

August 2018

A select collection of

Motor Vehicle Rules for Illinois Farmers

Produced and provided by Illinois Farm Bureau®



Motor Vehicle Rules for Illinois Farmers

A select collection of information on motor vehicle regulations.



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Note: Laws and regulations change over time. This document is current as of the date of publication, but the laws and regulations discussed in it are subject to change without notice.

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THE BLUE SHEET TRUCK REGULATION RESOURCES



Motor Carrier Safety

IL Department of Transportation

Office of Motor Carrier Safety
1340 North 9th Street
PO Box 19212
Springfield, IL 62794

P: 217-785-1181
F: 217-782-9159

www.dot.state.il.us

Federal Motor Carrier Safety Administration

3250 Executive Park Drive
Springfield, IL 62703

P: 217-492-4608
P: 800-832-5660

www.fmcsa.dot.gov

Motor Carrier Safety Regulations

Illinois <http://www.ilga.gov/commission/jcar/admincode/092/092parts.html>

Federal <http://www.fmcsa.dot.gov/regulations/rulemaking>

Motor Carrier Guide

<http://www.fmcsa.dot.gov/safety/carrier-safety/motor-carriers-guide-improving-highway-safety>

Motor Fuel Taxes

IL Department of Revenue

Motor Fuel Use Tax
PO Box 19477
Springfield, IL 62794

P: 217-785-1397

www.revenue.state.il.us

Dyed Diesel Fuel & Tax Exempt

P: 217-782-2291

<http://www.revenue.state.il.us/Motorfuel/>

Interstate Fuel Permit (IFTA)

P: 217-785-1397

<http://tax.illinois.gov/publications/pios/pio-20.pdf>

Hazardous Materials Transportation

IL Department of Transportation

HazMat Compliance Unit
1340 North 9th Street
PO Box 19212
Springfield, IL 62794

P: 217-785-1181
F: 217-782-9159

Federal Motor Carrier Safety Administration

3250 Executive Park Dr
Springfield, IL 62703

P: 217-492-4608

HazMat Rules & Education

<https://www.fmcsa.dot.gov/regulations/hazardous-materials/how-comply-federal-hazardous-materials-regulations>

Commercial Drivers License

IL Secretary of State

CDL Section
2701 Dirksen Parkway
Springfield, IL 62723

P: 217-524-1350

https://www.cyberdriveillinois.com/departments/drivers/drivers_license/CDL/home.html

CDL Study Guide

https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_cdl10.pdf

Rules of the Road

https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a112.pdf

CDL Testing Locations

<http://www.cyberdriveillinois.com/facilities/facilitylist.html>

Carrier for Hire

IL Commerce Commission

Transportation Division
527 East Capitol
Springfield, IL 62701

P: 217-782-6447
F: 217-785-1448

<http://www.icc.illinois.gov/transportation/>

Safety Testing

IL Department of Transportation

Division of Traffic Safety
Bureau of Safety Programs
& Administrative Services
1340 North 9th Street
PO Box 19212
Springfield, IL 62794

P: 217-785-1181
F: 217-558-2236

<http://www.idot.illinois.gov/transportation-system/safety/roadway/index>

Illinois Test Lane Locations

<http://idot.illinois.gov/Assets/uploads/files/Transportation-System/Specialty-Lists/Safety/LanesForInternet.pdf>

Emissions Testing

IL EPA

Div. of Mobile Source Programs
1021 N. Grand Ave., East
Springfield, IL 62794-9275

P: 800-635-2380

Email: epa.vim2528@illinois.gov

<http://www.epa.illinois.gov/>

Vehicle Emissions Testing Program

<http://www.epa.illinois.gov/topics/air-quality/mobile-sources/vehicle-emissions-testing/index>

Questions?

General FMCSA
1-800-832-5660

www.fmcsa.dot.gov

UCR (IL Commerce Commission)
1-217-782-4654

<http://www.icc.illinois.gov/transportation/>

IDOT
1-217-785-1181

www.dot.state.il.us

CDL (IL Secretary of State)
1-217-782-0560

<http://www.cyberdriveillinois.com/>

Size & Weight

IL Department of Transportation

Bureau of Operations
2300 S. Dirksen Parkway
Rm 117
Springfield, IL 62764

P: 217-782-6271
P: 217-785-1477

<http://www.idot.illinois.gov/doing-business/permits/Oversize-and-Overweight-Permits/legal-weights-and-dimension>

Order Permits Online

<https://truckpermits.dot.illinois.gov>

IDOT Interactive Maps

Including construction routes; permit routes; weather information; planning & programming for routes, and more.

<http://www.idot.illinois.gov/transportation-system/Network-Overview/highway-system/maps>

IDOT OS/OW Permit Manual

(For farm permit, see page 9.)

<http://www.idot.illinois.gov/Assets/uploads/files/Doing-Business/Manuals-Guides-&-Handbooks/Highways/Permits/Oversize%20and%20Overweight%20Permit%20Movements%20on%20State%20Highways%202015.pdf>

USDOT#

Federal Motor Carrier Safety Administration

3250 Executive Park Dr
Springfield, IL 62703

P: 217-492-4608

www.fmcsa.dot.gov

Printable Application Form & Instructions

www.fmcsa.dot.gov/registration-licensing/print-forms/print-forms.htm

On-line Application

<https://www.fmcsa.dot.gov/registration/getting-started>

UCR (Unified Carrier Registration)

IL Commerce Commission

Transportation Division
527 East Capitol
Springfield, IL 62701

P: 217-782-4654
F: 217-785-1448

<http://www.icc.illinois.gov/motorcarrier/ucr.aspx>

Printable Application Form & Instructions (for 2018)

<https://www.icc.illinois.gov/motorcarrier/ucr.aspx>

Vehicle Registration

(License Plates for Trucks & Trailers)

IL Secretary of State

Commercial & Farm Truck Division
300 Howlett Bldg
501 S. 2nd St
Springfield, IL 62706

P: 217-785-1800
F: 217-524-0123

<http://www.cyberdriveillinois.com/publications/motorist/cft.html>

Title & Registration Guide

http://www.cyberdriveillinois.com/departments/vehicles/title_and_registration/pert.html

Farm & Mileage Plates

http://www.cyberdriveillinois.com/departments/vehicles/license_plate_guide/truck_and_trailer_plates/farm_truck_trailer.html

Drug & Alcohol Screening Program

for IL Farm Bureau[®] Members

1-217-525-0310

Provided through Midwest Truckers Association
www.mid-westtruckers.com

More Materials

IL Farm Bureau Website (Downloads)

<http://www.ilfb.org/policy-issues/current-issues/transportation-infrastructure.aspx>

(This document available with hyperlinks.)

J. J. Keller & Associates, Inc.

[Full line of printed regulations, forms & more.]

P: 877-564-2333 <http://www.jjkeller.com/>

LabelMaster

[Full line of printed regulations, forms & more.]

P: 800-621-5808 <http://www.labelmaster.com/>

Government Websites

[Some government agencies provide additional printed materials. Most provide PDF downloads of their publications.]

IL Vehicle Code [Statutory law for vehicles.]

<http://www.ilga.gov/legislation/ilcs/ilcs2.asp?ChapterID=49>

Illinois State Police (Ask for the Motor Carrier Safety Officer)

| DIST. | LOCATION | PHONE |
|---------|---|---------------------------|
| 1 | 3107 E. Lincolnway, Sterling, IL 61081 | 815-632-4010 |
| 2 | 777 S. State Street, Elgin, IL 60123-7689 | 847-931-2405 |
| Chicago | 9511 W. Harrison, DesPlaines, IL 60016 | 847-294-4400 |
| 5 | 16648 S. Broadway, Lockport, IL 60441 | 815-726-6377 |
| 6 | 800 Old Airport Road, Pontiac, IL 61764 | 815-844-1500 |
| 7 | 800 Hillcrest Road, East Moline, IL 61244 | 309-752-4915 |
| 8 | 1265 Lourdes Road, Metamora, IL 61548 | 309-383-2133 |
| 9 | 3780 E. Lake Shore Dr., Springfield, IL 62712 | 217-786-7107 |
| 10 | P. O. Box 110, Pesotum, IL 61863 | 217-867-2050 |
| 11 | 1100 Eastport Plaza, Collinsville, IL 62234 | 618-346-3990 |
| 12 | 401 Industrial Dr., Ste. A, Effingham, IL 62401 | 217-347-2711 |
| 13 | 1391 S. Washington St., DuQuoin, IL 62832 | 618-542-2171 |
| 14 | 1600 N. Lafayette St. Macomb, IL 61455 | 309-833-4046 |
| 15 | 2700 Ogden Ave., Downers Grove, IL 60515 (Tollways only) | 630-241-6800 Ext. 5030 |
| 16 | 16450 West State Road, Pecatonica, IL 61063 | 815-239-1152 |
| 17 | 2971 East 350th Road, LaSalle, IL 61301 | 815-224-1171 |
| 18 | 102 IL. Route 16, Litchfield, IL 62056 | 217-324-4900 |
| 19 | 919 IL Route 14, Carmi, IL 62821 | 618-382-4606 |
| 20 | P. O. Box 32, Pittsfield, IL 62363 | 217-285-2034 |
| 21 | PO Box 147, Ashkum, IL 60911 | 815-698-2395 |
| 22 | 1154 Shawnee College Rd., Ullin, IL 62992 | 618-845-3740 |

MCSR EXEMPTIONS FOR FARMERS

FVD **VERSUS** CFV



Now there are two sets of exemptions available to farmers from some of the Motor Carrier Safety Regulations (MCSR.) They are respectively referred to here as:

Farm Vehicle Driver (FVD) **–and–** Covered Farm Vehicle (CFV)

Both address the CDL and the Medical Card. The CFV also addresses hours of service and equipment requirements. Both sets of exemptions are now in place* in Illinois. However, there remains a good deal of unawareness and misunderstanding about the CFV provisions, so expect some confusion as the new rules are assimilated.

How to qualify for exemptions

You and your vehicle must first meet the definition of FVD or CFV before being eligible for an exemption. In the case of the FVD, additional conditions can apply. *(See the reverse side for additional detail.)*

Farm Vehicle Driver

[Since 1992]

1. Farmer, family member or employee
2. Hauling only for the farm
3. Not hauling for hire
4. Range (see chart)

Covered Farm Vehicle

[Most since November 2013. CDL since July 2015]

1. Farmer, family member or employee
2. Hauling only for the farm
3. Not hauling for hire
4. Range (see chart)
5. Registered with a “farm” license plate
6. Not required to be placarded

| RANGE | | | |
|--|-------------------------|----------------------|-------------------------|
| <i>(Within which the exemption may be applied)</i> | | | |
| FVD | Location | CFV | |
| Any Weight | | ≤ 26,001 lbs. | > 26,001 lbs. |
| 150 Miles | Inside Illinois | No limit | No limit |
| 150 Miles | Outside Illinois | No limit | 150 Miles |

The 150 miles is from the carrier’s base of operation, (i.e.: the farm.)

Where these regulations provide overlapping exemptions, farmers “will be able to choose the exemption, or set of exemptions, under which to operate.” —*FMCSA*

Which regulations are exempted?

Farm Vehicle Driver (FVD)

Exemptions cover two major areas:

- **Commercial Drivers License (CDL)**
[49 CFR 383]
 - * For most farm trucks
 - * For semi operators, but only if driver is a farmer or family member (parent, spouse, sibling or child—in blood or in law)
- **DOT Physical** [49 CFR 391]
 - * For operators of straight trucks only
 - * Exemption does not apply if driving a combination vehicle [49 CFR 391.67]

The FVD rule provides a de facto exemption from drug and alcohol testing by virtue of its exemption from the CDL, (e.g.: if a CDL is not required then drug and alcohol testing is not required.)

Covered Farm Vehicle (CFV)

Exemptions cover five major areas:

- **Commercial Driver's License (CDL)**
[49 CFR 383]
*Includes employees & most vehicle types.**
- **Controlled Substances and Alcohol Use and Testing** [49 CFR 382]
Previously available to most farmers.
- **Physical Qualifications and Examinations**
[49 CFR 391, Subpart E]
Including medical card requirement.
- **Hours of Service** [49 CFR 395]
Added to existing exemptions for HOS.
- **Inspection, Repair and Maintenance**
[49 CFR 396]
Only for interstate commerce vehicles.

Special Notes for Combination Vehicles

Trailers: When operating a truck and trailer combination, Illinois law generally requires that both the truck and the trailer display a "farm" license plate in order to qualify as a CFV. This does not apply to semi-trailers; those are allowed to use the standard "ST" semi-trailer plate. (See the following paragraphs for other trailer variations.)

Pickups and Duallys ("B" and "D" plates): Illinois' smallest "farm" plate is the "VF" at 16,000 pounds. That's far larger than typically necessary for a pickup truck or dually. Instead, in order to qualify for the CFV designation, these smaller trucks may be registered with a standard "B" or "D" license plate with an added (\$10 additional) CFV designation. That designation—plus a "farm" plate on the trailer—will satisfy the "farm" registration requirement for that combination vehicle. When not operating as a CFV, these trucks may be used as any other "B" or "D" -plated truck, including non-farm business and personal use.

Implements of Husbandry: When operating a truck pulling an implement of husbandry, only the truck needs to have the "farm" license plate (or in the case of "B" or "D"-plated trucks, the registered CFV designation) in order to satisfy the "farm" registration requirement for the CFV exemption.

Combination Vehicles: The exemption from the DOT physical under the FVD provision does not apply if operating a combination vehicle such as a semi or a truck and trailer. However, the CFV exemption from the DOT physical may be applied to combination vehicles.



DRIVER QUALIFICATIONS AND THE (DIFFERS FROM CFV)



FVD



Besides the driver's license, there are other conditions associated with qualifying each individual to drive a commercial motor vehicle. Three major stipulations apply under both state and federal regulations: CDL, drug and alcohol testing, and the medical card. Farmers enjoy some breaks under the well-established Farm Vehicle Driver (FVD) exemption. However, there are limits to those. Additional exemptions have been added under the title of Covered Farm Vehicle (CFV.) They differ from the FVD exemptions. (See separate documentation.)

