

Laws and Regulations On Use Of Pennsylvania Ag Vehicles

(Including the PA Vehicle Code (“PVC”))



Prepared by the Governmental Relations Division

Pennsylvania Farm Bureau



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TYPES OF VEHICLES INCLUDED IN THIS DOCUMENT

“Farm Vehicle”: a truck (defined as a motor vehicle designed, used or maintained primarily for the transportation of property; passenger cars are not included) or truck tractor determined by the Pennsylvania Department of Transportation to be exclusively used for agricultural purposes.

“Implement of Husbandry”: a vehicle designed or adapted and used exclusively for agricultural operations and infrequently operated or moved upon highways.

“Multipurpose Agricultural Vehicle” (MAV): a vehicle which is 60 inches or less in width and 1200 pounds or less in dry weight and which is used exclusively for agricultural operations.

“Trailer”: a vehicle designed to be towed by a motor vehicle.

FARM VEHICLES

1. Certificate of Title for Farm Vehicles

All trucks and truck tractors, including farm vehicles, are required to have a certificate of title (PVC §1101).

2. Registration of Farm Vehicles

There are three categories of farm vehicle registration: (1) exemption from registration, (2) registration as a farm vehicle, and (3) general registration.

a. Registration Exemption for Type I and Type II Farm Vehicles (PVC § 1302, (2) (7))

Type I Registration-Exempt Farm Vehicle

Type I vehicles are those used exclusively on a farm owned or operated by the owner of the vehicle. A Type I vehicle may either be a) a vehicle with a gross weight or registered gross weight of no more than 17,000 lbs. **OR** b) a motor carrier vehicle (MCV), defined as a vehicle which has a gross weight or registered gross weight of more than 17,000 pounds, *bearing a valid annual certificate of inspection.*

If your vehicle is a Type I Non-MCV, it may only be driven from sunrise to sunset. If your vehicle is a Type I MCV that bears a valid certificate of inspection, it may be driven without any restriction as to the time of day.

Type I vehicles may only be driven between:

- Parts of a farm;
- Farms located not more than 25 miles apart;
- A farm and a place of business located within 25 miles of that farm for the purpose of buying or selling agricultural commodities or supplies; or
- A farm and a place of business within 50 miles for the purpose of repair or servicing the farm vehicle.

Type II Registration-Exempt Farm Vehicles

A motor carrier vehicle which is used exclusively on a farm owned or operated by the owner of the vehicle but does not bear a valid certificate of inspection qualifies as a Type II registration-exempt vehicle.

A Type II vehicle can only be driven on the highway from sunrise to sunset and between:

- Parts of a farm;
- Farms located not more than 10 miles apart;
- A farm and a place of business not more than 10 miles apart for the purpose of buying or selling agricultural commodities; or
- A farm and a place of business 25 miles apart for the purpose of service and repair.

While Type I and Type II vehicles are exempt from registration, the PA Vehicle Code requires owners of both Type I and Type II vehicles obtain a biennial certification of exemption. The fees for these certificates of exemption are as follows:

Type I- \$24 for a non-MCV

\$100 for a MCV

Type II- \$50

The vehicle code also requires that registration-exempt vehicles maintain the minimum levels of liability insurance. Often these vehicles are covered under the farm policy and an individual vehicle policy is not required. Check with your agent to be sure.

b. Registered Farm Vehicles

If your vehicle does not qualify as a Type I or Type II vehicle, it must be registered but if it meets the following requirements, it can be registered as a farm vehicle bearing special farm vehicle registration plates (PVC §1924(a)). To qualify, the vehicle may be operated only on a farm or farms owned or operated by the registrant of the vehicle and upon highways between:

- Parts of the farm;
- The farm and a place of business for the purpose of buying or selling supplies, for the examination of an applicant for a driver’s license, or for the inspection, repair, or servicing of the vehicle; or
- A place of business and a place of delivery following the sale of the owner’s agricultural commodities after sale by an auctioneer and delivery is made in the same farm vehicle that delivered it to the place of business. (PVC §1344)

There are no distance limitations for registered farm vehicles. The annual fee for a farm truck registration is \$76.50, or one-third the regular truck/ truck tractor fee, whichever is greater.

