



Laws and Regulations on Use of Pennsylvania Agricultural Vehicles

Including:

**Citations to the PA Vehicle Code (“PVC”)
PA Transportation Regulations (“67 Pa. Code”) and
Federal Motor Carrier Safety Regulations (“49 CFR”)**

 **Pennsylvania Farm Bureau**

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**TYPES OF VEHICLES DISCUSSED
IN THIS DOCUMENT**

“Farm Vehicle”: A truck (a motor vehicle that is designed primarily for the transportation of property, or in the case of a vehicle with readily removable seats, is used primarily for transportation of property) or a truck tractor (a motor vehicle that is designed and used primarily for drawing other vehicles rather than carrying loads directly) determined by the PA Department of Transportation to be exclusively used for agricultural purposes.

“Implement of Husbandry”: Farm equipment that is infrequently used on highways and is used in agriculture in the performance of agricultural production or harvesting activities or transportation of agricultural supplies or products for the benefit of the farmer’s agricultural operations; may include earthmoving equipment and other vehicles determined by the PA Department of Transportation to qualify.

“Multipurpose agricultural vehicle” (MAV): A motor vehicle which is 62 inches or less in width and 2,000 pounds or less in dry weight and which is used exclusively for agricultural operations and only incidentally operated or moved upon the highways.

“Trailer”: A vehicle designed to be towed by a motor vehicle, and includes a semitrailer.

FARM VEHICLES: GENERALLY

1. Motor Vehicles that Qualify as Farm Vehicles – Farm vehicle registrations and biennial certificates of exemption are limited to those motor vehicles described above as “farm vehicles.” Farm vehicle registrations and exemptions may not be obtained for passenger vehicles.

2. Requirements for Certificate of Title (PVC §1101) – All trucks and truck tractors, including farm vehicles, are required to have a certificate of title.

3. Available Classifications of Farm Vehicles – Farmers who own a farm vehicle may obtain either 1) a farm vehicle biennial exemption from registration (“farm sticker”) or 2) a farm vehicle registration (“farm plate”) for the vehicle. Each classification has different restrictions

and allowances (discussed more fully below). A farmer may also alternatively obtain a “commercial truck” registration for his or her truck or truck tractor; however, the driver and the truck will likely be required to comply with the increased regulatory standards and requirements that apply to commercially plated trucks.

FARM VEHICLE EXEMPTION FROM REGISTRATION (PVC § 1302(10))

1. Effective Period of Exemption (PVC § 1302(10)(iii)) – A farm vehicle exemption is effective for two years. The farm vehicle is not considered to be exempt from registration unless a biennial certificate of exemption is obtained from PennDOT and is currently in effect.

2. Four Types of Farm Vehicle Exemption Provided:

Type A Exemption (PVC § 1302(10)(i.1)):

- **Vehicles Eligible** – Available to trucks and truck tractors with a gross vehicle weight rating of 10,000 pounds or less.
- **Time of Operation** – May only be operated during daytime.
- **Authorized Use** – May only be used:
 - On roads that adjoin a farm owned or operated by the owner of vehicle;
 - Between farms owned or operated by the vehicle owner not more than 50 miles apart;
 - Between one farm of the vehicle owner and a place of business not more than 50 miles away for the purpose of buying agricultural supplies or selling agricultural products; and
 - Between one farm of the vehicle owner and a place of business not more than 50 miles away for the purpose of servicing or repairing the farm vehicle or trailer or semitrailer towed by the farm vehicle.
- **Biennial Fee for Exemption** – \$24.

Type B Exemption (PVC § 1302(10)(i.2)):

- **Vehicles Eligible** – Available to trucks and truck tractors with a gross vehicle weight rating of greater than 10,000 pounds and not greater than 17,000 pounds.
- **Time of Operation** – May only be operated during daytime.
- **Authorized Use** – May only be used:
 - On roads that adjoin a farm owned or operated by the owner of vehicle;
 - Between farms owned or operated by the vehicle owner not more than 25 miles apart;
 - Between one farm of the vehicle owner and a place of business not more than 25 miles away for the purpose of buying agricultural supplies or selling agricultural products; and
 - Between one farm of the vehicle owner and a place of business not more than 50 miles away for the purpose of servicing or repairing the farm vehicle or trailer or semitrailer towed by the farm vehicle.
- **Biennial Fee for Exemption** – \$24.

Type C Exemption (PVC § 1302(10)(i.3)):

- **Vehicles Eligible** – Available to trucks and truck tractors not subject to periodic inspection requirement with a gross vehicle weight rating, gross combination weight rating or actual gross weight of greater than 17,000 pounds,
- **Time of Operation** – May only be operated during daytime.
- **Authorized Use** – May only be used:
 - On roads that adjoin a farm owned or operated by the owner of vehicle;
 - Between farms owned or operated by the vehicle owner not more than 10 miles apart;
 - Between one farm of the vehicle owner and a place of business not more than 10 miles away for the purpose of buying agricultural supplies or selling agricultural products; and

- Between one farm of the vehicle owner and a place of business not more than 25 miles away for the purpose of servicing or repairing the farm vehicle or trailer or semitrailer towed by the farm vehicle.
- **Biennial Fee for Exemption** – \$50.