CDL (Commercial Driver's License)

Commercial Motor Vehicle

[\[625 ILCS 5/6-500\]](#) & [\[49 CFR 383.5\]](#)

With some exceptions, a CDL generally must be obtained by the driver of any of the following vehicles:

- Any combination of vehicles with a Gross Combination Weight Rating (GCWR) or a Gross Combination Weight (GCW) of more than 26,000 pounds, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- Any single vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle towing another not in excess of 10,000 pounds.
- Any vehicle regardless of size, designed to transport 16 or more persons, including the driver.
- Any vehicle required by federal regulations to be placarded for transporting hazardous materials.

[Note: This 26,000-pound threshold differs from the 10,000-pound threshold used for the Medical Card requirement.]

Farm Vehicle Driver Exemption [\[625 ILCS 5/6-507\(c\)\]](#)

If operating as a Farm Vehicle Driver (FVD), a CDL is not required for most truck types; semis differ. A FVD driver must be operating a vehicle:

- Controlled and operated by a farmer, a member of the farmer's family or an employee;
- Used to transport farm products, equipment or supplies to or from a farm *(including nurseries and aquaculture farms);*
- Not operated in for-hire carriage;
- Used within 150 air miles of the farm *(in-state or out-of-state);* and
- Used in nursery or agricultural operations.

Farm Semi and the FVD

In addition to the five conditions listed previously, farm semi drivers operating under the FVD exemption must also meet these four additional conditions in order to be eligible for an exemption from having to obtain a CDL.

(Semi must be "farm" plated;

- Driver must be age 21 or older;
- Does not operate a truck outside of Illinois; and
- "Employee" must be a family member *(parent, spouse, sibling, or child - in blood or in law.)*

J50

This Non-CDL farm semi license comes with a J50 restriction. Since all tests and penalties for this Non-CDL farm semi license are the same as those required for the CDL, there is little benefit in obtaining the J50 instead of going ahead and getting the full CDL.

Classification

Whether operating with a CDL or a Non-CDL, drivers must have a properly-classified driver's license for the vehicle size and type they are operating.

- **Class A** - Combination vehicles, 26,001 pounds or more GCWR or GCW, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- **Class B** - Single vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle *[May include trailer of 10,000 pounds or less.]*
- **Class C** - Single vehicle with a GVWR of at least 16,001 pounds but less than 26,001 pounds. *[May include trailer of 10,000 pounds or less.]*
- **Class D** - Single vehicle with a GVWR of less than 16,001 pounds. *[May include small trailer, but combined weight may not exceed 26,000 pounds.]*

Endorsements

Drivers who qualify for a Non-CDL license are not required to have these special endorsements. However, those drivers who are required to have a CDL must undergo special knowledge and/or skills testing if they will be driving a vehicle:

(Continued on page 2)

- With double or triple trailers;
- With a tank of 1,000 gallons or more liquid capacity or multiple tanks each with a capacity of more than 119 gallons that, in aggregate, total to more than 1,000 gallons (*Measure tank capacity, not content. Applies to any liquid, even water*);
- That is placarded because of the type and quantity of hazardous materials carried (*Requires fingerprinting and background check. Apply at least 90 days in advance of expiration.*); or,
- With capacity for 16 or more passengers, including the driver.

An air brake restriction will also have to be removed through additional testing.

(Except for the farm semi driver, these extra tests are not required for a non-CDL.)

Drug and Alcohol Testing

Requirement [49 CFR 382.103]

Generally, if a driver is required to have a CDL, he/she is also required to submit to drug & alcohol testing.

The testing involves pre-employment, random, post-accident, reasonable suspicion and return-to-duty testing requirements. Several other factors are worthy of note.

- Having a CDL when not required does not trigger this testing requirement.
- The employer is responsible for providing the testing program, not the driver.
- An employer who employs himself/herself as a driver (*as many farmers do*) must comply with both the requirements that apply to employers and the requirements that apply to drivers (employees.)
- Individual drivers must be pooled with a larger group to ensure random selection.

Farm Exemption and the FVD [49 CFR 382.103(d)]

Drug and alcohol testing is generally not required of drivers who have been exempted from the requirement to have a CDL—even if that farmer has a CDL. (*It is the requirement that the driver have a CDL that triggers drug testing, not merely the coincidence that the driver has that license.*)

Overview of Drug & Alcohol Testing Requirements

<http://www.fmcsa.dot.gov/rules-regulations/topics/drug/engtesting.htm>

Medical Card

Requirement [49 CFR 391.1]

Drivers of commercial vehicles generally must undergo a DOT Driver Physical once every two years and carry a card (at least through May, 2015) signed by the examining physician indicating he/she is physically qualified to drive a commercial motor vehicle.

With some exceptions, a medical card must be obtained by a driver if they:

- Operate a commercial vehicle with a gross vehicle weight rating (GVWR) or a gross combination weight rating (GCWR) of 10,001 pounds or more in the furtherance of a commercial enterprise (*includes farming*); or
- Operate a passenger vehicle designed to transport 16 or more passengers, including the driver; or
- Operate a vehicle required by federal regulations to be placarded while transporting hazardous materials.

[Note: This definition of "Commercial Vehicle" differs from that used for the CDL.]

Farm Exemption and the FVD [49 CFR 391.2(c)]

Custom harvesting operations, apianian industries and certain farm vehicle drivers operating commercial vehicles may be eligible for an exemption from the requirement to have a bi-annual physical.

Certain farm vehicle drivers may be exempt if they are operating a single vehicle that is:

- Controlled and operated by a farmer, a member of the farmer's family or an employee;
- Used to transport farm products, equipment or supplies to or from a farm (*Including nurseries & aquaculture farms*);
- Used within 150 air miles of the farm (*Whether in-state or out-of-state*);
- Used in nursery or agricultural operations;
- Not operated in for-hire carriage;
- Not required by federal regulations to be placarded while transporting hazardous materials; and,
- Not an articulated vehicle over 10,000 pounds GCWR.

(Generally, farm vehicle drivers operating articulated vehicles – semis, trucks pulling trailers, and even pickups pulling gooseneck trailers – lose this FVD exemption and must carry a valid medical card.)

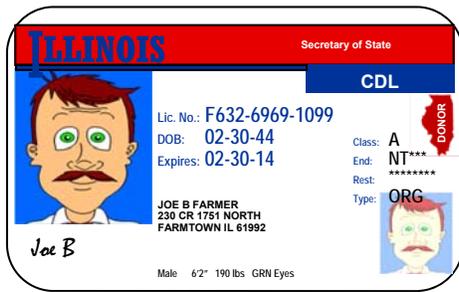
Covered Farm Vehicle (CFV)

An entirely separate set of farmer exemptions have been added since 2013. The qualifications for those exemptions differ from those of the FVD found here. See separate document for more information.

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DRIVER QUALIFICATIONS AND THE (DIFFERS FROM FVD)



CFV



Besides the driver's license, there are other conditions associated with qualifying each individual to drive a commercial motor vehicle. Three major stipulations apply under both state and federal regulations: CDL, drug and alcohol testing, and the medical card. Farmers enjoy some breaks under the new Covered Farm Vehicle (CFV) exemption. However, there are limits to those. Other exemptions have existed for years under the title of Farm Vehicle Driver (FVD.) They differ from these exemptions. (See document #OTR 383A for the FVD.)

CDL (Commercial Driver's License)

Commercial Motor Vehicle

[\[625 ILCS 5/6-500\]](#) & [\[49 CFR 383.5\]](#)

With some exceptions, a CDL generally must be obtained by the driver of any of the following vehicles:

- Any combination of vehicles with a Gross Combination Weight Rating (GCWR) or a Gross Combination Weight (GCW) of more than 26,000 pounds, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- Any single vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle towing another not in excess of 10,000 pounds.
- Any vehicle regardless of size, designed to transport 16 or more persons, including the driver.
- Any vehicle required by federal regulations to be placarded for transporting hazardous materials.

[Note: This 26,000-pound threshold differs from the 10,000-pound threshold used for the Medical Card requirement.]

Covered Farm Vehicle Exemption [\[49 CFR 383.3\(h\) & 390.5\]](#)

If operating a qualified Covered Farm Vehicle (CFV), a CDL is not required. To be considered a CFV operator, the vehicle must:

- Be controlled and operated by a farmer, a member of the farmer's family or an employee;
- Be used to transport farm products, equipment or supplies to or from a farm *(including nurseries and aquaculture farms);*
- Not operated in for-hire carriage;
- Be used anywhere in Illinois or within 150 air miles of the farm if operated outside of Illinois;
- Not be hauling HazMat that requires a placard; and
- Be registered with a "farm" license plate. *[Exemption for "B" and "D" plates, see #OTR 390B]*

J51

This Non-CDL farm semi license comes with a J51 restriction. Since all tests and penalties for this Non-CDL farm semi license are the same as those required for the CDL, there is little benefit in obtaining the J51 instead of going ahead and getting the full CDL.

Applicability

Unlike the FVD exemption, the CFV exemption applies to the truck-tractor/semi-trailer (semi) equally as it does to other vehicle types.

Also unlike the FVD exemption, the CFV exemption for farm semi operators can be applied to non-family farm employees, not just family members.

Classification

Whether operating with a CDL or a Non-CDL, drivers must have a properly-classified driver's license for the vehicle size and type they are operating.

- **Class A** - Combination vehicles, 26,001 pounds or more GCWR or GCW, providing the GVWR or GVW of the vehicle being towed is in excess of 10,000 pounds.
- **Class B** - Single vehicle with a GVWR or GVW of 26,001 or more pounds, or any such vehicle *[May include trailer of 10,000 pounds or less.]*
- **Class C** - Single vehicle with a GVWR of at least 16,001 pounds but less than 26,001 pounds. *[May include trailer of 10,000 pounds or less.]*
- **Class D** - Single vehicle with a GVWR of less than 16,001 pounds. *[May include small trailer, but combined weight may not exceed 26,000 pounds.]*

Endorsements

Drivers who qualify for a non-CDL license are not required to have the special endorsements associated only with

(Continued on page 2)

(Continued from page 1)

the CDL. However, those drivers who are required to have a CDL must undergo special knowledge and/or skills testing if they will be driving a vehicle:

- With double or triple trailers;
- With a tank of 1,000 gallons or more liquid capacity or multiple tanks each with a capacity of more than 119 gallons that, in aggregate, total to more than 1,000 gallons (*Measure tank capacity, not content. Applies to any liquid, even water*);
- That is placarded because of the type and quantity of hazardous materials carried (*Requires fingerprinting and background check. Apply at least 90 days in advance of driver's license expiration.*); or,
- With capacity for 16 or more passengers, including the driver.

Endorsements are shown on the CDL using letter codes. See Table #383A-1 for that listing.

Drug and Alcohol Testing

Requirement [49 CFR 382.103]

Generally, if a driver is required to have a CDL, he/she is also required to submit to drug & alcohol testing.

The testing involves pre-employment, random, post-accident, reasonable suspicion and return-to-duty testing requirements. Several other factors are worthy of note.

- Having a CDL when not required does not trigger this testing requirement.
- The employer is responsible for providing the testing program, not the driver.
- An employer who employs himself/herself as a driver (*as many farmers do*) must comply with both the requirements that apply to employers and the requirements that apply to drivers (employees.)
- Individual drivers must be pooled with a larger group (consortium) to ensure random selection.

Farm Exemption and the CFV [49 CFR 382.103(d) & (d)(4)]

There are two avenues of exemption. Drug and alcohol testing is generally not required of drivers who have been exempted from the requirement to have a CDL—even if that farmer has a CDL. (*It is the requirement that the driver have a CDL that triggers drug testing, not merely the coincidence that the driver has that license.*) And, drivers of a CFV are expressly exempted from drug and alcohol testing.

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Overview of Drug & Alcohol Testing Requirements

<http://www.fmcsa.dot.gov/rules-regulations/topics/drug/engtesting.htm>

Medical Card

Requirement [49 CFR 391.1]

Drivers of commercial vehicles generally must undergo a DOT driver physical once every two years and carry a card (unless it is registered in CDLIS) signed by the examining physician indicating he/she is physically qualified to drive a commercial motor vehicle.

With some exceptions, a medical card must be obtained by a driver if they:

- Operate a commercial vehicle with a gross vehicle weight rating (GVWR) or a gross combination weight rating (GCWR) of 10,001 pounds or more in a commercial enterprise (*includes farming*); or
- Operate a passenger vehicle designed to transport 16 or more passengers—8 or more if for-hire—including the driver; or
- Operate a vehicle required by federal regulations to be placarded while transporting hazardous materials.

[Note: This definition of "Commercial Vehicle" differs from that used for the CDL.]

Farm Exemption and the CFV [49 CFR 391.2(d)]

Drivers operating a CFV are exempt from the requirement to have a Medical Card. Specifically, the exemption is from the rules in Part 391, Subpart E.

Hours of Service

Requirement [49 CFR 395]

Generally, drivers of a CMV are subject to limitations on the number of hours they may operate a CMV in any given day or week.

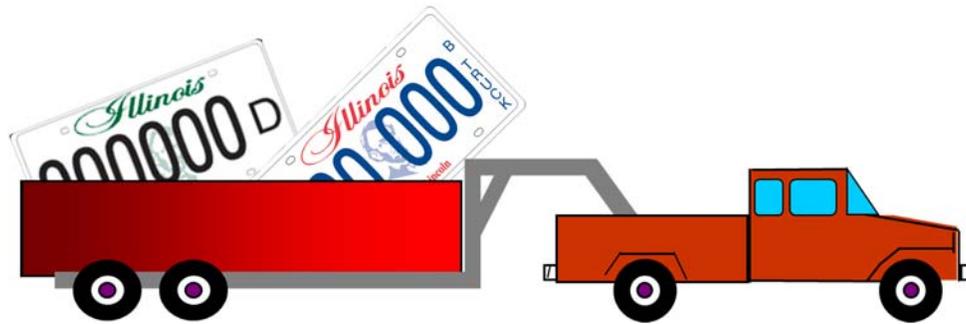
Farm Exemption and the CFV [49 CFR 395.1(s)]

Drivers operating a CFV are exempt from the limitations on hours of service, including the maintenance of a log book. This is in addition to the more general, seasonal exemption for haulers of agricultural products that is also available to farmers.