Any farm vehicle not exempt from the registration requirement may be registered for only the months of the year that it is in use. To be eligible, the vehicle must have a gross vehicle weight rating of less than 9,000 lbs. Insurance is not required for the months of the year the vehicle is not registered (PVC §1307 (a1)).

A vehicle that does not qualify for farm vehicle registration or registration exemption must comply with PennDOT’s general registration requirements.

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c. Out-of-State Registration of Farm Vehicles

Nearly all states, including Pennsylvania, have entered into the International Registration Plan, which streamlines registrations of trucks operating in more than one state so that a truck owner is able to obtain one registration honored in all states. The IRP does not require, however, that a state recognize another state's restricted use plate. According to PennDOT, the following states will honor Pennsylvania's farm vehicle registration plate:

Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Washington, West Virginia, and Wisconsin.

Arizona, California, Florida, Idaho, and Wyoming will not honor Pennsylvania's farm vehicle registration plate. Minnesota, Nevada, and New Hampshire will not honor PA's farm registration plate if the vehicle has an actual or registered gross weight of more than 26,000 lbs.; for vehicles with an actual and registered gross weight of less than 26,000 lbs., these states will only honor Pennsylvania's farm vehicle registration if the vehicle is performing interstate movement. Virginia will not honor PA's farm vehicle registration if the vehicle is beyond a distance of thirty miles in the state.

In order to operate a Pennsylvania farm vehicle in any of these states, the vehicle owner will be required to obtain a Pennsylvania apportioned registration or obtain from the individual state a temporary permit.

While IRP streamlines the registration of trucks operating in more than one state, it is recommended that registration-exempt trucks not be operated out of state due to a regulatory gray area.

3. Inspection and Safety Requirements for Farm Vehicles

A farm vehicle exempt from registration is exempt from annual safety inspection requirements *unless* the vehicle qualifies as a Type I vehicle and has a gross weight or gross vehicle weight rating greater than 17,000 lbs. (PVC §4703).

Regardless of whether an exempt farm vehicle is subject to periodic inspection, the following minimum safety requirements and equipment must be met while being operated on public roads:

- Rear Reflectors
- Functional stop lamps (brake lights)
- Adequate braking system
- Tires in safe operating condition
- Rear wheel shields to bar substances from being thrown from the rear wheels at tangents exceeding 22.5 degrees from the road surface
- Rear view mirror
- Horn
- Functional exhaust and muffler system

(PVC §4301-4536)

4. Requirements for Operators of Farm Vehicles

A driver's license is required to operate any farm vehicle, including those farm vehicles exempt from registration (PVC 1501(a)).

A commercial driver's license is not required for a driver operating a registered or exempt farm vehicle whose gross vehicle weight rating is over 26,000 pounds and whose trailer's GVWR is over 10,000 pounds as long as the vehicle is operated according to

the restrictions that apply to a farm vehicle *and within a 150 mile radius* of the farm. Outside the 150 mile radius, the operator will be required to obtain a commercial driver's license in the proper class that applies to the truck or combination. (PVC 1606(a)).

Unless a truck is carrying hazardous materials in bulk, drivers of Pennsylvania registered or exempt single farm vehicles and exempt combinations operated within this state are not required to have medical certification or keep a daily driver's log. This exemption from the medical certificate does not apply to drivers of registered farm vehicle combinations. **DRIVERS OF REGISTERED FARM VEHICLE COMBINATIONS ARE REQUIRED TO HAVE A MEDICAL CERTIFICATE.** (PennDOT Regs. §231.2 (d)).

Pennsylvania-registered farm vehicles being operated outside Pennsylvania may be subject to Federal Motor Carrier Safety Regulations. With some exceptions, these regulations apply to drivers of any farm truck over 10,000 pounds GVWR operated interstate beyond a 150-mile radius of the farm as well as any combination over 10,000 pounds operated interstate at any point. Drivers may be subject to medical certification, driver's logging and other driver requirements. The vehicles themselves must also meet certain standards of safety and operation.

5. Size Limitations for Farm Vehicles

A vehicle may be operated outside the following limits with a permit from Penn DOT.

a. Height (PVC § 4922)

No vehicle, including farm vehicles, may exceed 13 feet 6 inches in height.

b. Width (PVC § 4921)

A single vehicle may not exceed a width of 8 feet 6 inches. Any truck and truck tractor combination may not exceed a width of 8 feet. There are several exceptions applicable to farm vehicles.