Type D Exemption (PVC § 1302(10)(i.4)):

- **Vehicles Eligible** – Available to trucks and truck tractors that are subject to periodic inspection requirement and have a gross vehicle weight rating, gross combination weight rating or actual gross weight of greater than 17,000 pounds,
- **Time of Operation** – Type D vehicles with a valid inspection sticker may be operated anytime during day or night.
- **Authorized Use** – May only be used:
 - On roads that adjoin a farm owned or operated by the owner of vehicle;
 - Between farms owned or operated by the vehicle owner not more than 50 miles apart;
 - Between one farm of the vehicle owner and a place of business not more than 50 miles away for the purpose of buying agricultural supplies or selling agricultural products; and
 - Between one farm of the vehicle owner and a place of business not more than 50 miles away for the purpose of servicing or repairing the farm vehicle or trailer or semitrailer towed by the farm vehicle.
- **Biennial Fee for Exemption** – \$100.

4. Requirements for Liability Insurance (PVC § 1302(10)(iv)) –

Liability insurance coverage must be maintained for each truck or truck tractor with a biennial certificate of exemption that at least meets the minimum level of liability coverage required for registered vehicles. However, a farmer may meet this requirement by insuring the vehicle under his or her general farm liability policy.

5. Exempt Farm Vehicles Must Meet Safe Operation Standards (PVC §§ 4301-4536)

– Regardless of whether or not periodic inspection is required, the Vehicle Code requires all motor vehicles, including registration-exempt farm vehicles, to meet minimum standards of safe operation when operated on public roads:

- Functional headlight and rear lighting systems.
- Adequate braking system.
- Rear reflectors.
- Tires in safe operating condition.
- For trucks with gross weight greater than 11,000 pounds, 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.
- Functional horn.
- Functional exhaust and muffler system.

6. Driver's License Requirements for Operating Exempt Farm Vehicles (PVC §§ 1501(a) and 1606(b))

– A driver's license is required to operate a farm vehicle, including farm vehicles exempt from registration. However, a driver with a Class C driver's license should be exempt from requirements for Commercial Driver's License (CDL) when operating a farm vehicle with a biennial certificate of exemption in accordance with the Vehicle Code's restrictions in vehicle operation.

FARM VEHICLE REGISTRATION – PENNSYLVANIA VEHICLE CODE STANDARDS

1. Authorized Use (PVC § 1344) – Registered farm vehicles are restricted in purposes for which the vehicle may be operated. Farm vehicles are limited in operation to:

- Roads that adjoin a farm or are between farms that are owned or operated by the registrant of the farm vehicle;
- Roads between a farm owned or operated by the vehicle registrant and a place of business for the purpose of buying or selling agricultural supplies or products; completion of driver's license examination; or inspection, repair, or servicing of the vehicle; or

- Roads between place of business and a place of delivery following the sale of the owner's agricultural commodities after sale by an auctioneer, if delivery is made in the same farm vehicle that delivered the commodities to the place of business of sale.

When operated within Pennsylvania, registered farm vehicles are not restricted in distance from the farm the vehicle may be operated.

2. Annual Registration Fee – \$76.50, or one-third the regular truck/truck tractor registration fee, whichever is greater.

3. Size and Weight Limitations for Farm Vehicles – Farm vehicles are subject to the maximum size, weight and load limitations generally established for all vehicles under the Vehicle Code. Maximums may only be exceeded when authorized through issuance of an oversize vehicle permit from Penn DOT:

a. Height (PVC § 4922(a)) – A farm vehicle, including its load, may not exceed 13 feet 6 inches in height.

b. Width (PVC § 4921) – Vehicles are generally subject to a maximum width limitation of 8 feet, unless the vehicle qualifies for one of the special width allowances provided in the Vehicle Code.

- A special width allowance of 8 feet 6 inches is provided for a single trailer towed in combination, if the trailer's length does not exceed 28½ feet (PVC § 4908(b.1)).
- Special width allowances are also provided for agricultural vehicles and vehicles performing agricultural functions. See discussion of *Special Width Allowances Provided in the Vehicle Code for Agricultural Vehicles and Activities* on pages 21-23 for more information.

c. Length (PVC § 4923) – No individual motor vehicle, including any farm vehicle, may exceed a length of 40 feet, including load and bumpers. For a combination in which a single trailer is being towed by a truck tractor, the length of the 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. If a double trailer is being towed, the length of each trailer may not exceed 28½ feet.

d. Projecting Loads (PVC §4924):