More Information

- Illinois Farm Bureau® 309-557-3274 www.ilfb.org
- Illinois State Police 217-782-6267
<http://www.isp.state.il.us/>
- Illinois Dept. of Transportation 217-785-1181
(Medical Card and Drug Testing)
<http://www.dot.state.il.us/tpublic.html#truckers>
- Secretary of State 217-524-1350
[CDL Study Guide](http://www.sos.state.il.us/)—Available at SOS driver facilities—
<http://www.sos.state.il.us/>

CFV DESIGNATION



Illinois requires that both the truck and the trailer be registered for “farm” license plates. For small trucks (pickups and duallys) that can pose a problem. The smallest available farm plate is the “VF” for up to 16,000 pounds. But there is a work-around. Owners of small trucks registered for either a “B” or “D” license plate may instead purchase a \$10 Covered Farm Vehicle (CFV) designation that serves in lieu of the farm plate. That designation for the truck—along with a farm plate on the trailer—will satisfy the CFV’s requirement that both the truck and trailer be farm-plated.

Trailers: When operating a truck and trailer combination, Illinois law generally requires that both the truck and the trailer display a “farm” license plate in order to qualify as a CFV.

Exceptions: Semi-trailers are allowed to use the standard “ST” semi-trailer plate, so long as the truck-tractor is farm-plated. When operating a truck pulling an implement of husbandry, only the truck needs to have the “farm” license plate (or in the case of “B” or “D”-plated trucks, the registered CFV Designation) in order to satisfy the “farm” registration requirement for the CFV.

Pickups and Duallys (“B” and “D” plates): Illinois’ smallest “farm” plate is the “VF” at 16,000 pounds. That’s far larger than typically necessary for a pickup truck or dually. Instead, in order to qualify for the CFV designation, these smaller trucks may be registered with a standard “B” or “D” license plate with an added (\$10) CFV designation. That designation—plus a “farm” plate on the trailer—will satisfy the “farm” registration requirement for that combination vehicle. When not operating as a CFV, these trucks may be used as any other “B” or “D”-plated truck, including non-farm business and personal use.

How to Apply: Application for the CFV Designation may be done through the Secretary of State’s local driver services facilities. The form on the back of this page (current as of February 2, 2017) is the form you’ll need to complete.

To ensure you use the most current version of the form, download it from:

http://www.cyberdriveillinois.com/publications/pdf_publications/vsd878.pdf

Fees: The annual fee for this designation is \$10 and runs concurrent with the vehicle’s registration year. It will be automatically renewed each year, unless you request to have it stopped. This fee is over and above the standard fee for the “B” or “D” license.

Registration Cycle: If applying during the truck’s registration year, you’ll have to carry paperwork documenting the designation. However, if applying at the normal time of registration renewal—and upon automatic renewal—the CFV Designation will be printed directly on the vehicle’s registration card, eliminating the need for extra documentation.

Don’t forget, you’ll still need to meet the other five conditions of the CFV exemption to qualify.

(See pages 3 and 7 in this booklet.)



Secretary of State Covered Farm Vehicle Application

**This space for use by
Secretary of State**
NOT VALID WITHOUT VALIDATION SHOWN IN THIS AREA
BELOW

**Secretary of State
Vehicle Services Department
Commercial & Farm Truck Division
501 S. Second St., Rm. 300
Springfield, IL 62756
217-785-1810
www.cyberdriveillinois.com**

Under provisions of the Illinois Vehicle Code, vehicles registering at 12,000 pounds (625 ILCS 5/3-815) flat weight or Mileage Weight Tax (625 ILCS 5/3-818) may submit an additional \$10 surcharge fee and be designated as a "Covered Farm Vehicle" as defined within the Illinois Vehicle Code (625 ILCS 18b-101).

I/we hereby apply for the designation of a "Covered Farm Vehicle" under the applicant/registrant name(s) and vehicle information as shown below. I/we are aware of the statutory limitations of usage for this vehicle while being operated as a Covered Farm Vehicle as defined within the Illinois Vehicle Code, (625 ILCS 5/et.al). I/we agree that we will abide by all statutes, rules and regulations governing said vehicle at all times while in operation. If in the event the covered vehicle is registered with Mileage Weight Tax Registration Plates, I/we are aware that the plates cannot be operated outside the State of Illinois. I/we affirm that the information provided is true and correct.

| | | | |
|---------------------------------------|---------------|--------------------------------------|--|
| Applicant Name/Registrant Name(s): | | Illinois License Plate Number: | |
| Applicant Address/Registrant Address: | | County: | |
| City: | IL | ZIP Code: | |
| Contact Name: | | Contact Phone Number: | |
| Vehicle Year: | Vehicle Make: | Vehicle Identification Number (VIN): | |
| Applicant/Registrant Signature(s): | | Date Signed: | |
| X _____ | | _____ | |
| X _____ | | _____ | |

Covered Farm Vehicle Fee may only be applied to flat weight or Mileage Weight Tax registration plates at 12,000 pounds or less (B-D-MD plates). Other plates are not eligible for this designation or the benefits or registration thereof.

THIS VALIDATED APPLICATION MUST BE CARRIED IN THE DESCRIBED VEHICLE TO RECEIVE THE BENEFITS OF REGISTRATION AS A COVERED FARM VEHICLE.

INSTRUCTIONS TO FACILITY AT VALIDATION:

1. Make a copy of this completed form after validation (or validate both copies).
2. Original form returned to applicant - a copy to be retained for facility transmission.

| | | | |
|---|--------------------------------------|--|--------|
| This area for office use only. | | | |
| <input type="checkbox"/> ID Checked | <input type="checkbox"/> CRT Checked | <input type="checkbox"/> New Registration Issued | Plate# |
| _____ | | | |
| Verified by: _____ | | Plate Expiration: _____ | |
| \$10 Fee Paid (circle One): <input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Money Order <input type="checkbox"/> Other | | | |

DOT PHYSICAL CERTIFICATION



Every holder of a CDL—whether required to have the CDL or not—must certify their status regarding the DOT physical (medical card) to the Illinois Secretary of State. This links the DOT physical to the CDL. CDL drivers who fail to certify could lose their CDL privileges. This certification does not alter the requirements or exemptions that apply to the DOT physical, either for the Farm Vehicle Driver or the Covered Farm Vehicle.

CDL holders must comply

All drivers who have a CDL (whether you are required to have that CDL or not) had to appear in-person at one of [47 CDL testing facilities](#) to affirm whether they are required to have passed a recent DOT physical and whether they drive on an interstate or intrastate basis. Generally, those interstate drivers who are required by law to undergo a DOT physical had to have proof of compliance in-hand at the time of that visit.

This requirement kicked in January 30, 2012. Now, CDL drivers need to repeat the process every time their DOT physical is renewed.

Failure to comply will result in the driver's CDL status being reduced to Non-CDL. There will likely be a 30-day grace period in which to reclaim your CDL through certification. If not certified within the grace period, the CDL could be permanently forfeited and you'd need to start from scratch to get a new one.

Requirement to Carry Medical Card

All drivers required to undergo a DOT physical must continue to carry a medical card with them unless they have been certified as "NI" (non-exempt interstate.) Those NI drivers may now leave their medical cards at home—their medical card record is included in the federal electronic database for CDL drivers known as CDLIS.

Farmers are included

The requirement to certify the status of the DOT physical applies to farmers and non-farmers alike—all who have a CDL. Whether you're required to have the CDL is not the determining factor. Drivers without a CDL are not affected.

| Applies only to drivers who have a CDL | | |
|---|---------------------|---------------------|
| | Interstate Commerce | Intrastate Commerce |
| Medical Card Required | NI | NA |
| Excepted from Medical Card | EI | EA |
| Update before medical card expires | | |
| <i>Generally, the driver is being asked two questions: — 1) Are you an interstate or intrastate driver?; and, — 2) Are you required to have a medical card?</i> | | |

Why the certification?

It makes the medical record a part of the federal electronic database on CDL drivers known as CDLIS (Commercial Driver's License Information System.) For "NI" drivers, it eliminates the need to carry a medical card, relying instead on the electronic record.

What is a medical card?

It's a document (typically wallet-sized) that has been signed by a qualified medical professional indicating that the driver has passed a [DOT Physical](#) and is generally physically qualified (under federal law) to drive a truck.

That DOT physical looks at a specified set conditions including such things as eyesight and hearing, range of motion in joints, loss of limbs, and the presence of potentially debilitating disorders such as diabetes or seizures. While most physicians are medically qualified to conduct the physical, not all offer the service. Special examination [forms](#) are available online.

Medical examiner certification?

Since May 20, 2014, interstate drivers are allowed to use only those examiners who are USDOT certified to give the DOT physical. The restriction significantly cuts the availability of the service—especially in sparsely populated areas of the state.

Exceptions from the DOT physical

Federal law [\[49 CFR 391\]](#) (and Illinois law) generally starts from the premise that virtually everyone who drives a truck or a truck-trailer combination of 10,001 pounds or more in commerce (including farming) is subject to the requirement. **Then it lists exceptions.** In this case there are two exceptions for farmers.

#1 Certain farm vehicle drivers (FVD). Generally, this exception is available only to a sub-set of those drivers who qualify as a FVD. That sub-set includes only those operating a straight truck. FVD drivers who operate a combination vehicle (i.e.: truck-trailer combination or a semi) are not eligible for this exception.

#2 Covered farm vehicles (CFV). This one is very simple. It applies the exception from the DOT physical to all drivers who operate a CFV, whether straight truck or a combination vehicle.

The driver is to self-certify

It is up to the driver to make his or her own decision about which category to declare. The Secretary of State's staff has been instructed to not make that decision for the driver. There are four categories from which to choose.

- 1. Non-excepted Interstate (NI)** – Drive on an interstate basis and meet 49 CFR 391 requirements (must have a medical certificate—must provide the state's Driver's License Agency with an original Copy of the Medical Certificate);
- 2. Excepted Interstate (EI)** - Drive on an interstate basis and excepted from 49 CFR 391 requirements (does not need medical certificate to drive interstate)
- 3. Non-excepted Intrastate (NA)** - Drive on an intrastate basis and subject to State medical card requirements as in law today.
- 4. Excepted Intrastate (EA)** - Drive on an intrastate basis and excepted from all or part of State medical card requirements.

(Refer also to chart on front page.)

If your driver status changes, you must notify the Secretary of State immediately.

Interstate v Intrastate

Your operation can be considered trucking in “interstate commerce” in either of two ways. Crossing the state line is clearly an interstate move. However, traveling point-to-point within the State of Illinois is also considered interstate commerce if the load you’re hauling is part of an interstate shipment (generally, cargo that originates in one state and is ultimately destined for another state or country.)

- If you operate in interstate commerce then report yourself as an Interstate Driver by selecting either “NI” or “EI”.
- If you operate in intrastate commerce, then report yourself as an Intrastate Driver by selecting either “NA” or “EA”.

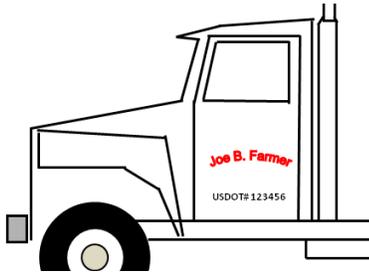
“K” Restriction

If you have declared yourself to be an intrastate-only driver (“NA” or “EA”), then a “K” restriction will be added to your CDL. That prohibits the use of your CDL for operating a truck outside the state of Illinois.

*This document prepared
and provided by:*



USDOT NUMBER AND THE UCR



When the federal UCR (Unified Carrier Registration) debuted in 2007, it swept up private carriers—including farmers—in its registration and payment requirements. A pre-requisite of the UCR is registration for the USDOT Number. Today, the vast majority of Illinois farmers find their farm trucking operations subject to both USDOT and UCR registrations. The requirement is triggered by the “interstate commerce” nature of most farm-to-market deliveries. This document will help sort out the conditions for, and the process of, registration.

1. Do these rules apply to Farmers?

Yes, if the farmer operates a commercial vehicle in interstate commerce. There is no farmer exemption from the UCR or USDOT Number.

2. What are these programs for?

The UCR is a fee collection system. The fees associated with the Unified Carrier Registration (UCR) are used by states to enforce “safety” (Motor Carrier Safety Regulations) and “fitness” (insurance) regulations.

The USDOT Number is a federal identification system. The registration of carriers (under the USDOT Number program) and the marking of vehicles allows enforcement agencies to track all vehicles operated by an individual carrier in order to establish the safety record for the carrier’s entire fleet.

3. Who is subject to the UCR and USDOT Number?

Regulated for-hire motor carriers and unregulated private and exempt carriers, as well as brokers, freight forwarders, and leasing companies who operate commercial vehicles in interstate commerce are all required to register and pay fees.

4. Who is not subject to them?

Purely intrastate motor carriers are not subject to either. States that participate in UCR can elect to extend the requirements of UCR to their intrastate carrier population. Illinois has chosen not to.

5. How do I figure out if I have to register my operation under either program?

You are required to register if your operation includes at least one vehicle that meets both of the following two conditions:

If you need a USDOT Number, you will also need the UCR.

A. It must be a “commercial vehicle”.

That has nothing to do with for-hire hauling. Instead, it is generally based on the vehicle’s size. Virtually every farm truck and truck/trailer combination is considered a “commercial vehicle.”

