is operated over 80,000 pounds DMV may issue a farm plate for that vehicle, but the farmer still needs to contact CCD to acquire a variance permit to operate over the maximum legal weight limit.

Contact ODOT's Over-Dimension Permits Unit at 503-373-0000. Visit ODOT's Over-Dimension Operations web page for more information: www.oregon.gov/ODOT/MCT/Pages/Over-Dimension.aspx

A permit is also needed for any non-divisible load for which any one of the following applies:

- Width of the load or hauling equipment exceeds 8 feet, 6 inches, and/or height of vehicle or vehicle combination and load exceeds 14 feet.
- Any single axle weight exceeds 20,000 pounds, and/or any tandem axle exceeds 34,000 pounds., and/or gross combination weight exceeds 80,000 pounds, and/or gross weight of any group of axles exceeds those in the legal weight table shown on Group Map 1 (see next page).
- Front overhang exceeds four (4) feet beyond the front bumper of the vehicle.
- Rear overhang exceeding five (5) feet beyond the end of the trailer when hauling a single non-divisible load.
- Vehicle combination length exceeds those authorized on Group Map 1 (see next page).
- Oregon law provides an exemption for farm vehicles that exceed maximum allowable weight limits. A farm vehicle transporting field-loaded agricultural commodities in Malheur County may operate at greater weights than those listed in ORS 818.010(4). Field-loaded vehicles can travel on state and county roads in Malheur County (unless they violate posted weight limits on a road or bridge), but the law specifies that they cannot travel on I-84 or US95.
- The law provides an exemption from maximum size limits for implements of husbandry hauled, towed, or moved on any highway not a part of the Interstate system if the movement is incidental to a farming operation and the owner is engaged in farming or is hired by or under contract to a farmer to perform agricultural activities, per ORS 818.100(12). This type of movement is subject to the maximum limit of allowable extension beyond the last axle of a combination of vehicles shown in Table II of ORS 818.080(2).
- The law also provides an exemption from the limits on the number of vehicles in combination, allowing for a combination of three implements of husbandry, or two implements of husbandry hauled or towed by another vehicle, per ORS 818.120(7).



Form #20-8102 (10-23) 074-#305340

Group Map 1

MAXIMUM ALLOWABLE LENGTHS EXCEPT WHEN OPERATING UNDER AUTHORITY OF SPECIAL PERMIT			
TYPE OF VEHICLE OR COMBINATION	HIGHWAY CLASSIFICATION		
	GROUP 1 GROUP 2 GROUP 3		
1 Motor Truck and Trailer *Truck and Trailer combination being a tractor and/or semi-trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 53' Trailer ①	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	2 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ① SEE BELOW	85' Overall 45' Trailer ②
3 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	65' Overall 53' Trailer ① SEE BELOW	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	4 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 53' Trailer ①	85' Overall 45' Trailer ②
5 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ① ② ③	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	6 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ① SEE BELOW	85' Overall 45' Trailer ②
7 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall ①	85' Overall ②	95' Overall ③
	8 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	85' Overall 45' Trailer ① 85' Overall 45' Trailer ②	85' Overall 45' Trailer ②
8a Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	85' Overall 53' Trailer ① ②	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	8b Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ①	85' Overall 45' Trailer ②
9 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	No Limit ① ② ③	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	10 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ① SEE BELOW	85' Overall 45' Trailer ②
11 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall 45' Trailer ① SEE BELOW	85' Overall 45' Trailer ②	95' Overall 45' Trailer ③
	12 Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle. Motor Truck and Trailer *Tractor-trailer combination with a trailer shall be limited to a 3rd trailer on a 5th axle or 3rd trailer on a 6th axle.	75' Overall ① ②	85' Overall ②

Group Map 1 * See Route Map 7 for Designated Routes and Restrictions on Overall Lengths.

Group Map 1

The following exceptions apply to the table of weights shown below.

Exception 1: Two or more vehicles shall not be towed by a single vehicle unless all vehicles are towed by a single vehicle.

Exception 2: A group of vehicles shall not be towed by a single vehicle unless all vehicles are towed by a single vehicle.

Exception 3: An additional 100 pounds above the weights shown below is allowed for vehicles that use motor gas.