- *Limitation on Extension of Loads* – The load on any individual farm vehicle or farm vehicle powered combination may not extend more than 3 feet beyond the front nor more than 6 feet beyond the rear. And the total length of vehicle and load may not be greater than the maximum limitations in vehicle length prescribed in the Vehicle Code.
- *Marking and Lighting of Extended Loads* – 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 extended load.
- *Limited Exemption for Transportation of Live Trees* – Vehicles transporting live trees for planting are not subject to the Code’s limitations in load extensions, but must comply with the Code’s load marking and lighting requirements.

e. Weight (PVC §§ 4941-4946) – With a few exceptions (discussed below), the highest gross weight that any truck may be registered will not exceed the gross vehicle weight rating assigned to the truck by its manufacturer (specified on the federal weight certification label) or 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. Limitations in maximum axle weights established in the Vehicle Code may further restrict the maximum total weight that may be carried by the vehicle. Vehicles are also subject to any weight restrictions imposed by state or local authorities on particular roads or bridges.

Farmers should also be aware of two important principles established in the Vehicle Code:

- i) **If a truck or other vehicle is registered at a weight below the vehicle’s weight rating, the actual weight of the vehicle and load may not exceed the vehicle’s registered gross weight (PVC § 4942(a)).**
- ii) **A truck (or truck tractor) that is towing a trailer with a registered weight or actual weight greater than 10,000 pounds must be registered at a weight at or above the combined weight of truck, trailer and load (PVC § 4942(c)).**

In situations where the trailer's weight rating is greater than 10,000 pounds, the farmer may alternatively reduce the trailer's registered weight to 10,000 pounds or below in order to comply with law without having to increase the towing truck's registered weight. If this alternative is chosen, however, the maximum weight authorized for the trailer and load will be limited to the trailer's registered gross weight.

5. Vehicle Equipment and Periodic Inspection Requirements (PVC §§ 4702(a), 4702(b) and 4703(a)) – Registered farm vehicles must comply with the same standards for vehicle equipment and requirements for periodic inspection and display of valid inspection stickers as other registered vehicles. Registered farm vehicles with a weight rating of 17,000 pounds or less are required to be inspected annually. Registered farm vehicles with a weight rating of greater than 17,000 pounds are required to be inspected semi-annually.

6. Requirements for Vehicle Insurance (PVC § 1786) – Registered farm vehicles must comply with the same requirements in type and minimum amounts of vehicle insurance coverage as other registered vehicles.

7. Driver's License Requirements for Operating Registered Farm Vehicles:

a. Generally (PVC §§ 1501(a)) – A driver's license is required to operate any registered farm vehicle.

b. Commercial Driver's License (CDL) Requirements for Intrastate-Operated Farm Vehicles and Combinations (PVC Chapter 16, 49 CFR Chapter 383, 49 CFR Chapter 390) – CDL requirements are not imposed on drivers of any truck or truck-powered combination operated with an actual weight and weight rating of 26,000 pounds or less, unless the vehicle or combination is carrying hazardous materials in quantities that require the vehicle or combination to display hazmat placards (definition of "commercial motor vehicle" in PVC § 1603 and 49 CFR 383.5). The Vehicle Code additionally exempts drivers of farm vehicles and farm-vehicle-powered combinations with a Class C license from CDL requirements whenever the vehicle or combination is operated anywhere intrastate in compliance with the Vehicle Code's restrictions in use, regardless of the distance the farm that

the vehicle or combination is operated (except for transportation that requires display of hazmat placards) (PVC § 1606(b)(5)).

See page 15 for information on CDL requirements and exemptions that apply to drivers of PA farm vehicles and farm-vehicle-powered and combinations operated outside of Pennsylvania.

8. Other Special Provisions Applicable to Registered Farm Vehicles:

a. Registration at Weight Above the Truck's Weight Rating (PVC §1916(b)) – Trucks whose vehicle weight rating falls within the range of Vehicle Code registered weight Classes 1 through 4 may be registered at the highest weight established for the class in which the truck falls:

- Trucks with a weight rating of 5,000 pounds or less (Class 1) may be registered at 5,000 pounds.
- Trucks with a weight rating of 5,001- 7,000 pounds (Class 2) may be registered at 7,000 pounds.
- Trucks with a weight rating of 7,001-9,000 pounds (Class 3) may be registered at 9,000 pounds.
- Trucks with a weight rating of 9,001-11,000 pounds (Class 4) may be registered at 11,000 pounds.

WARNING: *Operating a truck at a weight higher than the manufacturer's weight rating may create unsafe conditions, and may cause the truck's manufacturer's warranty or insurance coverage to be voided in the event of damage or accident. You should consult with your dealer or factory representative and your insurance agent to understand the effects that operation of the truck in excess of the manufacturer's weight rating may have on truck's warranty and insurance coverage.*

b. Seasonal Registration (PVC §1307 (a.1)) – Vehicles with a weight rating of 10,000 pounds or less may be registered for a period less than the full year. Fees for partial year registrations are the same as for annual registrations. Insurance is not required for the months of the year the vehicle is not registered.