For purposes of the UCR and the USDOT Number registration, a commercial vehicle is one vehicle or a combination of vehicles that is operated in commerce (includes farming) and has a gross vehicle weight rating (GVWR) of

at least 10,001 pounds or, in the case of a passenger vehicle, is one built to carry 9 or more persons (for hire) or 16 or more persons (not for hire), including the driver. It also includes a vehicle that transports hazardous materials in a quantity that requires the vehicle to be placarded.

B. It must be used in “interstate commerce”.

Federal regulations define it as follows [49CFR390.5]:

Interstate commerce means trade, traffic, or transportation in the United States—

(1) Between a place in a State and a place outside of such State (including a place outside of the United States);

(2) Between two places in a State through another State or a place outside of the United States; or

(Continued on page 2)

(Continued from page 1)

(3) Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the United States

Farming is commerce (you're trying to make a buck), so that part is easy. The more difficult distinction is whether the truck is operated in "interstate commerce."

Your operation can be considered "interstate commerce" in either of two ways. Crossing the state line is clearly an interstate move. However, traveling point-to-point within the State of Illinois is also considered interstate commerce if the load you're hauling is part of an interstate shipment (generally, cargo that originates in one state and is ultimately destined for another state or country.)

6. What is the government's current policy on enforcement?

Since May of 2012, the FMCSA enforcement policy on farm-to-market deliveries within the state of Illinois has looked at four conditions. It is intended to minimize the applicability of the USDOT number registration requirements by applying enforcement only in situations where commerce is indisputably interstate in nature.

For purposes of enforcing the USDOT number, farm-to-market deliveries originating in Illinois are treated as "interstate commerce" (requiring registration) only if the receiving market facility:

- Is located outside of Illinois;
- Is a river terminal with barge loading capability;
- Has unit train loading capability (≈ 60 cars); or,
- Is an intermodal container aggregator and/or shipper.

Generally, deliveries to all other in-state markets will be treated as intrastate shipments for purposes of the USDOT number registration. However, the FMCSA reserves the right to consider each facility on a case-by-case basis to ascertain its interstate status.

7. I don't really have a commercial truck, just a "farm"-plated truck.

In this case, the term "commercial" has nothing to do with the license plate or "for-hire" hauling. For purposes of the UCR and the USDOT Number, a farm truck is considered "commercial" generally based on its size. If it is over 10,000 pounds GVWR or a combination vehicle (truck & trailer) with a GCWR over 10,000 pounds, it's commercial. A "farm" license plate does not determine the commercial or non-commercial status.

8. What if I haul to an ethanol plant or soybean processor in Illinois that ships processed product out of state?

Generally, your portion of that move would be considered intrastate commerce, not interstate commerce. The reason is, the raw commodity (e.g.: corn or soybeans) traversed an intrastate route and would be transformed into some other product (i.e.: ethanol, DDGs, soybean oil or meal) before moving out of state. In this case, the interstate commerce "map" is reset from the point where the original cargo is processed.

9. Does the UCR replace the USDOT Number?

No. The UCR is in addition to the USDOT Number registration. The USDOT Number is an identification system. The UCR is a fee collection system. Because they both use the same trigger mechanism, if you need one registration you'll also need the other.

10. Are there fees associated with registration?

Currently, there is no charge to register for a USDOT Number. There has always been a fee for the UCR. For motor carriers, the fee is based on the total number of commercial motor vehicles operated in interstate commerce. (They differ for brokers and freight forwarders.)

Fees: The fees for 2018 and 2019 have changed from the prior year and are listed below. The fees apply only to power units, not to trailers:

| | <u>2018</u> | <u>2019</u> |
|---------------------|-------------|-------------|
| • 0-2 Vehicles | \$69 | \$73 |
| • 3-5 Vehicles | \$206 | \$217 |
| • 6-20 Vehicles | \$410 | \$431 |
| • 21-100 Vehicles | \$1,431 | \$1,503 |
| • 101-1000 Vehicles | \$6,820 | \$7165 |
| • 1001 or more | \$66,597 | \$69,971 |

11. How is the number of vehicles counted?

Count only the power units, not the trailers. Typically, use the number of commercial vehicles operated in interstate commerce in the 12-month period ending June 30 of the prior year or the number entered on form MCS-150 when first applying for the USDOT Number.

(Continued on page 3)

(Continued from page 2)

12. Is there a credential for carriers under the UCR?

No. Unlike the USDOT Number, the UCR does not require its information to be displayed on the vehicle nor is there any UCR paperwork to carry with the vehicle.

Section 4306, of the enacting legislation includes a general federal prohibition against State requirements for interstate motor carriers to display any credentials in or on a commercial motor vehicle. Although there are a number of exceptions to this general prohibition, none applies to the UCR. The implication is that Congress did not intend for there to be any UCR credentialing.

13. What about credentials for the USDOT Number?

The USDOT Number registration requires that commercial vehicles be marked with the legal name, or a single trade name, of the business entity that owns or controls the motor carrier operation. City and state are not required to be displayed, but are allowed.

14. How do I register for the UCR?

You may register online or use a paper form. Both methods are available through the Illinois Commerce Commission (ICC). Illinois' UCR form and instructions are available on the ICC website. You may simply print out the blank form and complete it by hand, writing your responses on the paper form. Available at: <http://www.icc.illinois.gov/motorcarrier/ucr.aspx>.

Once completed, either:

- mail it in along with your check payable to the ICC or
- fax it back to the ICC at 217-785-1448 and make payment using VISA or MasterCard.

Online UCR registration is now available at: <https://icc.illinois.gov/motorcarrier/ucr.aspx>

Online UCR registration is also available to Illinois carriers through the Indiana Department of Revenue at: <https://www.ucr.in.gov/ucrHome.html>

15. If I need the UCR, will I need the USDOT Number, too?

Yes. In fact, you will be required to have the USDOT Number before registering for the UCR.

[See the end of this document for additional information.]

16. I'm just getting started in interstate hauling, what can I expect under the UCR and USDOT Number programs?

Motor carriers who are new entrants into interstate commerce should register under both the USDOT Number and UCR programs before they begin operations in interstate commerce.

Under a Congressional requirement stemming from the 9/11 terrorist incident, first-time applicants for a USDOT Number from the federal government will undergo a new-entrant safety assurance audit within 12 months of their application. In Illinois, that audit will likely take place between 4 to 10 months from the time of application.

All first-time carrier applicants for a USDOT Number will be automatically enrolled in the FMCSA New Entrant Safety Assurance Program. This program requires new entrants to pass a safety audit and maintain acceptable roadside safety performance over an initial 18-month period before they are given permanent registration status. [FMCSA]

**You may reach
the Illinois
Commerce
Commission by
calling
217-782-4654**

17. What is a New-Entrant Audit and how will it be conducted?

Formerly conducted on site, these reviews are now done remotely. This "audit" is formally known as a New Entrant Safety Assurance Program Review. USDOT auditors—or IDOT auditors working on behalf of the federal government—will notify the carrier of a pending review and arrange to have the carrier provide records required to be kept under Federal Motor Carrier Safety Regulations regarding the carrier's safety management system. Those records can include but are not limited to:

- Driver Qualifications;
- Driver Duty Status;
- Vehicle Maintenance;
- Accident Register; and
- Controlled Substances and Alcohol use and testing requirements (where applicable).

Illinois farmers who have undergone a new-entrant review report it to be more of an educational experience than a regulatory enforcement. Serious violations, however, could result in fines or penalties or a loss of interstate operating authority. New entrants will most often be given 30 to 60 days to correct any shortcomings.

All carriers—new and established—are subject to a "Compliance Review" (another form of audit) at any time.

(Continued on page 4)

(Continued from page 3)

18. As a new-entrant carrier, do I get a break on first year fees?

No. Fees for the UCR are not prorated. Carriers newly-entering interstate commerce late in the calendar year will owe the same fee as those who registered early.

Since new entrants don't have a prior year's experience on which to base the number of interstate vehicles in their fleet (needed to calculate the UCR fee), they can instead base that number on the count used to complete form MCS-150—the form used to obtain the USDOT Number. That form asks for "The number of vehicles that will be operated in the U.S."

19. What About Farm Wagons?

A farm wagon weighing up to 36,000# GVW in Illinois is considered to be an "implement of husbandry." Implements of husbandry are not subject to either the UCR or USDOT Number registration requirement. However, trucks used to pull wagons are regulated by these programs.

20. How to display the USDOT Number [390.21]

The following information must be displayed on both sides of each commercial power unit (not trailers) operated by the carrier:

- The legal name, or a single trade name, of the business entity that owns or controls the motor carrier operation. (Match that used on [Form MCS-150](#).)
- The motor carrier identification number issued by the FMCSA, preceded by the letters "USDOT".
- In letters that contrast with background and are legible from 50 feet in daylight.
- May be painted on or included on an attached sign.
- City, state and address are optional

BIENNIAL UPDATE OF USDOT NUMBER INFO

*Every holder of a USDOT Number must update their information every two years by filing form MCS-150—even if there have been no changes. If the next-to-the-last digit in your assigned number is even, then file in even numbered years; if odd, file in odd-numbered years. The last digit of your assigned number will dictate the month:
1=January; 2=February; 3=March; 4=April; 5=May
6=June; 7=July; 8=August; 9=September; and
0=October. There can be a penalty for failing to complete that update.*

MORE INFORMATION

USDOT Number

To determine whether the USDOT Number is required of you, visit: <http://www.fmcsa.dot.gov/registration/do-i-need-usdot-number>

More information about the USDOT Number is available by calling 1-800-832-5660 or on the USDOT website at <http://www.fmcsa.dot.gov/forms/forms.htm> Registration can be completed instantly online. Paper-based registration is available, but can take three weeks to complete.

FEDERAL MOTOR CARRIER SAFETY ADMIN.
3250 Executive Park Drive
Springfield, IL 62615
-- Phone: 217-492-4608 or 800-832-5660

UCR

To register or for more information about the UCR program in Illinois visit the Illinois Commerce Commission website at: <https://icc.illinois.gov/motorcarrier/ucr.aspx>

Contact:

ILLINOIS COMMERCE COMMISSION
527 East Capitol Avenue
Springfield, IL 62701
— Phone: 217-782-2593
— Fax: 217-785-1448

DOT Audits

New-Entrant Safety Assurance Program

For more information about the DOT audit program in Illinois, contact:

ILLINOIS DEPARTMENT OF TRANSPORTATION
COMMERCIAL VEHICLE SAFETY SECTION
1340 North 9th Street
PO Box 19212,
Springfield, IL 62794-9212
-- Phone: 217-785-1181

For information about what is included in a Compliance Review visit <https://www.fmcsa.dot.gov/safety/new-entrant-safety-assurance-program>

THIS DOCUMENT

This and other transportation-related documents are available in pdf format on the Illinois Farm Bureau® website at <http://www.ilfb.org>. Follow the menu to *Issues/IFB Current Issues/Transportation*.

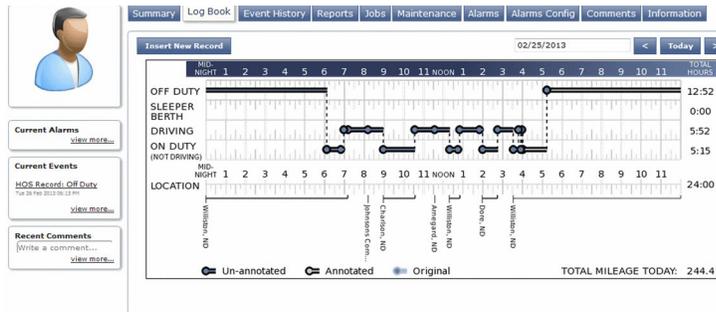
ILLINOIS FARM BUREAU CONTACTS

Kevin Rund -- krund@iflb.org
— Phone: 309-557-3274

Kirby Wagner—kwagner@iflb.org
— Phone: 309-557-3662



HOURS OF SERVICE



State and federal regulations typically restrict the number of hours an individual may operate a CMV in any day or in any 7- or 8-day period. Farmers and those hauling agricultural products or supplies receive special dispensation from much of those rules. That generally makes the need for electronic logging a non-issue in the ag community. If you are required to maintain a log, then this publication is not for you. This piece focuses on the exemptions from the Hours of Service restrictions for the farm community.

General Concepts

The overall concept of Hours of Service (HOS) regulations is to limit the time a driver may work in any given day or in any given 7- or 8-day period, in order to prevent that individual from being over-tired when operating a commercial motor vehicle (CMV). [\[49 CFR 395\]](#)

To do that, HOS regulations limit the number of hours a driver may be “on duty” and the number of hours an individual may drive a CMV. Those are two separate limits.

It’s important to note that on-duty time includes not only those hours spent driving, but generally all hours spent on the job for an employer—including the self-employed.

So, those hours spent loading and unloading, doing paperwork, servicing the truck or doing any other task on behalf of the employer count against the limited number of on-duty hours available to the driver.

For farmers and farm employees, those on-duty hours include fieldwork and choring, even though they have nothing to do with driving a truck.

The drive time (generally 10 or 11 hours) can be used anytime during the on-duty time (generally 12 or 14 hours). Once either the drive time or the on-duty time has expired for an individual, that person may no longer drive but they can continue to work at other tasks unrelated to the vehicle. To reset drive time and on-duty time limits, the individual will (generally) have to be off-duty for a least 10 consecutive hours.

To track that time, most drivers of a CMV have to maintain what is commonly called a “log book”. In regulatory speak, it’s known as the “Driver’s Record of Duty Status” (RODS). Up ‘till now, that’s generally been paper-based. But today, most over-the-road CMVs must be equipped with an ELD (electronic logging device.)

Because farmers typically spend most of their on-duty time in labors other than driving a truck—and because of the spikes in seasonal demands associated with farming—regulators have cut farmers some slack when it comes to HOS. In fact, they’ve provided quite a lot of slack.