Permit Weight Table 1

Weight Class	1	2	3	4	5	6	7
A	25,000	30,000	35,000	40,000	45,000	50,000	55,000
B	30,000	35,000	40,000	45,000	50,000	55,000	60,000
C	35,000	40,000	45,000	50,000	55,000	60,000	65,000
D	40,000	45,000	50,000	55,000	60,000	65,000	70,000
E	45,000	50,000	55,000	60,000	65,000	70,000	75,000
F	50,000	55,000	60,000	65,000	70,000	75,000	80,000
G	55,000	60,000	65,000	70,000	75,000	80,000	85,000
H	60,000	65,000	70,000	75,000	80,000	85,000	90,000
I	65,000	70,000	75,000	80,000	85,000	90,000	95,000
J	70,000	75,000	80,000	85,000	90,000	95,000	100,000
K	75,000	80,000	85,000	90,000	95,000	100,000	105,000
L	80,000	85,000	90,000	95,000	100,000	105,000	110,000
M	85,000	90,000	95,000	100,000	105,000	110,000	115,000
N	90,000	95,000	100,000	105,000	110,000	115,000	120,000
O	95,000	100,000	105,000	110,000	115,000	120,000	125,000
P	100,000	105,000	110,000	115,000	120,000	125,000	130,000
Q	105,000	110,000	115,000	120,000	125,000	130,000	135,000
R	110,000	115,000	120,000	125,000	130,000	135,000	140,000
S	115,000	120,000	125,000	130,000	135,000	140,000	145,000
T	120,000	125,000	130,000	135,000	140,000	145,000	150,000
U	125,000	130,000	135,000	140,000	145,000	150,000	155,000
V	130,000	135,000	140,000	145,000	150,000	155,000	160,000
W	135,000	140,000	145,000	150,000	155,000	160,000	165,000
X	140,000	145,000	150,000	155,000	160,000	165,000	170,000
Y	145,000	150,000	155,000	160,000	165,000	170,000	175,000
Z	150,000	155,000	160,000	165,000	170,000	175,000	180,000

Permit Weight Table 2 - Extended Weight

Weight Class	1	2	3	4	5	6	7
A	25,000	30,000	35,000	40,000	45,000	50,000	55,000
B	30,000	35,000	40,000	45,000	50,000	55,000	60,000
C	35,000	40,000	45,000	50,000	55,000	60,000	65,000
D	40,000	45,000	50,000	55,000	60,000	65,000	70,000
E	45,000	50,000	55,000	60,000	65,000	70,000	75,000
F	50,000	55,000	60,000	65,000	70,000	75,000	80,000
G	55,000	60,000	65,000	70,000	75,000	80,000	85,000
H	60,000	65,000	70,000	75,000	80,000	85,000	90,000
I	65,000	70,000	75,000	80,000	85,000	90,000	95,000
J	70,000	75,000	80,000	85,000	90,000	95,000	100,000
K	75,000	80,000	85,000	90,000	95,000	100,000	105,000
L	80,000	85,000	90,000	95,000	100,000	105,000	110,000
M	85,000	90,000	95,000	100,000	105,000	110,000	115,000
N	90,000	95,000	100,000	105,000	110,000	115,000	120,000
O	95,000	100,000	105,000	110,000	115,000	120,000	125,000
P	100,000	105,000	110,000	115,000	120,000	125,000	130,000
Q	105,000	110,000	115,000	120,000	125,000	130,000	135,000
R	110,000	115,000	120,000	125,000	130,000	135,000	140,000
S	115,000	120,000	125,000	130,000	135,000	140,000	145,000
T	120,000	125,000	130,000	135,000	140,000	145,000	150,000
U	125,000	130,000	135,000	140,000	145,000	150,000	155,000
V	130,000	135,000	140,000	145,000	150,000	155,000	160,000
W	135,000	140,000	145,000	150,000	155,000	160,000	165,000
X	140,000	145,000	150,000	155,000	160,000	165,000	170,000
Y	145,000	150,000	155,000	160,000	165,000	170,000	175,000
Z	150,000	155,000	160,000	165,000	170,000	175,000	180,000

LEGAL HEIGHT IS 13' 6" - LOADS EXCEEDING THIS HEIGHT MUST BE MOVED UNDER SPECIAL PERMITS

① Legal load weight is 10,000 lbs. Axle weight is 10,000 lbs. or less (axle load limit of 10,000 lbs. for 2-axle vehicles).

② Axle weight is 10,000 lbs. or less (axle load limit of 10,000 lbs. for 2-axle vehicles).

③ Axle weight is 10,000 lbs. or less (axle load limit of 10,000 lbs. for 2-axle vehicles).

④ Axle weight is 10,000 lbs. or less (axle load limit of 10,000 lbs. for 2-axle vehicles).