APPLICATION OF MOTOR CARRIER SAFETY STANDARDS TO INTRASTATE-OPERATED FARM VEHICLES AND DRIVERS (WITHIN PENNSYLVANIA) ****

1. Exemption Provided to Intrastate-Operated Farm Vehicles and Combinations 26,000 Pounds or Less (PVC § 6103(c)(1)(iv)) – Registered farm vehicles and farm-vehicle-powered combinations with a weight rating of 26,000 pounds or less and drivers of these farm vehicles and combinations are not subject to the federal commercial vehicle and driver requirements established under Pennsylvania’s intrastate motor carrier standards when performing transportation tasks wholly within Pennsylvania.

2. Exemption from Numerous Commercial Driver Standards Provided to Drivers of Intrastate-Operated Farm Vehicles and Combinations Over 26,000 Pounds – Because of changes made in 2012 and 2013 to federal law and regulations, drivers who operate registered farm vehicles and farm-vehicle-powered combinations with a weight or weight rating of greater than 26,000 pounds in intrastate transportation are not subject to the requirements for medical examination and certification, random and post-accident drug and alcohol testing, “hours of service” (driver logs and work time and driving time limitations), or driver daily inspections and written safety reporting of operated vehicles (49 CFR 390.39). The exemptions provided in federal regulations automatically apply to drivers of intrastate-operated farm vehicles, by operation of Pennsylvania’s intrastate transportation regulations.

3. Drivers of Farm Vehicles and Combinations Over 26,000 Pounds Are Not Exempt from All Requirements – Drivers of registered farm vehicles and farm-vehicle-powered combinations with a weight or weight rating greater than 26,000 pounds must comply with the requirements for safe operation of commercial vehicles prescribed in Part 392 of the federal transportation regulations (49 CFR Part 392), which have been incorporated into Pennsylvania’s intrastate regulations (67 Pa. Code § 231.7).

**** The information provided does not include discussion of standards and requirements that apply to vehicles and drivers of vehicles that carry hazardous materials in quantities that require the vehicle to display hazmat placards.

4. Farm Vehicles and Combinations Over 26,000 Pounds Are Subject to Vehicle Safety Standards– Registered farm vehicles and farm-vehicle-powered combinations with a weight rating greater than 26,000 pounds operated intrastate must comply with the minimum vehicle and safety equipment standards established for commercial vehicles in Part 393 of the federal motor carrier regulations (49 CFR Part 393), which are incorporated in Pennsylvania’s intrastate transportation regulations (67 Pa. Code § 231.7).

5. Exemption of Intrastate-Operated Farm Vehicles from Requirements for USDOT Number – By administrative order of PennDOT (issued December 2010), registered farm vehicles and farm-vehicle-powered combinations operating exclusively in Pennsylvania are exempt from requirements to have and display a USDOT number, unless the vehicle or combination is carrying hazardous materials in quantities that require display of hazmat placards.

APPLICATION OF MOTOR CARRIER SAFETY STANDARDS TO INTERSTATE-OPERATED FARM VEHICLES AND DRIVERS (OUTSIDE PENNSYLVANIA) ****

1. Farm Vehicles and Combinations of 10,000 Pounds or Less and Drivers Not Subject to Regulation (49 CFR 390.5) – The federal transportation regulations define a “commercial motor vehicle” as a vehicle or combination with a weight or weight rating of 10,001 pounds or more. Registered farm vehicles and farm-vehicle-powered combinations with a weight and weight rating of 10,000 pounds or less and their drivers will not be subject to any of the federal commercial vehicle and driver requirements when operated interstate, unless the vehicle or combination is carrying hazardous materials in quantities that require display of hazmat placards.

**** The information provided does not include discussion of standards and requirements that apply to vehicles and drivers of vehicles that carry hazardous materials in quantities that require the vehicle to display hazmat placards.

2. Exemption from Numerous Commercial Driver Standards Provided to Drivers of Interstate-Operated Farm Vehicles and Combinations 26,000 Pounds or Less

– Drivers of registered farm vehicles and farm-vehicle-powered combinations whose actual weight or weight rating is 10,001 to 26,000 pounds are exempt from requirements for medical examination and certification, random and post-accident drug and alcohol testing, “hours of service” (driver logs and work time and driving time limitations), and driver daily inspections and written safety reporting of operated vehicles, regardless of the distance from the farm that the vehicle or combination is operated (49 CFR 390.39 and 49 CFR 390.5’s definition of “covered farm vehicle”).