Exemptions

Farmers can take advantage of exemptions from HOS regulations in several different ways:

- Short-haul operations [\[49 CFR 395.1\(e\)\]](#)
- Agriculture exemption [\[49 CFR 395.1\(k\)\]](#) and [\[IL Admin Code, Title 92 Section 395.1000 b\)\]](#)
- Covered Farm Vehicle exemption [\[49 CFR 395.1\(s\)\]](#)
- ELD exemptions

Short-haul Exemption

Designed for local delivery operations and applicable to all drivers—including farmers—this exemption excuses the driver from maintaining a log book. It does not excuse the driver from the limited number of on-duty or drive time hours.

Generally, if the driver stays within a 100 air-mile radius interstate, and 150 air-mile radius intrastate, of the work reporting location and is released from work within 12 consecutive hours, then that driver will not need to log that time. They will, however, still need to “punch a time clock” and maintain a record of hours on duty.

Farmers, who most often drive short trips, can take advantage of this exemption from logging.

Agricultural Exemption

This provides an exemption from both logging and the restrictions for on-duty time. It applies not just to farmers, but to anyone who hauls agricultural products or supplies. There are three major restrictions associated with this exemption:

- Travel is limited to locations within 150 air-miles of the source;

(Continued on page 2)

- The exemption applies only during planting and harvesting periods (as determined by the State.) ;and
- The exemption for the transportation of farm supplies is limited to movements from wholesale to retail and from a wholesale or retail distribution point to the farm. There is no exemption when farm supplies are moved from a farm to another point. Commodities may be hauled from the farm to any point within the 150-mile radius.

In Illinois—being a major ag state—the **planting and harvesting period** is liberally defined as: January 1 through December 31. In other words, the exemption applies year-round.

Farm supplies are defined to encompass virtually all inputs, including but not limited to: fertilizer, fuel, seed, chemicals, equipment, etc. — anything that is “directly related to the growing or harvesting of agricultural commodities.” The intrastate waiver is broader than its interstate component.

Covered Farm Vehicle Exemption

This third exemption from HOS regulations applies only to farmers and their employees. Within that group, only those who operate a Covered Farm Vehicle (CFV) may take advantage of it.

To be considered a CFV, it must meet six conditions:

1. Farmer, family member or employee
2. Hauling only for the farm
3. Not hauling for hire
4. Range (varies by vehicle size)
5. Registered with a “farm” license plate
6. Not required to be placarded

For a more complete discussion of these six conditions, see the “[FVD vs CFV](#)” document elsewhere in this booklet and on Illinois Farm Bureau’s website: www.ilfb.org.

This one is, again, a complete exemption from the HOS regulations. It does, of course, have the six limitations associated with what it takes to qualify as the operator of a CFV.

Electronic Logging Device (ELD)

The rule of thumb is, if the driver is not required to maintain a logbook, then he/she is not required to use an ELD. But even a few drivers who are required to log their time behind the wheel can be excused from doing it electronically.

The ELD requirement, logically, applies only where the driver is required to maintain a log* of the time spent operating a truck. That requirement falls within state and federal regulations known broadly as “Hours of Service” regulations, or “HOS” for short [\[49 CFR 395\]](#). So, if a farmer is exempt from HOS, or simply from the requirement to maintain a log, then he/she is also exempt from the requirement to use an ELD. There are three levels of exemption:

In the following situations, the driver is **excused from the requirement to use an ELD**, but must still maintain a paper log:

- Operating a vehicle with an engine manufactured prior to model year 2000—within 150 miles
- Driving a truck not more than 8 days during any 30-day period

In the following situations, the driver is **excused from having to maintain a log**, but remains subject to time restrictions:

- Short-Haul operators (100 miles interstate, 150 miles intrastate) when driver reports and returns to work reporting location within 12 consecutive hours. Must keep time records (“punch a clock”) at work location. (as mentioned above)
- Driving a vehicle that does not require a CDL (Recordkeeping requirements along with time and distance limits apply.) [\[49 CFR 395.1\(e\)\(2\)\]](#)

In the following situations, the driver is generally **exempt from all HOS restrictions** and requirements:

- Seasonal Agricultural Exemption (applies year-round in Illinois, within a 150-mile limit), (as mentioned above)
- Covered Farm Vehicle (CFV) drivers (as mentioned above)

Things to Come:

Those that haul livestock and insects are excused from ELD requirements until 9/30/18.

Legislation has been introduced at the federal level to further delay for one year the implementation of ELD regulations for those that haul livestock and insects.

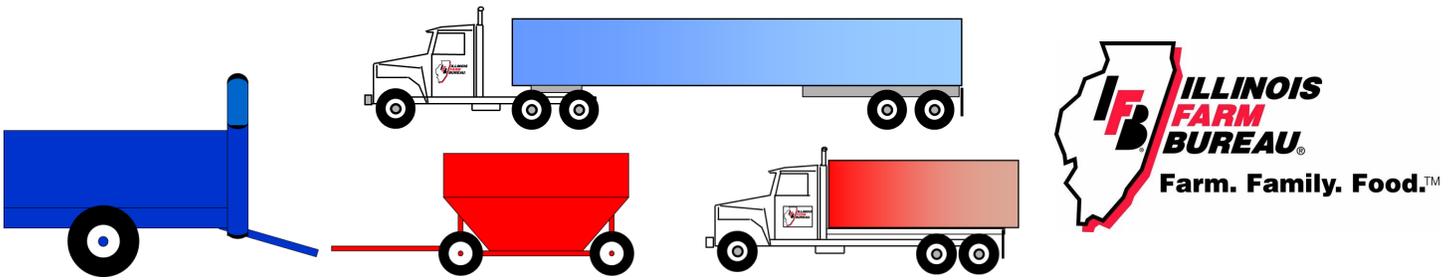
Legislation has also been introduced to establish a group to evaluate HOS regulations and their impact on agriculture.

Watch for HOS changes in the coming months that may impact your farming operation.

This document
prepared and
provided by:



SIZE & WEIGHT LIMITS



All roads in Illinois have standardized weight limits based on what is called the Federal Bridge Formula. That formula establishes both a gross weight limit and an axle weight limit for roads and bridges. The formula varies the allowable gross weight based on axle spacing. But allowable weights can also be influenced by reduced weight limit postings, license plate limits, manufacturers' weight ratings of equipment, and more. Allowable dimensions of vehicles, too, are generally restricted and must be heeded when on public roads.

Size & Weight Limits [\[625 ILCS 5/15-111\]](#)

- The allowable width, height and weight of trucks and trailers operating in Illinois is based on uniform standards, but can vary by road system if restrictions are posted. Allowable lengths vary.
- **Federal bridge formula** allows 20,000# per single axle, 34,000# per tandem axle, and 80,000# maximum gross vehicle weight (GVW.)
- The **number** of axles and their **spacing** determines the allowable gross weight.
- **Width** limit is 102 inches on all roads unless a narrower restriction is posted.
- **Length (semi)**
 - ♦ Class I & II routes: overall unlimited; trailer 53'
 - ♦ All Other Routes: overall 65'; trailer 53'
- A **tandem axle** is defined as any two or more single axles whose centers are more than 40 inches and not more than 96 inches apart (*on-centers*.)
- The **registered** (*licensed*) weight of the vehicle also imposes an enforceable weight restriction.

For information on the allowable dimension and weight of trucks and trailers operating on state and local roads in Illinois check the IDOT website at <http://www.idot.illinois.gov/assets/uploads/files/idot-forms/oper/oper%20753.pdf>

License Plates

Single trucks must be registered (*licensed*) to cover the gross weight of vehicle and its load.

When trucks and trailers are used in combination, it is not necessary to have the license plate on each vehicle cover the weight carried by that individual vehicle. Illinois' "marriage of licenses" provision means that when two licensed vehicles are used in combination, the sum of their

licensed weights must meet or exceed the sum of their gross weights. [\[625 ILCS 5/3-401\(c-1\)\(3\)\]](#)

Designated Routes

There are three classes of designated routes:

- **Class I** – Interstate-type routes, allows some vehicles longer than on Class II routes;
- **Class II** – Generally, major state highways, allows some vehicles longer than on Class III or on non-designated routes;
- **Class III** – [Local roads only] Allows longer combination vehicles than otherwise allowed.

The "Class III" designation is no longer used on State routes, but local jurisdictions may choose to. For that local designation to be effective, signs must be posted showing the route to be Class II or Class III.

Scale Program

- The Illinois State Police and IDOT jointly operate semi-portable scales among 21 state police districts.
- Many state troopers carry portable ("pancake" or "wheel load weigher") scales in their squad cars.
- There are approximately 32 [permanent scale sites](#) operated by the State of Illinois.
- An IDOT team is generally assigned to a state police district for five days per week and assists officers by setting up the scale. The officer-in-charge determines a scale's location, and the police enforce weight regulations, not IDOT staff.
- IDOT's portable and semi-portable scales are re-calibrated by IDOA two times each year – twice as often as required of commercial scales.

Tolerance [\[625 ILCS 5/15-112\(e\)\]](#)

- State law provides a "tolerance" for vehicle overweight

to accommodate uncertainties in loading.

- Vehicles registered for **73,280# or less** are allowed a 2,000# tolerance for axle weight and a 2,000# tolerance for gross weight.
- Vehicles registered for **more than 73,280#** are allowed a 2,000# tolerance for axle weight but only 1,000# for gross weight. The gross weight tolerance jumps to 2,000# when weighed on portable scales.
- Tolerance does **not** apply to the registered (*licensed*) weight of the vehicle.
- If overweight but within the tolerance, the vehicle must be parked so the weight can be shifted or removed. Once within legal limits, the vehicle will be allowed to proceed and no overweight ticket will be issued.

Drivers' Rights

- A police officer checking a truck's weight may direct the driver to the nearest available scale certified by the Illinois Department of Agriculture. [[625 ILCS 5/15-112](#)]
- State Police generally favor using state-owned scales. The driver may request, but not demand, an alternate location.
- Portable and semi-portable scales should be placed in a location that does not present a traffic hazard and that is relatively level and firm. Up to a 3% grade is generally within the scale's tolerance but in no case should the vehicle roll due to the slope of the scale.
- The vehicle's brakes should not be applied and no on-board mixing equipment should be operating while being weighed.
- Accumulations of mud, snow and ice generally may be removed from the outside of the vehicle before it is weighed, but not once on the scale.

Fines [[625 ILCS 5/15-113](#)]

- When police issue an overweight citation, the driver generally will not be allowed to move the vehicle until bond is posted in the amount of the fine (perishable loads may be excepted.)
- The circuit clerk in each county usually determines the form of acceptable bond. Most accept some form of certified check or money order, but not all accept personal checks or even cash.
- Generally, fines start at about \$70 per 500# overweight for lesser violations and incrementally increase. For overweight violations of 5,001# or more, the fine is \$1,500 plus \$150 for each additional 500# or portion thereof.
- These fines are double what they were prior to 2010.

Permits [[625 ILCS 5/15-301](#)]

- All permits for overweight or over-dimension should be

obtained in writing.

- Each road jurisdiction issues its own permits – no jurisdiction may issue permits for another without prior intergovernmental agreement.
- Overweight permits for gross weights are generally available only for “non-divisible” loads, (*i.e.: large equipment or construction components than cannot readily be disassembled.*) State law generally does not allow road officials to issue permits for “divisible” loads such as grain or livestock, except under a Harvest Season Emergency.
- Overweight axle permits are available to farmers operating trucks hauling grain, livestock, fruits and vegetables, or ensilage. This allows the axle(s) to exceed standard weight limits by:
 - ◆ 2-axle truck = 35%
 - ◆ 3-axle truck = 20%
 - ◆ 4-axle truck = 20%
 - ◆ 5-axle truck = 10%

It does **not** allow additional **gross** weight and it does **not** allow weights in excess of the registered (*licensed*) weight. This permit is not available for Interstate highways. [[625 ILCS 5/15-301\(e\)](#)]

The State's permit form for hauling ag products is available at:

<https://truckpermits.dot.illinois.gov/>. All oversize/overweight permits from IDOT must be applied for electronically.

Each local jurisdiction will supply its' own form. A sample form for townships' Axle Overweight Permit is available on the *Township Officials of Illinois* website at:

<http://www.toi.org/Resources/Download-Center.aspx>

Not all townships will use this form—check locally.

- Harvest Season Emergency (HSE) Permit. This permit is available only in those years in which the Governor declares a HSE. See pages 21-22 for details.