Group Map 1

Operating Vehicles Under Lease Agreements

Farmers may lease vehicles for their farming operation, but only the number of vehicles reasonable to support their farming operations.

When an Oregon-based or an out-of-state farmer leases a vehicle for their farm-related operations in Oregon, the farmer must carry in that vehicle a copy of the leased vehicle letter that is obtained from the CCD Farm Certification Unit. This is a vehicle-specific leased vehicle letter. The farmer must also carry a copy of the Lease/Rental Agreement that contains the starting and ending date and the terms of the rental basis (daily, weekly, monthly, annually).

Oregon Use Fuel Tax

An Oregon Farm Certification or an Out of State Farm Verification does not exempt a farmer from Oregon use fuel tax law. For further information about the law, contact the ODOT Fuels Tax Group by calling 888-753-2525 or 503-378-8150. For more information, visit the New to Fuels Tax web page: www.oregon.gov/ODOT/FTG/Pages/New-to-Fuels-Tax.aspx

Meets Fuel Tax Requirements

A farmer with a bulk storage tank, an F-plated vehicle, and/or a diesel-powered vehicle commonly requires a Use Fuel User License and must file Use Fuel Tax Reports.

For-Hire Hauling

A trucker is considered to be “for-hire” if they hold themselves out to provide transportation service to the public for compensation.

A farmer may use their farm-registered vehicle to haul products, supplies, equipment or materials for another qualifying farmer on a bona fide, documented exchange of labor basis if what is hauled will be used or consumed on that farmer’s farm or is directly related to the operation of the farm.

In other situations, a farmer with a farm-registered vehicle that wants to haul for-hire must obtain a Class 1A permit from CCD. The permit authorizes occasional use of the vehicle to haul for-hire from point to point within Oregon only. It does not authorize hauling household goods or passengers or hauling for-hire interstate. There is a one-time \$300 filing fee for the Class 1A permit.

Farmers who want to haul for-hire within Oregon also need to enroll their vehicle(s) into the Oregon Weight-Mile Tax Program allowing them to conduct both farm and for-hire operations. The haul-for-hire operations are subject to motor carrier regulations, including requirements related to weight-mile tax, bond, insurance, safety and record keeping. Farmers must keep records showing the miles operating for-hire, the miles the vehicle was used in exempt farm operations and file monthly or quarterly tax reports. (More information on page 35.)

Questions? Contact the CCD Farm Certification Unit at 503-378-5203.

Farm Vehicle Operations Checklist

The following pages provide a checklist of the basic federal and state safety requirements for farm trucking in Oregon.

If the vehicle is being used in commerce and it meets the definition below, all rules apply unless the vehicle is being used as a covered farm vehicle. Covered farm vehicles are exempt from some of the rules. Some Safety Regulations for Interstate Farm Operations rules still apply.

Definition of a Commercial Motor Vehicle

- Vehicles with a gross vehicle weight rating (GVWR) or combination weight rating (GCWR), or Actual weight rating of 10,001 pounds or more.
- Vehicles designed or used to transport more than 8 passengers, including the driver, for compensation.
- Vehicles transporting a hazardous material in a quantity requiring placards.
- A vehicle designed to transport more than 15 passengers, including the driver.

Safety Exemptions

Certain farm vehicles are exempt from some safety regulations. 49 CFR 390.39 provides exemptions for “covered farm vehicles”. Vehicles that meet the definition of a covered farm vehicle are exempt from Part 383 CDL requirements, Part 382 drug and alcohol testing requirements, Part 391 physical qualifications and examinations, Part 395 hours of service and Part 396 Inspection, repair, and maintenance.

What is a Covered Farm Vehicle?

A straight vehicle or articulated vehicle registered in a state with a designation that identifies the vehicle as a farm vehicle; and is operated by the owner or operator of a farm or ranch, or an employee or family member of an owner or operator of a farm or ranch; and is used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch and is not used in for-hire motor carrier operations; and not transporting hazardous materials requiring placarding.

Covered Farm Vehicles with a gross vehicle weight or gross vehicle weight rating of:

- 26,000 pounds or less may utilize the safety exemptions anywhere in the United States.
- More than 26,001 pounds may use safety exemptions **anywhere in the state of registration or across state lines within 150 air-miles of the farm or ranch.**

Regulations for Interstate Farm Operations

Interstate Operations Need UCR

USDOT adopted into federal law the Unified Carrier Registration (UCR) program. The UCR is a base-state system for registering interstate motor carriers with vehicles exceeding 10,000 pounds Gross Vehicle Weight Rating (GVWR) or Gross Combined Weight Rating (GCWR), including private, for-hire, and exempt carriers, farmers operating in interstate commerce, brokers, freight forwarders and leasing companies.

