



*"Working for Nebraska beef producers - pasture to plate."*

## **FAQ: New Farm Vehicle Designation**

### **MAP-21 Overview**

When the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) became law in 2012, Congress gave states the option to exempt commercial motor vehicles operating as "covered farm vehicles" from certain federal regulations – most notably, from commercial driver's license (CDL) requirements. Nebraska fully adopted the MAP-21 exemptions into state statute in 2014.

Previously, the Nebraska State Patrol and Department of Motor Vehicles only applied these exemptions to individuals driving a *licensed* covered farm vehicle. In other words, only vehicles with farm plates would qualify for the CDL exemption.

On May 20, 2016, Governor Pete Ricketts announced the state was extending the MAP-21 exemptions to agricultural vehicles, including feed trucks, manure spreaders and other unlicensed farm vehicles. These covered farm vehicles are now exempt from CDL and other requirements once the owner self-declares with the state.

### **Are you eligible?**

- You are over 18 and hold a valid Class O drivers' license
- You are the owner/operator, family member or employee on a farm or ranch for which you are operating the vehicle (NOT for-hire)

### **Does your vehicle qualify as a covered farm vehicle?**

A covered farm vehicle includes any commercial motor vehicle that is:

1. Operated by a farmer or rancher or an employee or family member;
2. Used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch;
3. NOT used for-hire, i.e. commercial haulers are NOT eligible for the exemption;
4. NOT transporting hazardous materials in placardable amounts; and
5. Equipped with a special license plate OR "other designation" by the state to allow for identification of the vehicle.

*Nebraska officials have determined this "special designation" is a completed form that may be accessed online and printed free of charge. Drivers operating a covered farm vehicle must complete the form and carry it in the power unit of their vehicle at all times. The form may be accessed online at <https://www.nebraska.gov/covered-farm-vehicle/index.cgi>*

### **Are there any distance restrictions?**

- Less than 26,000 lbs. – NO distance restriction in Nebraska or any other state
- More than 26,000 lbs. – NO distance restriction in Nebraska
- More than 26,000 lbs. – If crossing state lines must be within 150 mile radius of farm/operation.



*"Working for Nebraska beef producers - pasture to plate."*

### **What happens if I get stopped?**

Nebraska State Patrol's Carrier Enforcement Division is in the process of issuing guidance on the new CDL exemptions for unlicensed farm vehicles. If you are stopped, simply show the trooper your printed Covered Farm Vehicle Designation Form kept in the power unit of your vehicle. Please note these vehicles are still subject to the federal parts and accessories rules.

### **What qualifies as agricultural commodities?**

Nebraska State Patrol interprets agricultural commodities as items initially transported off the farm or ranch. Livestock, corn, beans, hay, alfalfa, manure, etc. making the initial move from the farm or ranch somewhere else are eligible for the exemption.

### **What qualifies as farm supplies?**

Nebraska State Patrol interprets farm supplies as items coming back to the farm or ranch. Feed, diesel, etc. being transported to the operation from somewhere else qualify as farm supplies.

### **What if the vehicle I haul my agricultural commodities with is used partially "for-hire" or in commercial arrangements?**

Vehicles for-hire do NOT qualify for the exemption! When the MAP-21 provisions were signed into law at the federal level and later adopted by all 50 states, they clearly stated a vehicle used in a for-hire operation (receiving compensation for hauling for others) is not a covered farm vehicle and thus the driver of such vehicle is required to maintain a CDL.

### **Does this provide me with any exemptions from weight requirements?**

No, your vehicle and your cargo are still subject to all existing weight limitations. However, the Nebraska Legislature recently passed a bill to clarify what qualifies as an "implement of husbandry" under state law. Tractors, self-propelled implements, feed trucks, fertilizer spreaders and other self-propelled or towed vehicles that are designed or adapted exclusively for agricultural operations are now exempted from weight and load limits on all state roads and highways.