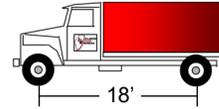
**Don't
overload . . .
save your
road.**

Federal Bridge Formula in Illinois

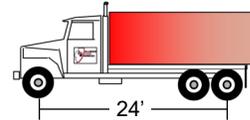
| Distance Between Axles ^① | Maximum load in pounds carried on any group of 2 or more consecutive axles | | | | | |
|-------------------------------------|--|---------------------|------------------------|---------|---------|---------|
| | Feet | 2 axles | 3 axles | 4 axles | 5 axles | 6 axles |
| 4 | | 34,000 | | | | |
| 5 | | 34,000 | | | ② | ② |
| 6 | | 34,000 | | | | |
| 7 | | 34,000 | | | | |
| 8 | | 38,000 ^④ | 42,000 | | | |
| 9 | | 39,000 | 42,500 | | | |
| 10 | | 40,000 | 43,500 | | | |
| 11 | | | 44,000 | | | |
| 12 | | | 45,000 | 50,000 | | |
| 13 | | | 45,500 | 50,500 | | |
| 14 | | | 46,500 | 51,500 | | |
| 15 | | | 47,000 | 52,000 | | |
| 16 | | | 48,000 | 52,500 | 58,000 | |
| 17 | | | 48,500 | 53,500 | 58,500 | |
| 18 | | | 49,500 | 54,000 | 59,000 | |
| 19 | | | 50,000 | 54,500 | 60,000 | |
| 20 | | | 51,000 | 55,500 | 60,500 | 66,000 |
| 21 | | | 51,500 | 56,000 | 61,000 | 66,500 |
| 22 | | | 52,500 | 56,500 | 61,500 | 67,000 |
| 23 | | | 53,000 | 57,500 | 62,500 | 68,000 |
| 24 | | | 54,000 | 58,000 | 63,000 | 68,500 |
| 25 | | | 54,500 | 58,500 | 63,500 | 69,000 |
| 26 | | | 55,500 | 59,500 | 64,000 | 69,500 |
| 27 | | | 56,000 | 60,000 | 65,000 | 70,000 |
| 28 | | | 57,000 | 60,500 | 65,500 | 71,000 |
| 29 | | | 57,500 | 61,500 | 66,000 | 71,500 |
| 30 | | | 58,500 | 62,000 | 66,500 | 72,000 |
| 31 | | | 59,000 | 62,500 | 67,500 | 72,500 |
| 32 | | | 60,000 | 63,500 | 68,000 | 73,000 |
| 33 | | | | 64,000 | 68,500 | 74,000 |
| 34 | | | | 64,500 | 69,000 | 74,500 |
| 35 | | | | 65,500 | 70,000 | 75,000 |
| 36 | | | Exception ^③ | 66,000 | 70,500 | 75,500 |
| 37 | | | | 66,500 | 71,000 | 76,000 |
| 38 | | | | 67,500 | 72,000 | 77,000 |
| 39 | | | | 68,000 | 72,500 | 77,500 |
| 40 | | | | 68,500 | 73,000 | 78,000 |
| 41 | | | | 69,500 | 73,500 | 78,500 |
| 42 | | | | 70,000 | 74,000 | 79,000 |
| 43 | | | | 70,500 | 75,000 | 80,000 |
| 44 | | | | 71,500 | 75,500 | |
| 45 | | | | 72,000 | 76,000 | |
| 46 | | | | 72,500 | 76,500 | |
| 47 | | | | 73,500 | 77,500 | |
| 48 | | | | 74,000 | 78,000 | |
| 49 | | | | 74,500 | 78,500 | |
| 50 | | | | 75,500 | 79,000 | |
| 51 | | | | 76,000 | 80,000 | |
| 52 | | | | 76,500 | | |
| 53 | | | | 77,500 | | |
| 54 | | | | 78,000 | | |
| 55 | | | | 78,500 | | |
| 56 | | | | 79,500 | | |
| 57 | | | | 80,000 | | |

Maximum loading for typical vehicles

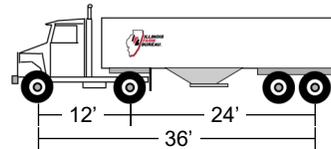
Vehicle or Combination Maximum Weight — Pounds



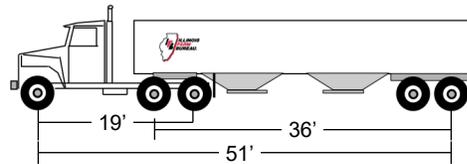
Axle 1 20,000
 Axle 2 20,000
 Axles 1, 2 40,000



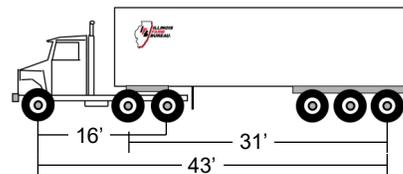
Axle 1 20,000
 Axles 2, 3 34,000
 Axles 1, 2, 3 54,000



Axle 1 20,000
 Axles 2 20,000
 Axles 3, 4 34,000
 Axles 1, 2 40,000
 Axles 2, 3, 4 54,000
 Axles 1, 2, 3, 4 66,000



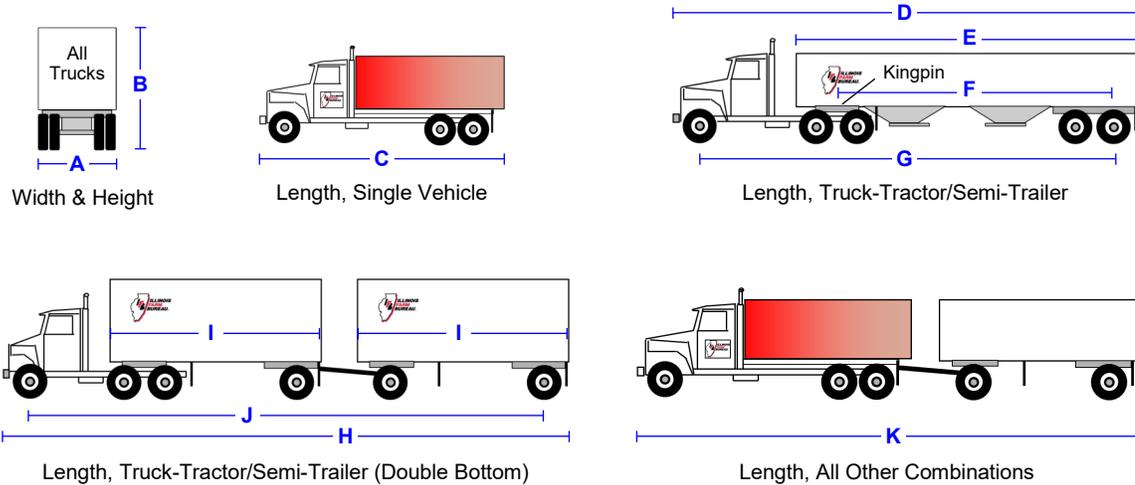
Axle 1 20,000
 Axles 2, 3 34,000
 Axles 4, 5 34,000
 Axles 1, 2, 3 50,000
 Axles 2, 3, 4, 5 68,000
 Axles 1, 2, 3, 4, 5 80,000



Axle 1 20,000
 Axles 2, 3 34,000
 Axles 4, 5, 6 42,500
 Axles 1, 2, 3 48,000
 Axles 2, 3, 4, 5, 6 67,500
 Axles 1, 2, 3, 4, 5, 6 80,000

- ① Measured to the nearest foot between the extremes of any group of two or more consecutive axles.
- ② Gross weights for 5 and 6 axles applicable only to a combination of vehicles.
- ③ Two consecutive sets of tandems may carry 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandems is 36 feet or more.
- ④ If the distance between 2 axles is 96 inches or less, the 2 axles are tandem axles and the maximum total weight may not exceed 34,000 pounds, notwithstanding the higher limit resulting from the application of the formula.
- ⑤ If the distance between the centers of the first and third axles is a group of consecutive axles does not exceed 96 inches, the group is a tandem.
- ⑥ Maximum single axle 20,000 pounds; maximum tandem 34,000 pounds.
- ⑦ Combinations of vehicles designated as special haul vehicles which include a semitrailer manufactured prior to the model year 2004 and first registered in Illinois prior to January 1, 2005 having five axles with a distance of 42 feet or less between extremes may have a gross weight of 72,000 pounds provided the weight shall not exceed 18,000 pounds on a single axle of 32,000 pounds on a tandem. For such combinations manufactured subsequent to September 9, 1986, the minimum distance between the first and last axles of the two sets of tandems must be 18 feet 6 inches or more.

Maximum legal dimensions of motor vehicles



**Single Axle
Maximum Weight
20,000#**

**Tandem Axle
Maximum Weight
34,000#**

| Type of Highway or Street | Maximum Legal Dimensions | | | | | | | | | | |
|-----------------------------|--------------------------|--------|-----|------------------|-----|---------------------|------------------|------|--------|------|-----|
| | A | B | C | D | E | F | G | H | I | J | K |
| Class I | 8'-6" | 13'-6" | 42' | N.S. | 53' | 45'-6" ⁹ | N.S. | N.S. | 28'-6" | N.S. | 60' |
| Class II | 8'-6" | 13'-6" | 42' | N.S. | 53' | 45'-6" | N.S. | N.S. | 28'-6" | 65' | 60' |
| Other State Highways | 8'-6" | 13'-6" | 42' | 65' ³ | 53' | 42'-6" | 55' ³ | 60' | N.S. | N.S. | 60' |
| Class III | 8'-6" | 13'-6" | 42' | 65' ³ | 53' | 42'-6" | 55' ³ | 60' | N.S. | N.S. | 60' |
| Other Local Roads & Streets | 8'-6" | 13'-6" | 42' | 65' | 53' | 42'-6" | N.S. | 60' | N.S. | N.S. | 60' |

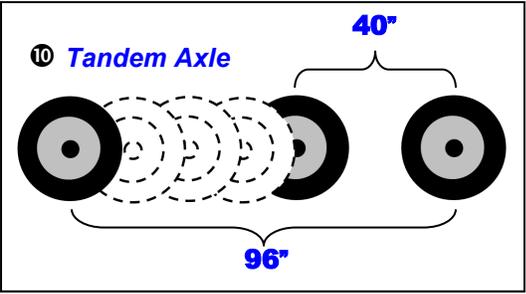
³ 65 feet overall (bumper-to-bumper) and/or 55 feet from center of front axle to center of rear axle.

⁹ Applies on semi-trailers longer than 48 feet.

¹⁰ Tandem is defined as any 2 or more single axles whose centers are more than 40 inches and not more than 96 inches apart, measured to the nearest inch between extreme axles.

A pdf version of this document is available with hyperlinks at the iffb web address.

This document prepared and provided by: **ILLINOIS FARM BUREAU.**
www.iffb.org



Farm Equipment

Implements of husbandry generally enjoy an exemption from most weight limits in Illinois. However, farm wagons are limited to 36,000 pounds GVW. There is no weight restriction on axles and it matters not how many axles the wagon has—the gross weight limit remains at 36,000 pounds. That 36,000 pound

Farm wagons are limited to a maximum GVW of **36,000#**

GVW restriction also applies to: fertilizer buggies, sprayers, auger wagons, liquid manure wagons, liquid fertilizer carts, NH₃ nurse tanks (also limited to 3,000 gallons capacity), water wagons, and virtually any other cargo-type farm implement.

- #### More Information
- Illinois Farm Bureau® [General Info] 309-557-3274 <http://www.iffb.org>
 - Illinois State Police [Enforcement] 217-782-6267 <http://www.isp.state.il.us/>
 - Illinois Department of Transportation [Weights, Permits & Routes] 217-782-6271 <https://truckpermits.dot.illinois.gov/>
 - Secretary of State [License Plates] 217-785-1801 <http://www.cyberdriveillinois.com/publications/motoristpub.html#comfarmtruck>

HARVEST SEASON EMERGENCY

HSE Permit



This legislation (HB2580), passed by the Illinois General Assembly in 2017, is intended to provide an expedited means of hauling grain or livestock in the event of an autumn harvest emergency due to weather or crop conditions. The permit focuses on allowing heavier truck weights where permitted. The three common forms of weight restriction—gross, axle and registered—are all addressed.

1. When is the Harvest Season Emergency (HSE) permit available?

Only when a Harvest Season Emergency has been declared.

[NOTE: Pending legislation in 2018 would eliminate the requirement of the Governor to declare a HSE in order to make the permit available. If signed, the new law will take effect January 1, 2019.]

2. Who declares a Harvest Season Emergency (HSE)?

Only the Governor can do that. Permits may be issued by the highway jurisdictions only after the Governor has made that declaration.

3. Will the whole state be declared to be in a HSE, or just certain areas?

It's likely the governor has the flexibility to declare only certain regions of the State to be in a HSE, similar to his ability to make disaster declarations confined to certain regions. That has not been tested.

4. What's the cost for a permit issued under the HSE provision?

There is none. No fee may be charged for the HSE permit.

5. Where do you go to get the HSE overweight permit?

Just as with any other overweight permit, you go to the highway jurisdiction on whose roads you intend to operate. Where your route crosses several road jurisdictions, you'll need several permits—one for each jurisdiction.

- State routes - IDOT
- County routes - county engineer
- Road district roads - highway commissioner
- Municipal streets - street department

This permit is not available for Interstate highways.

Local jurisdictions (not IDOT) have the option of waiving the requirement for a (written) permit. If locals choose to, they may simply allow truckers to run on the roads they designate, without the need for a written permit.

6. How many days is the HSE permit valid?

Each permit can specify the range of dates for which it is valid—determined by the highway jurisdiction issuing the permit. That range is confined by the limits specified in the Governor's declaration, which itself is confined by law to the range of September 1 through December 31.

7. Where can I use this permit?

The declaration states that the emergency harvest exists for the transportation of all agricultural commodities from the field to market or field to storage. We are awaiting a legal opinion from the state that may expand that range of uses.

(Continued on page 2)

(Continued from page 1)

8. How much extra weight would be allowed?

All three common forms of weight restriction—gross, axle and registered—are addressed. In each case, the permit can allow up to a maximum of 10 percent over the standard weight restriction.

For example, a single axle is typically allowed up to 20,000 pounds. The HSE permit could allow up to 22,000 pounds on that axle. If the truck is registered (license plated) to carry 80,000 pounds, then the permit could allow it to be operated at up to 88,000 pounds.

The 10 percent limit is the maximum a jurisdiction may offer. Any jurisdiction could also issue a permit for an overweight less than 10 percent above the standard limit.

9. What paperwork will I need to carry?

You'll need to have three documents with you when operating under the HSE permit:

- The permit (printed or electronic);
- A copy of form OPER 993; and
- A copy of the Governor's declaration

10. What makes this permit so special?

The HSE permit has three provisions not normally applied to other overweight permits:

- It requires a declaration by the Governor to implement it;
- It allows gross weight overages for a divisible load; and,
- It allows the vehicle's weight to exceed its registered (license plate) weight.

11. Does the law allow for-hire carriers to use the HSE permit, too?

Yes.

12. Do bridge and roads postings for lower weights still apply?

Yes. Having this permit does not authorize you to exceed weight limit postings along roadways or on bridges. Those postings can apply to either Gross Vehicle Weight (GVW) or axle weight.