- Oregon-based interstate motor carriers must pay online at a UCR-designated website or they must select a western state, other than Oregon, and pay the fees to that state: www.ucr.gov

What is Interstate Commerce?

A farmer operating vehicles that are NOT Covered Farm Vehicles may be subject to safety regulations when operating in interstate commerce. In federal law 49 CFR 390.5, "interstate commerce" means trade, traffic or transportation in the United States:

- Between a place in a state and a place outside of such state, including a place outside the U.S.
- Between two places in a state through another state or a place outside the U.S.
- Between two places in a state as part of trade, traffic or transportation originating or terminating outside the State or the U.S.

Sometimes even hauling from point to point within a state can be interstate commerce. For example, it is usually interstate commerce when a farmer hauls wheat from an Oregon field to an Oregon elevator. After the elevator buys the wheat, it may ship some to a local flour mill and some to a facility for shipment overseas. The fact that the wheat stops and changes hands at a middle point like the storage elevator doesn't necessarily break its transportation into two separate parts. The trip from the field to the elevator and then later delivery to various customers can both be trips in interstate commerce. Also, when wheat is commingled and there is no way to know which grain went where, it is more likely to be interstate commerce. Wheat taken from an Oregon field to an Oregon mill and turned into flour is intrastate commerce because the wheat is substantially changed into something else.

Insurance, (49 CFR Part 397)

Have at least the minimum amount of liability insurance required by DMV. Vehicles transporting hazardous materials may need insurance coverage between \$1 million and \$5 million.

Parts & Accessories, (49 CFR Part 393)

All vehicles, including covered farm vehicles, are required to check all of the following items. Even though a farm vehicle is exempt from an inspection, law enforcement can write citations for unsafe vehicles under Part 393.

- Headlights and brake lights work.
- Tractor and trailer have reflective sheeting or reflectors to make them more visible at night.
- Vehicle has a service brake, parking brake and brakes on all wheels. Vehicles towing a trailer have breakaway and emergency brakes.
- Brake tubing and hoses are okay.
- Vehicle has brake warning system that tells driver of problems with hydraulic brakes, air brakes or vacuum brakes.
- Windshield isn't discolored or cracked in area from top of steering wheel to within two inches of windshield top.
- No fuel system part is wider than the widest part of the vehicle or forward of the front axle. Fuel lines don't extend between the vehicle and trailer.
- Coupling devices and fifth wheel assemblies are securely attached and safe.
- Cargo is loaded and secured so it will not shift or fall off.
- Tires are in good shape, including 4/32 inch or more tread on front tires and 2/32 inch or more on other tires. Wheels are in good shape - no cracks or loose fasteners.
- Exhaust system is securely fastened and not located below fuel tank or tank filler pipe, or located where it could burn or damage wiring, fuel supply or anything combustible. Also, there are no temporary repairs or patches and it is not leaking at a point under the cab or sleeper.
- There is a bumper or other device to prevent under ride if another vehicle strikes the rear end. (Tractors, pole trailers and driveaway towaway vehicles are exempt.)
- Vehicle is equipped with functional seat belts (applies to post-1965 vehicles).
- Emergency equipment includes stopped vehicle warning devices, spare fuses and fire extinguisher with a rating of at least UL 5 B:C or 10 B:C if transporting hazardous materials.
- Frames and suspension systems (axles, adjustable axles, leaf and coil springs, torsion bars, air suspensions) are structurally sound and in safe working order. There are no cracked or broken frame members.
- Steering system - steering wheel, steering column, gear box, ball joints - are in proper working order.

Inspection, Repair, & Maintenance, (49 CFR Part 396)

Inspection, repair and maintenance records for each vehicle must be saved on file for one year. Drivers are not required to submit daily driver vehicle inspection reports (DVIRs) unless defects are found. Completed reports must be maintained for at least 3 months. Pre- and post-trip inspections are still required to cover service brakes (including trailer brake connections), parking brake, steering, lights, tires, horn, windshield wipers, rearview mirrors, coupling devices, wheels and emergency equipment. Post-trip reports do not apply to one-vehicle operators.

Note: Covered Farm vehicles are exempt from Part 396, but it is recommended to maintain these records

Annual CMV Safety Check

Any vehicle that operates in interstate commerce must be checked by a qualified person at least once a year and a copy of that checkup must be kept for 14 months. Knowledgeable farmers can do their own annual vehicle safety check.