3. Limited Distance Exemption from Numerous Commercial Driver Standards Provided to Drivers of Interstate-Operated Farm Vehicles and Combinations Over 26,000 Pounds

– Drivers of registered farm vehicles and farm-vehicle-powered combinations whose actual weight or weight rating is greater than 26,000 pounds are exempt from requirements for medical examination and certification, random and post-accident drug and alcohol testing, “hours of service” (driver logs and work time and driving time limitations), and driver daily inspections and written safety reporting of operated vehicles, whenever the vehicle or combination is operated within 150 miles of the farm of the owner of the vehicle (49 CFR 390.39 and 49 CFR 390.5’s definition of “covered farm vehicle”). However, the driver exemptions described above no longer apply when the driver operates the same farm vehicle or combination beyond 150 miles of the vehicle owner’s farm.

4. Minimum Age Requirements May Apply to Drivers of Interstate-Operated Farm Vehicles and Combinations Over 10,000 Pounds

– Drivers of registered farm vehicles with a weight or weight rating greater than 10,000 pounds that are operated as a single unit (not towing a trailer) are exempt from minimum age requirements when the vehicle is operated within 150 miles of the farm of the owner of the vehicle (49 CFR 391.2(c) and 49 CFR 390.5’s definition of “farm vehicle driver”). Drivers of farm-vehicle-powered combinations with a weight or weight rating greater than 10,000 pounds must be at least 18 years of age when operating the combination within 150 miles of the vehicle owner’s farm (49 CFR 391.67). The driver must be at least 21 years old when operating any farm vehicle or any farm-vehicle combination with a weight or weight rating greater than 10,000

pounds more than 150 miles away from the vehicle owner's farm (49 CFR 391.11(b)(1)).

5. Drivers of Interstate-Operated Farm Vehicles and Combinations Over 10,000 Pounds Must Comply with Safe Operation Standards – Drivers of registered farm vehicles and farm-vehicle-powered combinations with a weight or weight rating greater than 10,000 pounds must comply with the requirements for safe operation of commercial vehicles prescribed in Part 392 of the federal transportation regulations (49 CFR Part 392).

6. Commercial Driver's License (CDL) Requirements for Drivers of Interstate-Operated Farm Vehicles and Combinations (49 CFR 383.3, 49 CFR 390.39 and 49 CFR 390.5's definition of "covered farm vehicle") – The 2012-2013 changes in federal law and regulations exempt from CDL requirements drivers of "covered farm vehicles," including drivers of Pennsylvania-registered farm vehicles and farm vehicle powered combinations operated interstate. Exemption from CDL requirements applies to the following (except for transportation requiring display of hazmat placards):

- Interstate-operated farm vehicles and combinations with an actual weight and weight rating of 26,000 pounds or less operated anywhere in interstate travel, regardless of the distance the vehicle or combination is operated away from the farm.
- Interstate operated farm vehicles and combinations with an actual weight or weight rating greater than 26,000 pounds that are operated within 150 miles of the farm of the owner of the vehicle.

Drivers of interstate-operated farm vehicles and farm-vehicle-powered combinations with an actual weight or weight rating greater than 26,000 pounds will be required to have a CDL when operating the vehicle or combination interstate more than 150 miles from the vehicle owner's farm.

See pages 7 and pages 10-11 for information on CDL requirements and exemptions that apply to drivers of PA farm vehicles and farm-vehicle-powered and combinations operated within Pennsylvania.

7. Interstate-Operated Farm Vehicles and Combinations Over 10,000 Pounds Are Subject to Vehicle Safety Standards–

Registered farm vehicles and farm-vehicle-powered combinations with a weight or weight rating greater than 10,000 pounds operated interstate must comply with the minimum vehicle and safety equipment standards established for commercial vehicles in Part 393 of the federal motor carrier regulations (49 CFR Part 393).

8. Requirements for USDOT Number – Registered farm vehicles and farm-vehicle-powered combinations with a weight or weight rating of greater than 10,000 pounds must have and display a USDOT number when engaged in interstate travel (49 CFR § 390.21).

ADDITIONAL REQUIREMENTS THAT OTHER STATES MAY IMPOSE ON PENNSYLVANIA REGISTERED FARM VEHICLES

1. Registration Requirements – Trucks with farm vehicle registrations are not automatically considered to be legally registered when operated in another state.

a. International Registration Plan (IRP) – States in the continental US, including Pennsylvania, have jointly entered into an agreement, known as International Registration Plan (IRP) to streamline registrations of trucks with weight ratings greater than 26,000 pounds or with more than two axles that are operated in more than one state. A truck with “apportioned commercial registration” plates is considered to be properly registered in every state the truck operates. The IRP allows, does not require, each IRP state to honor trucks with “restricted use plates” of other states (such as trucks with PA’s farm vehicle registration). In response to information requested by PennDOT several years ago:

- 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, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Washington, West Virginia, and Wisconsin indicated they would honor trucks with Pennsylvania farm vehicle registration plate as legally registered.