OVERWEIGHT AXLE PERMIT for hauling farm commodities

Can a farmer still get an overweight axle permit as they've been doing?

Yes, but it's unrelated to the new HSE permit.

This earlier provision (for a written overweight axle permit) is still available without the HSE declaration.

Unlike the HSE permit, this earlier form of permit does not allow extra gross weight nor does it allow you to exceed the vehicle's registered weight. It allows only excess axle weight. It's good for only up to 40 days and for distances not to exceed 50 miles.

This permit is limited to hauling farm-produced commodities (crops and livestock) not farm inputs or machinery.

There can be a fee associated with the overweight axle permit.

Remember, the only way to receive an oversize overweight permit from IDOT is via their online Illinois Transportation Automated Permit (ITAP) system. [Click here](#) for general information, or below to apply.

<https://truckpermits.dot.illinois.gov/>



More Information

- Illinois Farm Bureau® 309-557-3274 www.ilfb.org
- Illinois State Police 217-782-6267
<http://www.isp.state.il.us/>
- Illinois Dept. of Transportation 217-785-1477
(Permits Section)
<https://truckpermits.dot.illinois.gov/>

LICENSING FARM TRUCKS



There are four general categories for licensing (registering) a truck in Illinois. [See chart below.] Each of these has some benefits and drawbacks. The table below addresses the key aspects of each of the forms of registration.

| USE \ TYPE | FLAT WEIGHT | IRP | MILEAGE | FARM |
|--|---|---|---|--|
| INTRASTATE <i>(WITHIN ILLINOIS)</i> | Yes | Yes | Yes | Yes |
| INTERSTATE <i>(OUT-OF-STATE)</i> | No – unless a trip permit is purchased. | Yes | No. Trip permits are not available. | Yes |
| FOR HIRE | Yes | Yes | Yes | No |
| MILEAGE LIMITATION | None | None | Generally 7,000 per year – fewer for plates of 24,000# or less. | None |
| RADIUS OF OPERATION | No limit within Illinois. | No limit | No limit within Illinois. | No limit |
| CARGO TYPE LIMITATION | None | None | None | Use only for farmer's own farming operation – inputs and production. |
| WEIGHT RANGES | 8,000# to 80,000# | 26,000# to 80,000# | 12,000# to 80,000# | 16,000# to 80,000 |
| NUMBER OF PLATES PER OWNER | No limit | No limit | No limit | Maximum of five trucks (not more than two may be over 59,000#.) Maximum of 2 farm plated trailers. |
| LICENSE FEE <i>(RELATIVE TO FLAT WEIGHT)</i> | 100% | 100% (Apportioned by the percent of miles run in each state.) | About 50% on average across all applicable weight classes. Percentage varies by weight. | About 59% on average across all applicable weight classes. Percentage varies by weight |
| CDF | Yes | Yes | Yes | No |
| REGISTRATION YEAR | July 1—June 30 | April 1— March 31 | July 1—June 30 | July 1—June 30 |

1. Trip permits are generally available for periods up to 72 hours. Most states limit the number of trip permits issued each calendar year to not more than three.
2. Under interstate agreements of reciprocity, the farm plate is accepted in every state adjoining Illinois . Other states most probably also accept Illinois "farm plated" trucks, but call ahead to be certain.
3. Trip permit required for out-of-state travel.
4. The CDF (Commercial Distribution Fee) adds 14.35% above the cost of the license plate for trucks registered in Illinois. It must be paid annually.
5. The 14.35% is pro-rated based on the percent of miles the truck is operated in Illinois.

Farm Plate:

Farm plates offer several advantages:

1. Farm trucks are generally run a lower number of miles and therefore justify a lower cost.
2. Due to that lower mileage and the restrictions on uses of Farm plates, the cost associated with farm plates is approximately 59% that of the flat weight plates. It varies by weight category.
3. A Farm plate is one (out of six) requirements that it takes to operate as a Covered Farm Vehicle (CFV).

Additional information about truck plates is available from the Secretary of State's Office, Commercial & Farm Truck Division at 309-785-1819 or on the web at <http://www.cyberdriveillinois.com/departments/vehicles/cft/home.html>

Trailers

Semi Trailer:

Special Designation: Semi Trailer: "ST"

Relative Cost: N/A

One-time flat tax of \$19, which includes the registration fee, for a permanent non-transferable plate.

Range: Intrastate & Interstate Travel

Use: Private & For-hire

Weight: No limit/ no weight tax—weight to be covered by plate on power unit.

Commercial Distribution Fee: No

Fertilizer Trailers:

Required on:

- NH₃ nurse tanks (up to 3000 gallons)
- Fertilizer buggies

Covers 2-year period (beginning January 1 of even-numbered years.)

\$13 fee (not prorated)

More Information

- Illinois Farm Bureau® www.ilfb.org
 - * Kevin Rund 309-557-3274 krund@ilfb.org
 - * Kirby Wagner 309-557-3662 kwagner@ilfb.org
- Secretary of State— Commercial and Farm Trucks <http://www.cyberdriveillinois.com/departments/vehicles/cft/cft.html#farmplates>

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provided by:



WIDE LOADS OF FARM EQUIPMENT



While the width of an implement of husbandry is generally not restricted when operated on its own wheels, once loaded onto a truck or trailer the load’s width must conform with Illinois’ wide load laws. Where the wide load is an implement of husbandry, all overwidth requirements must be met with the exception of having to obtain a permit. So long as the carrier ensures that the planned route can accommodate the wide load by checking it in advance, the requirement for a permit will be waived for state and federal routes. This applies to overwidth loads only, not overweight. Check with local officials for local road information.

| When wide load restrictions apply | | | | | | |
|---|------|---|------------------|----------------|-------------------|----------------|
| Stipulations impacting trucks & trailers operating on Illinois’ State & Federal routes while hauling overwidth loads of implements of husbandry (See Notes Below) | | Applicable Widths <i>(Shaded area indicates that the stipulation applies.)</i> | | | | |
| | | Legal Truck Width or Less | Wider Than 8’ 6” | Wider than 10’ | Wider than 14’ 6” | Wider than 16’ |
| Overwidth permits are <u>not</u> required | (1) | X | X | X | X | X |
| Local jurisdictions might require permits | (2) | | X | X | X | X |
| Operation prohibited after dark | (3) | | X | X | X | X |
| Red flags required | (4) | | X | X | X | X |
| “Wide Load” sign required | (5) | | | X | X | X |
| Flashing amber light(s) required | (6) | | X | X | X | X |
| Escort (1) required | (7) | | | | X | X |
| Escorts (3) required | (8) | | | | | X |
| Route must be checked in advance | (9) | | X | X | X | X |
| Restricted within construction zones | (10) | | X | X | X | X |
| Maximum speed 45 mph | (11) | | X | X | X | X |

(1) This exemption from permits applies only to overwidth loads of implements of husbandry (farm equipment.) All other loads over the legal width of the truck or trailer may be required to have an over-dimensional permit. (Overweight loads also require a separate permit.) For more information on permits contact the Illinois Department of Transportation Bureau of Operations at 800-252-8636 Ext. 4 or 217-782-6271.

(2) Some local jurisdictions (i.e.: county, township or city) may establish permit requirements for wide loads of farm equipment to travel their roads or streets.

Check with your local jurisdiction for information on local overwidth ordinances.

(3) These overwidth loads are allowed on public roads except during those times when, due to insufficient light or unfavorable atmospheric conditions, persons, and vehicles on the highway are not clearly discernible at a distance of 1,000 feet and then only during the period from a half hour before sunrise to a half hour after sunset.

(See NOTES on page 2)

(NOTES Continued from page 1)

(4) Flags shall be displayed so as to wave freely at the extremities of overwidth objects and at the extreme ends of all protrusions, projections, and overhangs. All flags must be clean, bright red flags with no advertising, wording, emblem or insignia inscribed upon them and at least 18 inches square

(5) "OVERSIZE LOAD" signs are mandatory on the front and rear of all vehicles with loads over 10 feet wide. These signs must have 12-inch high black letters with a 2-inch stroke on a yellow background that is 7 feet wide by 18 inches high. Loads over 8' 6" wide must display sign to the rear.

(6) A transport vehicle while under load of more than 8 feet 6 inches in width must be equipped with illuminated rotating, oscillating, or flashing amber lights or flashing amber strobe lights mounted on the top of the cab or on the load that are of sufficient intensity to be visible at 500 feet in normal sunlight. It should be visible both front and rear.

(7) Loads over 14 feet 6 inches wide must be accompanied by one escort vehicle. (See section on escort vehicles for additional requirements.)

(8) Loads over 16 feet wide must be accompanied by three escort vehicles. (See section on escort vehicles for additional requirements.)

(9) The driver of any vehicle hauling an overwidth load of farm equipment is required to verify, in advance, that the route chosen for travel is capable of accommodating the load that is to be hauled. It may be well to utilize a rule of thumb incorporated by the Illinois Department of Transportation in approving permits for overwidth loads—the load should be at least 18 inches narrower in overall width than the narrowest barrier along the route. Overhang extending over guardrails or handrails

may be allowed if there is ample vertical clearance between the railing and the object. If the vehicle is involved in a collision with a bridge, overpass, fixed structure, or properly placed traffic control device, or if the vehicle blocks traffic due to its inability to proceed because of one of those objects, that serves as "prima facie" evidence that you failed to check the roadway prior to making the movement and you may be issued a ticket on that basis.

(10) Loads of implements of husbandry are restricted to widths less than those posted at construction zones or listed in the document Weekly Restriction List at: www.dot.il.gov/road/restrlst.rtf.

Loads greater than 16' wide are prohibited from movement in all construction zones. Construction Zones are identified on the Road Construction Map at: www.gettingaroundillinois.com. For all loads greater than 16' wide you must call the Permit Office prior to movement at (217) 782-6271.

(11) All trucks with overwidth loads are restricted to a maximum of 45 miles per hour or 5 miles per hour over the minimum posted speed, whichever is greater, but shall not exceed the posted maximum limit.

For additional information, contact IDOT's Bureau of Traffic at 800-252-8636 or 217-782-6271

or visit the web at

<http://idot.illinois.gov/doing-business/permits/Oversize-and-Overweight-Permits/index>

Click here for State's [2015 Oversize and Overweight permit manual](#).

Click here for the State's farm equipment overview <http://idot.illinois.gov/Assets/uploads/files/IDOT-Forms/OPER/OPER%202279.pdf>

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www.ilfb.org

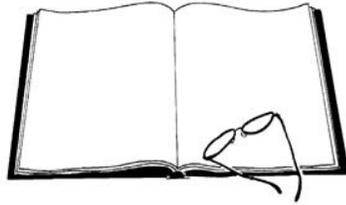
Note: virtually all OS/OW permits issued by IDOT are handled through the Illinois Transportation Automated Permit (ITAP) System. Begin [here](#) to access that process. IDOT no longer issues paper permits for routing OS/OW loads.

IDOT requirements for a civilian escort vehicle and driver

Loads of implements of husbandry (farm equipment) more than 14' 6" in width are subject to escort vehicle requirements when operating on Illinois' State or Federal routes. One escort vehicle is required for loads exceeding 14' 6" in width and three for loads over 16' in width. Requirements for overwidth loads other than implements of husbandry differ and could require a permit.

For specifics, refer to pages 18-21 of the State's [Oversize and Overweight permit manual](#).

SUPERVISOR & DRIVER TRAINING



Motor Carrier Safety Regulations (MCSR) require carriers who employ CDL drivers to have a USDOT drug & alcohol screening program (DASP) in place. Carriers are further required to designate an individual to serve as “supervisor” of that program. Both such drivers and supervisors are required to undergo a one-time training on the DASP program—drivers for one hour, supervisors for two. Some vendors who provide such training services have adopted very aggressive—sometimes threatening—marketing tactics. Know what is required and how you can comply. Remember, the DASP applies only if the driver is required to have a CDL.

REGULATION:

The FMCSA regulation requiring the training is short and is copied here in its entirety:

Subpart F - Alcohol misuse and controlled substances use information, training, and referral
[§ 382.603 Training for supervisors.](#)

Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under [§382.307](#). The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

OPTIONS:

Training can be accomplished in a number of ways; it is up to the employer to ascertain whether the training fulfills the federal requirement. A number of private interests offer such training; but the employer can devise his/her own training program. It can take the form of DVDs, online courses, in-person seminars, reading, etc.

If you participate in a drug & alcohol screening program provided through the Midwest Truckers Association (MTA) [either through a membership in that organization or through the Illinois Farm Bureau® member program with them], then you can give MTA a call at 217-525-0310 and ask about available seminars or DVD rentals. Both are provided for a fee.

Other private suppliers of seminars and DVDs for sale include (among others): www.JJKeller.com, and www.LabelMaster.com.

VENDORS:

Many farmers have received a notice about supervisor training. Often, the official-looking and threatening no-

tice states they would have to take a 60-minute class on the use of alcohol...either online or in person...and another 60-minute class on drug abuse. Is this legit?

That notice is what most people would call “junk mail.” As with any junk mail, some recipients might choose to take advantage of the offer, many others don’t need it or prefer other options.

It all depends on whether the farmer or any of his/her employees are required to be enrolled in a drug & alcohol screening program (DASP), and that, in turn, is predicated on whether the driver is required to have a Commercial Driver’s License (CDL).

FARMERS NEED TO KNOW:

- ◆ Notices that many farmers receive about Supervisor Training are most often from private firms that provide DASP Supervisor Training for a fee.
- ◆ The training is intended to fulfill requirements of the Drug & Alcohol Screening Program (DASP). [\[49 CFR 382\]](#)
- ◆ This article makes no judgment on the quality of the training program offered in the “junk mail.”
- ◆ Vendors making such offers of training are not government agencies.
- ◆ HOWEVER, the training requirement they refer to is real. It’s something farmers should be aware of.
- ◆ The official-looking notice is being sent to farmers (and non-farmers) who have registered for the USDOT Number.
[Note: Some of the information about USDOT Number holders is legitimately available on the internet.]
- ◆ The FMCSA training requirement applies only to employers who employ drivers (including themselves) required to hold a CDL and be enrolled in a DASP. *(Many farmers and some farm employees are exempt from the CDL, therefore exempt from the DASP.)*
- ◆ If you are self-employed and the sole employee, then supervisor training is not required. *(See guidance.)*

SUMMARY:

If you employ any driver—including yourself—who is required to have a CDL because of the work they do for your farming operation, then you must enroll those drivers in a drug & alcohol screening program (DASP).