Driver Qualifications, (49 CFR Part 391)

A Covered Farm Vehicle driver must be at least 18 years old, be able to safely operate the type of vehicle being driven, be able to read and speak English and be physically qualified. Also, they must provide a list of all traffic violations to their employer and pass a road test. The driver may not be disqualified (driving privileges suspended in any state), and must have a current, appropriate operator license.

Note: *Medical Qualification Standards are Not Required for Covered Farm Vehicles.*

CDL Requirements, (49 CFR Part 383)

A driver needs a CDL to operate a CMV when:

- Group A – The vehicle and trailer have GCWR or actual weight of 26,001 pounds or more, and the trailer GVWR or actual weight is 10,001 pounds or more, or
- Group B – The vehicle has a GVWR or actual weight of 26,001 pounds or more, can pull a trailer up to 10,000 pounds, or
- Group C – Any size vehicle transporting hazardous materials that require placards, or a vehicle that is designed to transport 16 or more passengers, including the driver.

Note: *A driver of a Covered Farm Vehicle does not require a CDL. See 49 CFR 390.5, Definitions of "Covered Farm Vehicle".*

ORS 807.035 Farm Endorsements

Drivers operating vehicles meeting the definition of a Covered Farm Vehicle are not required to have a CDL. If the farm vehicle is hauling hazmat that does not meet the exemption in 173.5 and requires placards, the driver no longer meets the exemption as a covered farm vehicle and would require a CDL. However, if the driver of a farm vehicle stays within 150 miles of the farm, they can get a farm endorsement on their regular license.

Drug & Alcohol Testing, (49 CFR Part 382)

Drivers required to have a CDL are subject to drug and alcohol testing for:

- Pre-employment.
- Post-accident.
- Random.
- Reasonable suspicion.
- Return-to-duty and follow-up.

It is important to keep records related to testing. Also, motor carriers must establish a policy regarding alcohol misuse and controlled substance abuse and provide drivers with related educational materials.

Testing requirements don't apply to farmers with a farm endorsement operating within 150 miles of the farm or drivers who are not required to have a CDL for the type of vehicle they're operating. If a driver does not need a CDL but chooses to have one, they are not subject to testing.

Note: *Not required for Covered Farm Vehicles.*

Hours of Service, (49 CFR Part 395)

Note: *Not Required for Covered Farm Vehicles.*

- No more than 11 hours driving following 10 hours off duty.
- No driving after 14 hours after coming on duty following 10 hours off duty.·No driving after 60 hours on duty in 7 consecutive days, or 70 hours on duty in 8 consecutive days.
- A 7 or 8 consecutive day period may restart after 34 hours off duty.
- Keep electronic logging device (ELD) records for six months from the date of receipt.

Exception: Under Oregon Administrative Rules, carriers operating in intrastate commerce and transporting property other than hazardous materials can follow these limits:

- Drivers may not exceed 12 hours driving after 10 consecutive hours off duty.
- Drivers may not drive beyond the 16th hour after coming on duty following 10 consecutive hours off duty.
- Drivers may not drive following 70 hours on duty in any 7 consecutive days, or 80 hours on duty in any 8 consecutive days.
- A 7 or 8 consecutive day may restart after 34 hours off duty.

Vehicle Identification, (49 CFR Part 390.21)

Vehicles should be marked on both sides with the operating company's legal name or trade name and USDOT number. Letters and numbers must contrast sharply with background colors and be legible from a distance of 50 feet.

Farmers who operate vehicles up to 26,000 pounds and solely intrastate are exempt from these marking requirements.

The only option available for obtaining a USDOT number is through the FMCSA.

Register on the Unified Registration System (dot.gov) website:

www.portal.fmcsa.dot.gov/UrsRegistrationWizard/

Motor carriers must keep their USDOT Registration and Authority up to date. Biennial updates are required. Motor carriers must complete and submit an FMCSA Motor Carrier Identification Report (MCS-150). Visit the FMCSA website to Update Your Registration or Authority FMCSA (dot.gov): <https://www.fmcsa.dot.gov/registration/updating-your-registration>



Trailer & Truck-Tractor Markings, (49 CFR 393.13)