- Arizona, California, Florida, Idaho, and Wyoming indicated they would not honor Pennsylvania's farm vehicle registration plate.
- Minnesota, Nevada, and New Hampshire indicated they would not honor PA's farm registration of trucks with a registered gross weight of greater than 26,000 pounds. For vehicles with an actual and registered gross weight of 26,000 pounds or less, Pennsylvania's farm vehicle registration will only be honored if the vehicle is performing interstate transportation activities.
- Virginia will not honor PA's farm vehicle registration if the vehicle is more than thirty miles inside the state.

In order to operate in any state that does not honor Pennsylvania's farm vehicle registration, the vehicle owner will be required to obtain a temporary trip permit from that state. The vehicle owner may also convert the truck's registration to an "apportioned commercial" registration; however, if converted to apportioned registration, the exemptions provided under federal and state transportation regulations to farm vehicles and drivers will no longer likely apply.

b. New York/Pennsylvania Reciprocal Agreement – In 2006, Pennsylvania and New York entered into a reciprocal agreement authorizing each state's registered farm vehicles to operate in both states.

2. Motor Carrier Road Tax/Fuel Use Tax Requirements:

a. Exemption for Farm Vehicles Operated Exclusively within PA (PVC § 2105 (a)(1)) – Pennsylvania farm vehicles operating exclusively within Pennsylvania are fully exempt from Pennsylvania road tax requirements, including requirements for the vehicle to display a fuel tax sticker.

b. Certain Farm Vehicles Operated Outside of PA – Pennsylvania-registered farm vehicles (including farm-vehicle-powered combinations) with a registered weight of greater than 26,000 pounds or with have three or more total axles operated outside Pennsylvania must comply with the requirements imposed under the **International Fuel Use Tax Agreement (IFTA)**, including obligations to obtain an IFTA decal for the vehicle and file quarterly fuel tax returns, unless expressly exempted by the state in which the farm vehicle or combination is operated. IFTA

enables owners of vehicles to comply with IFTA's requirements by filing applications and tax returns with owner's home state. For farm vehicles that make sporadic trips outside of PA, the owner may comply with IFTA by obtaining individual trip permits from those states where the vehicle will be operated. New York and New Jersey have indicated generally they will exempt out-of-state trucks with farm registrations from IFTA requirements.

IMPLEMENTS OF HUSBANDRY

1. Exemption from Certificate of Title Requirements (PVC § 1102(8)) –

A certificate of title is not required for implements of husbandry exempt from registration. Implements not exempt from registration are required to have a certificate of title.

2. Implements of Husbandry Exempt from Registration (PVC § 1302(2.1)) –

An exemption from vehicle registration is provided to implements of husbandry, other than commercial implements of husbandry. Implements exempt from registration may be operated anywhere within 50 miles of any farm owned or operated by the owner of the implement to facilitate agriculture. Amendments to the Vehicle Code enacted in 2012 should authorize a registration-exempt implement to be operated not only to provide agricultural services for the implement owner's farms but also to provide agricultural services for other farms within the 50-mile zone of authorized use.

3. Implements of Husbandry Required to Be Registered –

Requirements for registration will apply to implements operated outside the zone of authorized use for implements exempt from registration.

4. Exemption from Periodic Inspection (PVC § 4703(b)(2) –

Periodic inspection requirements do not apply to implements of husbandry.

5. Vehicle and Safety Equipment Standards (PVC §§ 4534-4536

and 67 Pa. Code §§ 175.221 et seq.) – Implements of husbandry are not required to be equipped with horns, front or rear bumpers, or rear view mirrors unless the implement was so equipped by the

manufacturer. PennDOT regulations do establish some minimum standards for implements operated on highways:

- The implement's steering system must be in safe operating condition.
- The implement's braking system must function consistent with the manufacturer's specifications.
- Implements must have a parking brake system adequate to hold the implement on a 20% grade.
- Trailers (other than farm wagons and towed field equipment) that are equipped with brakes or that have an actual weight of greater 3,000 pounds must be equipped with a functional breakaway system.
- Implements operated at night or operated during periods of reduced visibility must have a headlight and hazard light system in safe operating condition, and must be equipped with reflectors or reflective tape on the sides of the vehicle.

6. Requirements for Operators of Implements of Husbandry (PVC § 1502)(5) – The driver of an implement of husbandry must be at least 14 years of age. Drivers 14 or 15 years old may only operate implements of husbandry on one or two lane roads that bisect or immediately adjoin the premises where the driver resides. Operators of implements of husbandry are not required to have a driver's license.

7. Maximum Width Allowances (PVC § 4921) – For typical farm uses, the operation or movement of an implements of husbandry should qualify for one of the special maximum width allowances provided in the Vehicle Code. See *Special Width Allowances Provided in the Vehicle Code for Agricultural Vehicles and Activities* on pages 21-23 for more information on special width allowances that apply to implements of husbandry. For any implement of husbandry that does not qualify for any of the special maximum width allowances, the implement may not exceed 8 feet in width.