- A vehicle carrying vegetable produce or forage crops which does not exceed a width of 11 feet can be driven, hauled or towed between sunrise and sunset.
- A vehicle used exclusively for highly perishable crops which does not exceed a width of 14 feet six inches may be operated on highways other than freeways between May 20 and October 15 of the same year, but must be equipped with two rotating yellow beacons and have hazard lights flashing.

Despite the above exceptions, *all* vehicles are still subject to width restrictions for particular roads or bridges.

c. Length (PVC § 4923)

No individual motor vehicle, including farm vehicles, may exceed a length of 40 feet, including load and bumpers, or 60 feet for a combination. For a combination consisting of one or two trailers and a tractor, the length of a single trailer may not exceed 53 feet, provided the distance between the kingpin of the trailer and the centerline of the rear axle or axle group does not exceed 41 feet. The length of each double trailer shall not exceed 28½ feet. There is no exception for farm vehicles.

d. Projecting Load Limitations (PVC §4924)

The load on any individual vehicle or the front vehicle of a combination may not extend more than three feet beyond the front of the vehicle nor more than six feet beyond the rear.

- If a load extends more than 4 feet beyond the rear, a red flag or cloth no less than 12 inches square, or if at night, a red light, must be attached to the projecting load.
- Projecting loads are also limited to the length restrictions imposed on the entire vehicle.

Projecting load limitations are not applicable to vehicles transporting live trees for planting.

e. Weight Limitations

Every truck shall have its own registered gross weight based on the gross vehicle weight rating assigned by the manufacturer (specified on the federal weight certification label) and an equivalent weight rating determined by Penn DOT based on axle and wheel strength, horsepower, braking power and other factors affecting the ability of the vehicle to handle heavier loads.

NO TRUCK CAN BE OPERATED WITH A GROSS WEIGHT IN EXCESS OF ITS REGISTERED GROSS WEIGHT (PVC § 4942).

For a truck-trailer combination, in order to pull a trailer having a registered gross weight over 10,000 pounds at full loading capacity, the pulling truck must be registered at a weight equal to the weight of the combination of the truck and trailer at full trailer load capacity (PVC § 4942).

The owner of a trailer with a GVWR over 10,000 lbs. has the option to reduce the registered gross weight of the trailer to 10,000 without the obligation to increase the registered gross weight of the pulling truck; however the actual weight of the trailer may not exceed the registered gross weight of the trailer. (PVC § 4942)

Trucks whose GVWRs fall within the weight ranges of Classes I through 4 may be registered at the highest gross or combination weight assigned for the class in which the truck falls (PVC § 1916(b)). Therefore a truck:

- With a GVWR of 5,000 lbs. Or less (Class 1) can be registered at 5,000 lbs.
- With a GVWR of 5,001- 7,000 lbs (Class 2) can be registered at 7,000 lbs.
- With a GVWR of 7,001-9,000 lbs. (Class 3) can be registered at 9,000 lbs.
- With a GVWR of 9,001-11,000 lbs. (Class 4) can be registered at 11,000 lbs.

WARNING: A truck loaded beyond the Manufacturer's Gross Vehicle Weight Rating may create unsafe conditions and/or void the manufacturer's warranty if damage should result from such overloading. Check with your dealer or factory representative. You should also consult your insurer concerning your insurance coverage.

The gross weight maximum of any individual vehicle, including farm vehicles, is 80,000 lbs. The gross weight maximum of any combination is 80,000 lbs. These limits are subject to the registered gross weight of the vehicle, requirements regarding axle weight, and requirements regarding wheel load. Vehicles are also subject to any weight restrictions applied to particular roads or bridges (PVC § 4941, 4946).

6. PA Sales Tax on Purchases of Farm Vehicles

Only the purchase of trucks or truck tractors that are intended to be used in a manner that does not subject the vehicle to registration are exempt from sales tax. Therefore, purchases of trucks and truck tractors intended to be registered under a farm vehicle registration *are* subject to state sales tax. (PA Dept. of Revenue Regs. §31.49)

7. PA Motor Carrier Road Tax

A Pennsylvania motor carrier road tax sticker is not required to be obtained for a registered farm vehicle operating exclusively in Pennsylvania (PVC 2105 (a)(1)). However, in a state outside Pennsylvania the owner of a farm vehicle must comply with the requirements imposed under the International Fuel Use Tax

Agreement (IFTA), if the vehicle is the type that is subject to IFTA requirements, unless that state provides a specific exemption to farm vehicles. IFTA requirements include obligations to obtain an IFTA decal for the vehicle and file quarterly fuel tax returns.