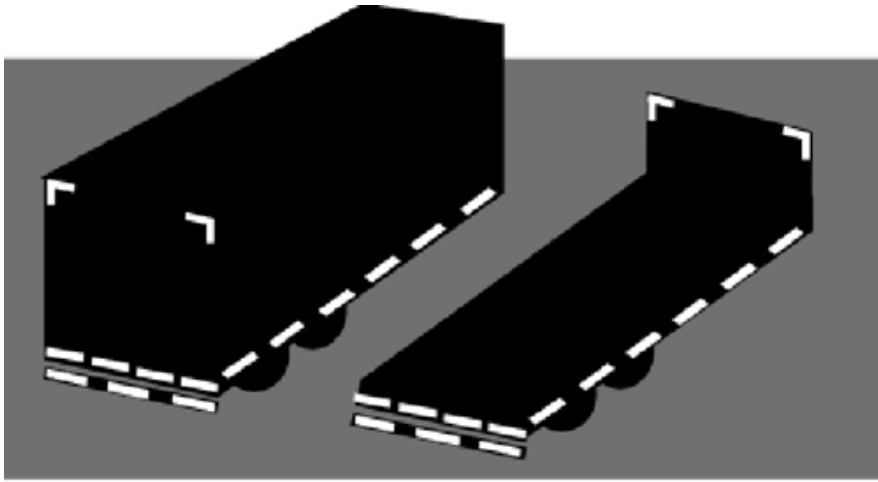
Trailers and the rear of truck-tractors need to be marked with red and white reflective material to make them visible to other drivers at night.

Since 1993, manufacturers have been outlining trailers with red and white reflective tape or hard plastic reflector strips. In 1999, FMCSA ordered all older trailers to be retrofitted to the new standards.

The requirements apply to all trailers and semitrailers with an overall width of 80 inches and a gross vehicle weight rating of 10,001 pounds or more.

The only exceptions are pole trailers, trailers transported in a driveway towaway operation (when the trailer itself is the cargo or is being towed for repair), and trailers used only as offices or dwellings.

Marking requirements are found in Part 393.13 in Federal Safety Regulations at Federal Motor Carrier Safety Administration (dot.gov): www.fmcsa.dot.gov



Rear Impact Guards, (49 CFR 393.8)

Trucks and trailers need a rear impact guard to protect against vehicles going under them in a collision. For trailers manufactured after January 26, 1998, the rear impact guard must be within 12 inches of the rear of the vehicle, no more than 22 inches from the ground, and extending to within 4 inches of the sides. All trucks and older trailers can have a rear impact guard that is within 24 inches of the rear of the vehicle, no more than 30 inches from the ground, and extending to within 18 inches of the sides.



The requirements apply to all vehicles with a gross vehicle weight rating of 10,000 pounds or more, except truck tractors, pole and pulpwood trailers, special purpose vehicles and certain temporary living quarters.



Crash Reporting

Report to DMV any crash involving a fatality, injury or damage exceeding \$2,500. Also, report to the ODOT Crash Analysis and Reporting Unit any crash involving a fatality, injury or disabling damage requiring that a vehicle be towed away. The Motor Carrier Crash Report can be completed on paper or online.

To report on paper, complete the Oregon Traffic Accident and Insurance Report Form (DMV form 32), which includes a Motor Carrier Crash Report on pages 6 and 7:

www.oregon.gov/odot/Forms/DMV/32fill.pdf

File that with the Crash Analysis and Reporting Unit of ODOT's Transportation Development Division.

To report online, use the Oregon Trucking Online Motor Carrier Accident Report Online Form and submit it electronically: www.oregon.gov/odot/Data/Pages/Crash.aspx

Maintain a crash register, including copies of crash reports, for three years after a crash.

Load Securement, (49 CFR 393.100 through 393.114)

A CMV must be loaded and equipped, and its cargo secured, to prevent anything from leaking, spilling, blowing or falling from the vehicle. Cargo must also be contained, immobilized or secured to prevent any shifting that affects vehicle stability or maneuverability.

Hay and straw hauling provide one example of the load securement challenges farmers commonly face. In recent years, FMCSA confirmed that a combination of longitudinal tiedowns can unitize hay bales and with one or two lateral securement devices, depending on vehicle length, provide a system that meets or exceeds securement requirements.

Here is a summary of acceptable securement practices:

Bale Placement

Loads must be well-balanced and positioned on the vehicle so the load is stable without tiedowns.

Small Bales — See diagram 1 below.

- Sides of load: Outside bales must not be placed in the same direction in more than two successive tiers (A) except one bale above and below a tier up to three tiers in succession (B).
- Bales in the top tier must be loaded crosswise to the vehicle (C).
- No bale must be loaded vertically.