8. Requirement for Slow Moving Vehicle Emblem (PVC § 4529) – Implements of husbandry designed to operate at a speed of 25 miles per hour or less must display on the rear of the vehicle a slow moving

vehicle (SMV) emblem in a manner that meets PennDOT regulations.

NOTE: The Vehicle Code prohibits display of SMV emblems on vehicles traveling at speeds greater than 25 miles per hour.

TRAILERS USED ON FARMS

1. Exemption from Registration (PVC § 1302(2.2)) – A trailer or semitrailer used exclusively for agricultural operations is exempt from registration when towed by an implement of husbandry or farm vehicle within 50 miles of any farm owned or operated by the owner of the trailer. Amendments to the Vehicle Code enacted in 2012 now provide for the exemption to apply automatically to trailers used in accordance with the Code’s limitations in authorized distance, without requirement for prior approval of exemption by PennDOT. The 2012 amendments should also allow trailers exempt from registration to be used to provide agricultural services not only to farms of the owner of the trailer but also to other farms within the 50-mile zone of authorized use.

2. Special Width Allowances (PVC § 4921) – The Vehicle Code provides special width allowances for trailers used to facilitate agricultural transportation. See discussion of *Special Width Allowances Provided in the Vehicle Code for Agricultural Vehicles and Activities* on pages 21-23 for more information.

MULTIPURPOSE AGRICULTURAL VEHICLES (MAV) (PVC § 1302(17))

1. Exemption from Title and Registration – A MAV is not required to be registered when operated on roads that are part of a farm owned or operated by the owner of the vehicle or on roads between the vehicle owner’s farms not more than five miles apart. A MAV is also is also exempt from requirements for certificate of title (PVC § 1102).

2. Driver Requirements – The Vehicle Code does not expressly impose any limitation in age or qualification of a MAV driver. In theory, since MAVs are specifically excluded from the Code’s definition of “all terrain vehicle” (ATV), the MAV driver should not be subject to the same requirements and limitations that the Code imposes upon ATV drivers. However, no court case has confirmed the accuracy of this

theory. Also, the Code is not clear on whether or not persons must have valid driver's license to operate an MAV on a road. It is strongly recommended that the principles described above for safe operation of ATVs be observed by persons owning or operating of MAVs, especially persons younger in age.

SPECIAL WIDTH ALLOWANCES PROVIDED IN THE VEHICLE CODE FOR AGRICULTURAL VEHICLES AND ACTIVITIES (PVC § 4921)

1. Daytime Use of Implements of Husbandry Up to 16 Feet in Width (PVC §§ 4921(b)(2) and 4921(b)(2.1)) -

Implements of husbandry may be driven, hauled or towed between sunrise and sunset at a maximum width of 16 feet on roads other than freeways that are:

- Within 50 miles of any farm owned or operated by the owner of the implement.
- Between a farm of the implement owner and another farm or an implement mechanic's or dealer's place of business not more than 150 miles away for the purpose buying, selling, trading, loaning and leasing, demonstrating, repairing or servicing the implement.

For vehicles wider than 14 feet 6 inches, however, this special width allowance for daytime use only applies if all four of the following requirements are met:

(i) The implement owner has liability insurance coverage on the implement that meets the minimum level of liability coverage normally required for registered vehicles (insuring the vehicle under the owner's general farm liability policy will meet this requirement);

(ii) The implement has and operates at least one yellow revolving, flashing or strobe light visible to drivers from any direction;

(iii) The implement has and operates hazard signal lights; and

(iv) A pilot vehicle is escorting the implement in front, and this pilot vehicle displays an "oversize vehicle" sign on the front of the vehicle and has and operates hazard signal lights.

2. Nighttime Use of Implements of Husbandry Up to 14 Feet 6 Inches in Width (PVC § 4921(b)(2)) – Implements of husbandry may be driven, hauled or towed between sunset and sunrise at a maximum width of 14 feet 6 inches on roads other than freeways that are:

- Within 50 miles of any farm owned or operated by the owner of the implement.
- Between a farm of the implement owner and another farm or an implement mechanic's or dealer's place of business not more than 150 miles away for the purpose buying, selling, trading, loaning and leasing, demonstrating, repairing or servicing the implement.

This special width allowance for nighttime use, however, only applies if both of the following requirements are met:

- (i) The implement has and operates at least one yellow revolving, flashing or strobe light visible to drivers from any direction; and
- (ii) The implement has and operates hazard signal lights.

