

## OVERVIEW OF MOTOR VEHICLE STATUTES & REGULATIONS IMPACTING NJ FARMERS

**'Farmer' License Plates for Vehicle:** NJSA. 39:3-25 allows 'Farmer' plates for motor trucks engaged exclusively in the carrying or transportation of the owner's farm products, raised or produced on their farm, and farm supplies. 'Farmer' plate vehicles cannot be used in hauling for hire or personal use. N.J.A.C.13:21-12.8 prohibits a vehicle with 'Farmer' plates towing a farm implement to travel on any highway that is a part of the National system of Interstate and defense Highways, or any highway designated a freeway or parkway. 'Farmer' plates may be used on trucks when under contract with a municipality to remove snow.

**'Farm Use' Plates & Farm Tractors Exempt from Registration:** NJSA.39:24, 'Farm Use' plates can be issued for farm machinery or farm implements to travel on public highways from one farm to another farm. The hours of operation are limited to sunrise to sunset and cannot be used to travel more than 15 miles from the farm. Motor vehicle regulations governing vehicles with 'Farm Use' plates can be found in N.J.A.C. 13:21 et.seq. Under NJSA39:3-24(c), farm tractors, traction equipment, farm machinery or farm implements, not for hire, that cannot be operated at a speed in excess of 20 miles per hour need not be registered with the Division of Motor Vehicles. Farmers are encouraged to keep a copy of the statutory exemption on hand when operating this farm equipment on the highway.

**International Registration Plan (IRP):** IRP is a cooperative agreement for registering vehicles that travel interstate (between states). Commercial vehicles based in NJ will register with the NJ's Motor Carrier Unit and are issued one apportioned plate ( or set of plates) and one cab card that list all of the states for which the vehicle is authorized to travel. IRP covers apportioned vehicles used for transportation of persons for hire or designed, used or maintained primarily for the transportation of property and; is a power unit having two axles and a gross vehicle weight or registered gross weight in excess of 26,000 lbs.; is a power unit having three or more axles, regardless of weight; or is used in combination, when the weight of such combination exceeds 26,000 lbs. Commercial vehicle displaying restrictive plates, such as;'Farmer' plates, are exempt from IRP.

Note: The Commonwealth of Pennsylvania did not recognize NJ's 'Farmer' plate exemption and NJ had to secure a reciprocity agreement with the Commonwealth to acknowledge the exemption. Farmers traveling to PA using a commercial vehicle with a 'Farmer' plate are encouraged to place a copy of the agreement in their vehicle. For technical assistance or information concerning IFTA, contact the NJ Division of Motor Vehicles, Motor Carrier Unit, IRP Section at (609) 633-9399 or download the form by visiting the web at <http://www.state.nj.us/mvs/forms/irp.htm>.

**Commercial Drivers License (CDL):** If a farmer is traveling intrastate, within 150 miles of their farm and not hauling for hire, Federal regulations exempt the farmer from CDL requirements. NJ's statute (NJSA 39:3-10(k)) also exempts farmers from CDLs. However, the federal regulations require that a reciprocity agreement must be in place for the exemption to be recognized during interstate travel. In order to secure the CDL exemption for farmers traveling interstate, the NJ Department of Agriculture has petitioned NJ's Division of Motor Vehicle to secure CDL reciprocity agreements with states within 150 miles of our state's line (CT,NY,PA,RI,VT,NH,DE,MD,VA,and WV). For more information on the regulations governing Federal CDL licensing (part 383), drug and alcohol use and testing (Part 382) and medical certificates (Subsection 391.45), visit the web at <http://www.fmcsa.dot.gov> and link with the regulations section. A commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers of property when the vehicle 1). has a GVWR or gross combination weight rating, or gross vehicle weight or gross combination weight of 10,001 pounds or more; whichever is less or is designed or used to transport more than 8 passengers (including driver) for compensation; or is designed or used to transport more than 15 passengers, including driver, and is not used to transport passengers for compensation.