Big Bales

- Sides of load: Outside bales must not be placed in the same direction in more than three successive tiers.
- Load projection: Bales may extend over the truck cab provided they are supported, interlocked with other bales, and do not obstruct the driver's view. No bales may extend:
 - Beyond the vehicle bed between a truck and trailer or semi-trailer and trailer.
 - More than one-third the bale length beyond the rear of the bed surface on a single vehicle or the last vehicle in a combination of vehicles.

Longitudinal Tiedowns

The load must be unitized with two longitudinal tiedowns, each having a minimum WLL of 2,100 pounds and secured with a tightening device (F) (I). The tiedowns must be applied over V-boards (E), or big bales may use the alternate method below.

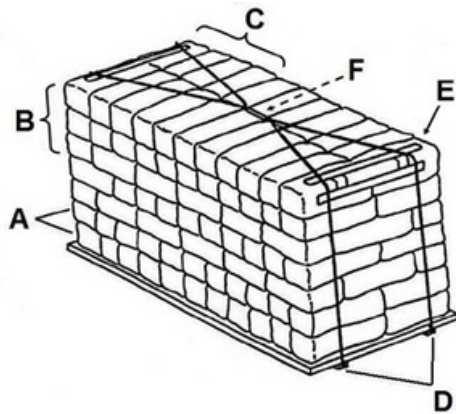


Diagram 1

V-Boards (big or small bales):

Two tiedowns must be:

- Anchored at the front and rear near the corners (D).
- Extended over the top.
- And crossed or connected with a tightening device at the center (F).

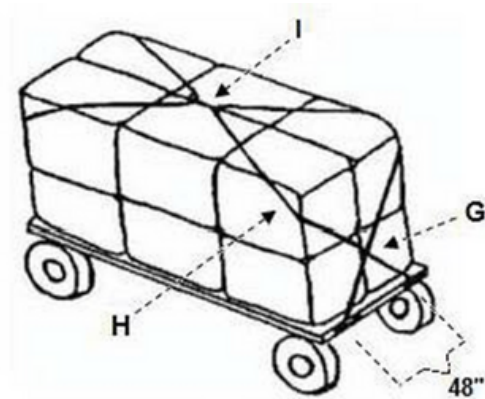


Diagram 2

Alternate Securement (big bales)

Two tiedowns must be:

- Anchored at the front and rear of the load at least 48 inches apart.
- Crossed at the front and rear (G).
- Passed to the outside around the upper corners of the load (H).
- And connected with a tightening device at the top center (I).

Lateral Tiedowns

Each tiedown must have a minimum WLL of 4,000 pounds. Multiple tiedowns may be substituted, provided each has a minimum WLL of 625 pounds with a combined WLL of 4,000 pounds or more. Tiedowns less than two inches in width or diameter must include V-boards.

Vehicles 32 Feet or Less in Length

One tiedown shall be placed in the center of the length of the vehicle.

Vehicles Greater Than 32 Feet in Length

Two tiedowns shall be positioned at one-third and two-thirds the length of the vehicle.

Note: *Bales not unitized by longitudinal tiedowns must be secured according to the general cargo securement requirements of FMCSR 393.100 through 393.114.*

Farm Operations in Oregon's Neighbor States

Commercial Registration

Washington and Idaho have agreements with Oregon to waive its registration requirements for farm-plated vehicles operating within 50 miles of the border. Oregon farmers can haul products from point of production to market or warehouse in that state. They can also haul commodities, supplies or equipment for their farm or ranch. But if they go beyond 50 miles of the border, farmers must meet state registration requirements.

Oregon has other farm-related agreements with Idaho, Kansas, Missouri, Nebraska, North Carolina, Wyoming, Nova Scotia and Saskatchewan. Oregon has a very limited agreement with Nevada and no agreement with California. For more information about reciprocity, contact the CCD Farm Certification Unit at 503-378-5203.

Fuel Tax

Oregon farmers may operate in neighboring states if they pay each state's diesel fuel tax. Oregon farmers either need to participate in the International Fuel Tax Agreement (IFTA) or get a temporary fuel tax trip permit before going to California, Nevada or Washington. Those states don't allow truckers to stop at the nearest truck stop or Port of Entry to get a permit. Idaho is the only neighboring state that allows farmers who don't participate in IFTA to obtain a fuel tax trip permit at their first stop in the state.