3. Nighttime Use of Implements of Husbandry Greater than 14 Feet 6 Inches and Not Greater than 16 Feet in Width (PVC § 4921(b)(2.2)) – Implements of husbandry greater than 14 feet 6 inches and not greater than 16 feet in width may be driven, hauled or towed between sunset and sunrise on roads other than freeways that are within 25 miles of any farm owned or operated by the owner of the implement. This special width allowance for nighttime use, however, only applies if all seven of the following requirements are met:

- (i) The implement owner has liability insurance coverage on the implement that meets the minimum level of liability coverage normally required for registered vehicles (insuring the vehicle under the owner's general farm liability policy will meet this requirement);
- (ii) The implement has and operates at least one yellow revolving, flashing or strobe light visible to drivers from any direction;
- (iii) The implement has and operates hazard signal lights;
- (iv) The implement has reflective edgemarks or lights to identify the outermost edges of the rear and front;
- (v) The implement is not operated or moved at a speed greater than 25 miles per hour;

(vi) The driver of the implement or the vehicle moving the implement is at least 18 years of age; and

(vii) A vehicle is escorting the implement at the rear of the implement, and this escort vehicle displays an “oversize vehicle” sign on the rear of the vehicle and has and operates hazard signal lights.

4. Trailers and Other Vehicles Up to 14 Feet 6 Inches in Width Towed by Implements of Husbandry Exempt from Registration (PVC § 4921(b)(4.1)) – A trailer or other vehicle may be towed by an implement of husbandry exempt from registration on roads other than freeways at a maximum width of 14 feet 6 inches, provided that the width of the towing implement is not greater than 8 feet. For movements that occur at night, this special width allowance only applies if the towed vehicle has and operates at least one yellow revolving, flashing or strobe light visible to drivers from any direction.

5. Daytime Use of Vehicles Transporting Farm Crops and Nutrients (PVC § 4921(b)(1)) – A vehicle loaded with crops or nutrients (manure, compost or commercial fertilizer) may be driven, hauled or towed between sunrise and sunset on roads other than freeways at a maximum width of 12 feet.

6. Nighttime Operation Vehicles Up to 14 Feet 6 Inches for Crops or Nutrients (PVC § 4921(b)(5)) – A vehicle used for crops or nutrients (manure, compost or commercial fertilizer) may be operated between sunset and sunrise on roads other than freeways at a maximum width of 14 feet 6 inches. This special width allowance only applies if the vehicle has and operates at least one yellow revolving, flashing or strobe light visible to drivers from any direction.

NOTE: Lighting requirements imposed on a vehicle as a condition for special width allowance are in addition to lighting requirements that normally apply to the vehicle.

OTHER TAXES AND FEES THAT MAY APPLY TO AGRICULTURAL VEHICLES

1. Pennsylvania Sales Tax on Purchases of Agricultural Vehicles (PA Dept. of Revenue Regulations - 61 Pa. Code § 31.49):

a. Implements of Husbandry – Purchases of implements of husbandry that the purchaser intends to operate under farm exemption from vehicle registration are exempt from state sales tax.

b. Multipurpose Agricultural Vehicles – Since multipurpose agricultural vehicles (MAVs) are exempt from vehicle registration, purchases of vehicles that qualify as a MAV should be exempt from state sales tax.

c. Vehicles to Be Operated under Farm Vehicle Exemption from Registration – Purchases of trucks and truck tractors that the purchaser intends to operate under a farm vehicle biennial certificate of exemption from registration are exempt from state sales tax.

d. Vehicles to Be Operated under Farm Vehicle Registration – Purchases of trucks and truck tractors that the purchaser intends to operate under a farm vehicle registration are subject to state sales tax.

NOTE: A vehicle purchase originally exempt from sales tax may become subject to sales tax if the purchaser changes the vehicle's use to one that requires the vehicle to be registered.

2. Federal Heavy Highway Vehicle Use Tax (HVUT) – All owners of registered vehicles with a registered gross weight of 55,000 pounds or more, including registered farm vehicles, are required to file each year a federal Heavy Highway Vehicle Use Tax Return (Form 2290) with the Internal Revenue Service, regardless of whether or not the owner is required to pay tax on the vehicle. Agricultural vehicles operated 7,500 miles or less during the HVUT's tax year (July through June) are exempt from payment of tax, as well as other vehicles operated 5,000 miles or less during the tax year. Many farmers will be able to complete their return by declaring that the truck will qualify for the mileage exemption. However, the truck owner will be responsible for paying the tax if the mileage driven during the tax year exceeds the tax exemption mileage limitation.

Registrations of trucks for which a HVUT tax return must be filed will not be renewed without proof that the 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.

3. United Carrier Registration (UCR) – All businesses that direct the operation of “commercial motor vehicles” interstate, including farm businesses, are required to annually file for UCR and pay a registration fee. For purposes of UCR, a “commercial motor vehicle” is a vehicle with a weight rating of greater than 10,000 pounds. The UCR fee for each business will vary with the number of commercial motor vehicles engaged by the business in interstate commerce, and is determined either by the number of vehicles the business has identified in its most recently filed information report for USDOT number, or the number of interstate vehicles (or vehicles carrying hazardous materials in quantities that require hazmat placards) actually operated by the business in the year before the year of registration. More information on UCR is available on the Internet at www.ucr.in.gov.

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