New York and New Jersey have provided a specific exemption from IFTA requirements to farm trucks operating in those states.

A Pennsylvania registered farm truck or truck tractor will be subject to IFTA requirements if:

- In the case of a farm truck or truck tractor, the vehicle has an actual or registered gross weight of over 26,000 pounds or the vehicle has three or more total axles.
- In the case of a combination, the combination has an actual gross weight of over 26,000 lbs.

IFTA simplifies a vehicle owner's requirements to obtain road tax decals and file quarterly returns. The owner is only required to obtain a Pennsylvania IFTA decal, which will be recognized in all IFTA states. An owner only has to file one quarterly return in Pennsylvania to meet the filing requirements of all IFTA states.

8. Federal Highway Motor Vehicle Use Tax

Owners of farm vehicles with a registered gross weight of 55,000 pounds or more are required to annually file a federal Highway Motor Vehicle Use Tax Return (Form 2290) with the Internal Revenue Service, even though the truck may qualify for the 7,500 mile exemption from the tax. ***Heavy vehicle truck registrations will not be renewed without proof that a return has been filed so it is important that form 2290 be filed and proof of filing be received during July and August of each year.***

IMPLEMENTS OF HUSBANDRY

1. Certificate of Title

A certificate of title is not required for an implement of husbandry unless the implement is required to be registered as is explained below (PVC § 1102).

2. Registration of Implements of Husbandry

Implements of husbandry are not required to be registered if they are used exclusively on a farm or farms owned or operated by the owner of the implement or highways between:

- parts of one farm,
- farms not located more than 25 miles apart, or
- a farm and/or place of business within a radius of 25 miles of the farm for the purpose of buying or selling agricultural commodities, or supplies for delivery, or servicing of the vehicle (PVC § 1302(2)).

Implements of husbandry not meeting the above criteria may have to be registered to be operated on a highway. Also, implements of husbandry in for-hire operations are subject to registration. The annual fee for an implement of husbandry that does not meet exemption requirements is \$18 (PVC § 1922).

3. Inspection and Safety Requirements for Implements of Husbandry

Implements of husbandry are exempt from annual safety inspection requirements unless the implement of husbandry is registered and determined to have a truck body type by PennDOT. Implements of Husbandry are not required to be equipped with horns, front and rear bumpers, or rear view mirrors unless they are originally so equipped by the manufacturer. (PVC § 4534-4536, 4703)

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4. Requirements for Operators of Implements of Husbandry

Implements of husbandry may be operated by non-licensed drivers 14 years of age or older. Persons 14 or 15 years of age may only operate implements of husbandry on one or two lane roads bisecting or immediately adjoining the premises upon which such person resides. (PVC § 1502 (5))

5. Size Limitations for Implements of Husbandry

a. Width

The width limitations for implements of husbandry are the same as those for farm vehicles stated previously, with the addition that any implement of husbandry up to 11 feet in width may be driven, hauled, or towed on highways other than freeways between sunrise and sunset and used to transport produce or forage crops on a public roadway. An implement of husbandry which is not wider than 14 feet 6 inches may be driven, hauled, or towed on roads other than limited access freeways only between sunrise and sunset and under the following circumstances (PVC 4921 (b)(2)):

- Between parts of one farm owned or operated by the owner of the implement of husbandry.
- Between farms owned or operated by the owner of the implement of husbandry located not more than 50 miles apart.
- Between farms, or a farm and a place of business of a mechanic or dealer in implements of husbandry.

6. PA Sales Tax on Purchases of Farm Vehicles

Only the purchase of trucks or truck tractors that are intended to be used in a manner that does not subject the vehicle to registration are exempt from sales tax. Therefore, purchases of trucks and truck tractors intended to be registered under a farm vehicle registration *are* subject to state sales tax. (PA Dept. of Revenue Regs. §31.49)

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The purchase of an implement of husbandry whose intended use will not require the implement to be registered is not subject to the state sales tax. The purchase of an implement whose intended use will require the implement to be registered *is* subject to state sales tax. (PA Dept. of Revenue Regs. 31.49)