Under IFTA, an Oregon farmer pays an annual license fee to operate in other states and Canada. It is a \$50 fee if more than half of the farmer's IFTA-qualified vehicles are farm vehicles. The farmer then files quarterly reports showing the miles traveled and fuel taxes owed. Oregon collects the fuel tax and distributes it on behalf of the farmer. Call the CCD IFTA Unit at 503-373-1634 for more information.

California Fuel Tax Permits

Temporary permits can be obtained at two Medford truck stops on I-5:

- Petro Truck Stop at 541- 535-3372.
- Freightliner Northwest, Medford at 541-779-4622.
- Truckers can also call California Department of Tax and Fee Administration (CDTFA), in Sacramento at 1-800-400-7115 or visit www.cdtfa.ca.gov

Idaho Fuel Tax Permits

Temporary permits can be obtained at the first Idaho truck stop or Port of Entry, or by calling East Boise Port of Entry at 208-334-3272. Farmers registered with Idaho can go online to Welcome to Trucking Idaho for service: www.trucking.idaho.gov

Nevada Fuel Tax Permits

Temporary permits can be obtained from the following sources:

- ADK Permit Services at 800-257-4568.
- The Permit Co. at 800- 331-0418.
- ComData at 800-749-6058.
- Call Nevada DMV Motor Carrier Bureau at 775-684-4711 for more information.

Washington Fuel Tax Permits

Temporary permits can be obtained from several permit agents, but Washington Trucking Association is the only one through which a person can call, pay by credit card and have a permit faxed back. Call Washington Trucking Association at 800-732-9019 or 253-838-1650 or visit www.watrucking.org

Vehicle Safety Inspections

Most Common Types of Vehicle Safety Inspections Conducted Throughout North America

Level 1

A complete inspection that includes a check of the driver's license, medical examiner's certificate (and waiver, if any), alcohol and drugs, hours of service, seat belt, annual vehicle inspection report, brake system, coupling devices, exhaust system, frame, fuel system, turn signals, brake and tail lamps, headlamps, lamps on loads, load securement, steering, suspension, tires, van and open-top trailer bodies, wheels and rims, windshield wipers, emergency exits on buses and hazardous materials requirements, as applicable.

Level 2

A “walk-around” inspection that includes a check of each of the items in a Level 1 inspection, but not items that require the inspector to physically get under the vehicle.

- Identify company name and check for USDOT number.
- Review driver documents and check for appropriate driver’s license.
- If hauling hazardous materials, check shipping paper, package labels and placarding.
- Inspect front of the vehicle. Check lights, windshield, wipers, horn, wheels and tires.
- Inspect left side of vehicle. Check fuel tanks, air and electrical lines, wheels and tires, exhaust system, coupling device, side lamps and condition of vehicle and trailer body. Check tractors and trailers for required reflective tape.
- Inspect rear of vehicle. Check lights, rear bumper, wheels and tires, reflective tape.
- Inspect right side of vehicle. Inspect as described in #5.
- Check for proper cargo securement. Check for unsecured dunnage, tools and spare tire.
- Inspect inside vehicle. Check for low air brake warning device. Check same for vacuum and hydraulic brakes. Check fire extinguisher and reflective triangles.
- Complete the inspection document and return documents to the driver.

Level 3

An inspection of just the driver-related items in a Level 1 inspection.

Level 5

An inspection of just the vehicle related items in a Level 1 inspection.

For-Hire Farmer Records Requirements

Oregon farmers hauling commodities for-hire are subject to Oregon weight-mile tax and record keeping requirements. Once a farmer begins for-hire operations, records must be kept for at least 3 years on all operations to determine which miles are subject to weight-mile tax and which are exempt. Operations exempt from weight-mile tax are still subject to Oregon fuels tax and must file monthly or quarterly tax reports. Farmers who conduct for-hire operations in addition to their own farm operations must keep a Daily Record of Farm Vehicle Operation (form 9448) of their for-hire and farm operations:

www.oregon.gov/ODOT/Forms/Motcarr/9448fill.pdf

One confusing aspect of conducting both for-hire and farm operations is determining when tax status changes. If a farmer hauls for-hire one week and for their farm the next, when did the for-hire hauling end and when did the farm-related hauling begin? For-hire miles begin at the point of loading a for-hire commodity and continue until a farm-related commodity is loaded. This includes all empty miles from the time the for-hire load is delivered until a farm-related commodity is again loaded. If an auditor is unable to distinguish between farm-related and for-hire mileage, all miles, including the farm operation mileage, may be considered taxable.

Questions? Contact the CCD Tax Monitoring/Pre-Audit Unit at 503-979-5020.