**Agricultural Permits for Students:** A sixteen year old seeking an Agricultural permit must complete a four –step process to get a basic unrestricted license. The first step is the Agricultural Permit under which the student must pass a visual and written test and have the permit validated by Motor Vehicle services for a minimum of 20 days of supervised driving. To qualify for the second step, the Agricultural license that is valid until age 17, the student must pass a road test. The third step is the Provisional License that requires the student to complete a minimum of one year unsupervised driving. The final step is the Basic License (unrestricted) under which a teen at least 18 years of age who has successfully completed steps one through three receives a basic unrestricted photo license. Steps one through three carry restrictions so students should review the restrictions prior to driving behind the wheel. The four-step process can be found on the web at <http://www.state.nj.us/mvs/gdl/agriculture.html>

**Exemption from Diesel Emission Inspection (Puff Test):** Diesel-powered motor vehicles with a GVWR of 18,000 or more pounds and registered with 'Farmer' or 'Farm Use' plates are exempt from the periodic diesel emission inspection requirements. (*N.J.A.C. 13:20-26-17*) Farmers are encouraged to keep a copy of the exemption in their vehicle.

**Markings on Commercial Vehicles:** Effective July 3, 2002 ALL commercial vehicles traveling interstate (between states) must display their name and USDOT number on both sides of the power unit. Commercial motor vehicles with 'Farmer' plates that travel interstate MUST have a DOT number displayed. Visit <http://www.fmcsa.dot.gov> for more details on the marking regulations (390.21). For more information or USDOT forms contact the Federal Highway Administration, Office of Motor carrier Safety at 1-800-832-5660 or download the form on the web at <http://www.fmcsa.dot.gov/factsfigs/Dotno.htm>

**Reflective Tape on Trailers or Semitrailers:** Effective June 1, 2002 ALL trailers and semitrailers with an overall width of 80 inches or more and a GVWR of 10,001 pounds or more must have reflective sheeting or reflex reflectors in federally mandated colors and patterns. For the appropriate location of the material on trailers, visit the web at <http://www.fmcsa.dot.gov> and link with regulation 393.13

**International Fuel Tax Agreement (IFTA):** IFTA is an agreement among states and Canadian provinces to simplify the reporting of fuel taxes by interjurisdictional & interstate motor carriers. IFTA regulations require that a commercial vehicle used for transportation of persons or property with at least two axles and a gross vehicle weight exceeding 26,000 lbs. or used in combination, and the combination exceeds 26,000 lbs. or three or more axles regardless of weight that travels interstate (between states) must secure an IFTA sticker. NJ exempts commercial vehicles with 'Farmer' plates that are not for hire and vehicles used to transport farm labor from IFTA if they ONLY travel intrastate (within NJ). Other States MAY exempt commercial vehicles with 'Farmer' plates; however, some states have failed to recognize out of state commercial vehicles with 'Farmer' plates from their exemption. Before traveling to another state, farmers are encouraged to contact the IFTA office in that state to determine their views on IFTA and 'Farmer' plates. For technical assistance or information concerning IFTA, contact the NJ Division of Motor Vehicles, Motor Carrier Unit, IFTA Section, at (609) 633-9400 or visit them on the web at <http://www.state.nj.us/mvs/fuel.htm>

**Transporting Migrant Workers:** Federal regulations (383130 cover transporting passengers and require a CDL license for commercial motor vehicles used on a highway in interstate commerce to transport passengers when the vehicle is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation. Part 398 of the Federal Motor Safety Act is a separate section that covers transportation of migrant workers. This regulation goes into effect when transporting interstate 3 or more migrant workers to or from employment by any motor vehicle other than a passenger automobile or station wagon for a total distance of more than seventy-five miles. In addition, NJ Motor Vehicle regulations address transporting migrant workers and the driver's basic qualifications and vehicle safety equipment (N.J.A.C. 13:21 et seq.) Visit the federal regulations section on the web at

<http://www.fmcsa.dot.gov> NOTE: U.S. Department of Labor regulations contain additional provisions for vehicle safety when transporting workers (29 CFR 500.105).

Questions on these issues and other farm related motor vehicle questions should be directed to Karen Kritz, NJ Department of Agriculture at (609) 984-2506 or email at [Karen.Kritz@ag.state.nj.us](mailto:Karen.Kritz@ag.state.nj.us)

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