If the driver/supervisor had been employed elsewhere before coming to work for you, you may choose to rely on documentation provided by the prior employer showing that the one-time training had already been done.

You will need to assign someone to serve as “supervisor” for that program.

That supervisor must be trained in accordance with [§382.603](#). This training is sometimes also referred to as *Reasonable Suspicion Training*.

For more details on whether a farmer is required to have a CDL, refer to the *Driver Qualifications* document at <http://www.ilfb.org/policy-issues/current-issues/transportation-infrastructure.aspx>

GOVERNMENT CONTACTS:

Illinois Department of Transportation
Office of Motor Carrier Safety
217-785-1181

Illinois Secretary of State’s Office
Commercial Driver’s License Section
CDL Help Desk
217-524-1350



Guidance from FMCSA

§382.603 Training for supervisors.

Question 1: Does [§382.603](#) require employers to provide recurrent training to supervisory personnel? **Guidance:** No.

Question 2: May an employer accept proof of supervisory training for a supervisor from another employer? **Guidance:** Yes.

Question 3: Are the reasonable suspicion testing and training requirements of [§382.307](#) and [382.603](#) applicable to an owner-operator who is both an employer and the only employee?

Guidance: No. The requirements of [§382.307](#) and [382.603](#) are not applicable to owner-operators in non-supervisory positions. [§382.307](#) requires employers to have a driver submit to an alcohol and/or controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions of [subpart B of part 382](#). Applying [§382.307](#), Reasonable Suspicion Testing, to an owner-operator who is an employer and the only employee contradicts both “reason” and “suspicion” implicit in the title and the purpose of [§382.307](#). A driver who has self-knowledge that he/she has violated the prohibitions of [subpart B of part 382](#) is beyond mere suspicion. Furthermore, [§382.603](#) requires “all persons designated to supervise drivers” to receive training that will enable him/her to determine whether reasonable suspicion exists to require a driver to undergo testing under [§382.307](#). An owner-operator who does not hire or supervise other drivers is not in a supervisory position, nor are they subject to the testing requirements of [§382.307](#). Therefore, such an owner-operator would not be subject to the training requirements of [§382.603](#).

IMPLEMENTS OF HUSBANDRY



An overview of Illinois laws regulating the operation of farm equipment on public roads. These laws are found in the Illinois Vehicle Code (IVC)—not in trucking regulations—thus are applicable only within Illinois.

DEFINITIONS

Implement of Husbandry

An implement of husbandry is generally any vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations. [1-130]

Wagon trailers & implement trailers used in a farming operation up to 36,000 pounds gross weight and designed and used for carrying other implements of husbandry are considered implements of husbandry. [1-130]

Farm wagon

Wagons up to 36,000 pounds gross weight that are designed, adapted, and used exclusively for agricultural, horticultural or livestock raising operations are implements of husbandry. Above that weight, they no longer meet the definition of an implement of husbandry and are treated in the IVC as a trailer. [1-130]

ATVs (All Terrain Vehicles)

ATVs are specifically excluded from the definition of a "farm tractor" and are not considered to be implements of husbandry regardless of their use. [1-120]

Farm Tractor

A farm tractor is any motor vehicle designed and used primarily as a farm implement for drawing other implements of husbandry, and every self-propelled implement of husbandry, but not ATVs. [1-120]

Gooseneck Trailers (*Slang*)

Flat bed, box, and livestock gooseneck trailers are not usually considered to be implements of husbandry because their design permits multiple uses. [1-130]

Illinois Vehicle Code (IVC)

A collection of Illinois statutes (laws) that regulate vehicles and drivers.

REGISTRATION & TESTING

Title

Implements of husbandry are not required to be titled. [3-102.6] However, they may be if the owner desires. [3-103]

Licensing

Implements of husbandry are not required to be licensed (registered). [3-402.A.(2)]

Safety Testing

Implements of husbandry are not required to be safety tested. [13-101.(a)]

RULES OF THE ROAD

Towing Unit

An implement of husbandry generally remains an implement of husbandry regardless of the type of vehicle towing it (i.e: truck or farm tractor), therefore the traffic rules are generally the same regardless of the towing unit used. [1-130]

Driver's License

A driver's license is generally not required to operate an implement of husbandry. [6-102.4]

Under certain conditions the operator of a fertilizer "floater" may be required to have a valid driver's license. [3-809.(c)]

Traffic Rules

Most traffic rules which apply to operating cars or trucks also apply to operating implements of husbandry on public roadways. (i.e: stop and yield signs, lane usage, etc.). [11-202] & [11-1418]

A farm tractor must not be on the road unless it is being used as an implement of husbandry in a farming

(Continued on page 2)

(Continued from page 1)

operation. [11-1418]

Implements of husbandry are not generally restricted to a specified maximum speed limit other than the posted limit and the reasonable limits of safe operation. [11-601]

Fertilizer "floaters" may not exceed 30 mph. [3-809.(c)]

Implements of husbandry should not impede or block the reasonable flow of traffic. [11.606]

Interstate Highways

Implements of husbandry may not be operated on interstate highways or tollways. [11-711]

SMV must be compliant with ASAE S276.5 or higher



SIZE & WEIGHT

Size

There is a general exemption from State standards limiting the length, width or height of most implements of husbandry. [15-101(b)]

Sprayers and fertilizer "floaters" are limited to a maximum width of 12 feet. [3-809(c)]

An implement of husbandry loaded on another vehicle for transport may not exceed 13 feet 6 inches in height from the road's surface. Such loads are generally not restricted by width during the period from 1/2 hour after sunrise to 1/2 before sunset. However, at any other time, this load may not exceed 8' 6" in width unless in compliance with wide load laws. [15-102.2]

Weight

Implements of husbandry are generally not subject to the axle weight limits that apply to trucks and trailers. [15-101(b)]

Despite this exemption, the implement operator and/or owner can be held liable for damage to roads or bridges caused by the implement. [15.318]

Implements of Husbandry are generally considered to be subject to weight postings on bridges. [15-317] & [15-111]

Farm wagons, farm trailers, nurse tanks, sprayers and fertilizer equipment—and their loads—are restricted to 36,000 pounds gross weight or less. [1-130]

Farm wagons are limited to a maximum GVW of
36,000#

MARKINGS

SMV Emblem

The slow moving vehicle (SMV) emblem is required to be displayed on implements of husbandry any time they are on a public road—day or night. It must be mounted at or near the center of the rear of the implement and must be no less than 4 feet nor more than 10 feet from its bottom edge to the road's surface. SMV emblems may be used only on implements of husbandry, animal drawn vehicles, and special mobile equipment. Any other use is illegal and subject to a fine.

Conspicuity

This reflective marking is included in ASABE standards and applies to newer farm equipment. It is the slow moving vehicle equivalent of the night-time red and white reflective markings seen on large trucks. There is one major difference.

Conspicuity markings on farm equipment consists of alternating retro-reflective red and fluorescent orange horizontal bars across the rear of the implement. Each is 2 inches by 9 inches. (Do not use red and white—that's for high speed vehicles.)

The marking may have gaps of up to 6 feet and should extend to within 16 inches of the left and right extremities. The SMV emblem may be counted as part of the conspicuity marking.

LIGHTS

If manufactured before January 1, 2003

Lights

Lights are required on implements of husbandry when on the road between sunset and sunrise. [12-205]

On older equipment, they must include:

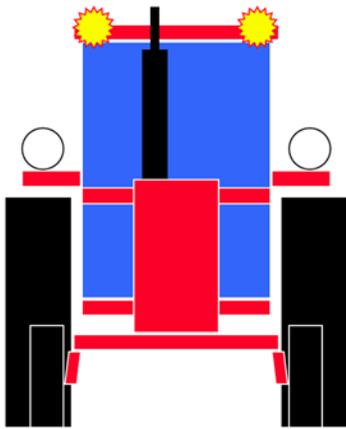
- At least two white headlights on the towing unit [12-205.1]
- Two red tail lights (may not flash except as turn signal) [12-205]
- At least one oscillating, rotating or flashing amber light visible to the rear, mounted as high as practical. [12-205.1] & [12-215(b)11]

Lights on Implement Combinations

If the implement(s) being towed partially or fully obscures the tail lights and/or the SMV emblem mounted on the towing vehicle, the lights and markings must then be mounted on the back of the rearmost implement in tow.

The flashing amber light(s) must be mounted on the rear-most implement in tow. [12-205.1]

LIGHTING & MARKING REQUIREMENTS FOR EQUIPMENT MANUFACTURED IN 2003 OR LATER — BASED ON ASABE STANDARD S279.11

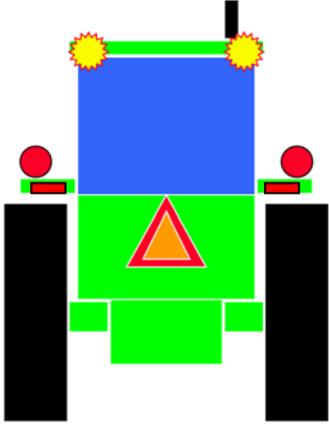


Two flashing amber lights and two white headlights must be visible to the front.

(B)

Two flashing amber lights, two red taillights and two red reflectors must be visible to the rear. Must also be placed on the trailing implement if it obscures the lights on the tractor.

(C)



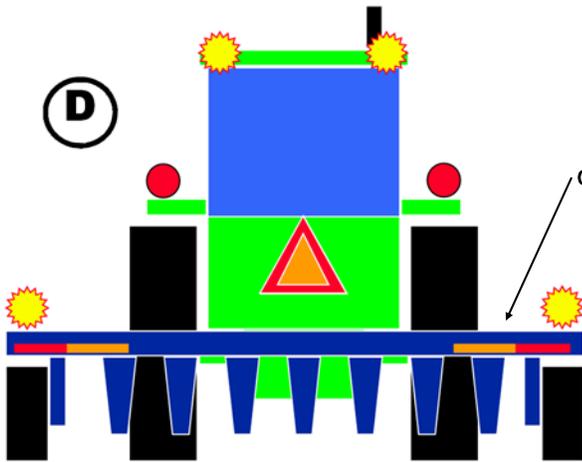
Measured from point of hitch to extreme rear:

- Implements over 16 feet must have an SMV emblem mounted on the rear and amber reflectors along each side.
- Implements over 25' must have tail lights and flashing amber lights mounted on the rear, even if those on tractor are visible.

If the implement or the tractor is over 8 feet wide, amber reflectors are required on the front to mark the extremities.

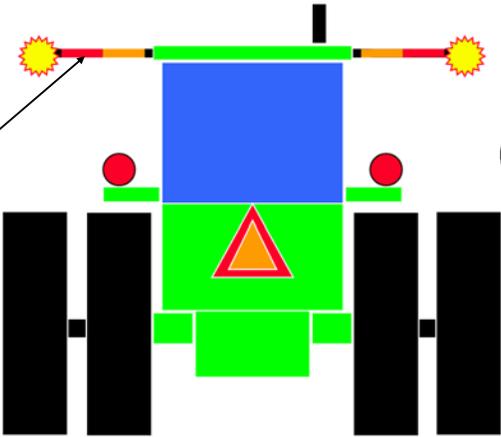
If over 12 feet wide, the flashing amber lights (front and rear) and conspicuity markings (rear) must be extended to within 16 inches of the left and right extremities.

(D)



Conspicuity Markings

(E)



ASABE [Formerly ASAE]
American Society of Agricultural & Biological Engineers

The illustrations above depict front and rear lighting as set out in the applicable standards of the ASABE. (They exceed the requirements in Illinois law for older equipment, manufactured prior to 2003.)

Because these ASABE standards provide far better visibility of farm equipment while on the road, it is recommended that the additional lighting and reflective material be displayed on all equipment, old and new.

Illinois law requires that all farm equipment manufactured in 2003 and later be equipped with the lights and markings set out in ASABE standard S279.11.

Not all requirements are spelled out here. For additional information or to purchase a copy of the standard (about \$50) contact the ASABE at:

American Society of Agricultural & Biological Engineers
2950 Niles Road
St. Joseph, MI 49085-9659

Phone: 616-429-0300
Fax: 616-429-3852
E-mail: hq@asae.org
Web Site: www.asabe.org

IMPLEMENT COMBINATIONS

With limited exceptions, two is the maximum number of implements of husbandry - loaded or empty - that may be towed in tandem behind a power unit for a total of 3 vehicles in combination. [15-101(b)]

If hauling fresh, perishable fruits or vegetables from farm to the first point of processing, 3 wagons may be towed in tandem if they are pulled by a farm tractor for a total of 4 vehicles in combination. [15-101(b)]

A pdf version of this document is available with hyperlinks at the iffb web address.

This document prepared and provided by:  www.ilfb.org

Important:

The information in this brochure is a general guide to the laws affecting farm equipment as commonly administered by Illinois' regulatory and enforcement agencies. It is not a definitive interpretation of the law.

Much of the information included in this brochure is found in Chapter 625 ILCS 5/ of the Illinois Compiled Statutes. The numbers in brackets indicate the specific section and/or paragraph. Complete Illinois statutes are available on the Internet at: <http://www.ilga.gov/legislation/ilcs/ilcs2.asp?ChapterID=49>

Laws in states other than Illinois vary and are not covered in this brochure.

SAFETY REMINDERS

Brakes

Keep dual brake pedals locked when traveling on the road.

Grades

Shift to a low gear before ascending or descending a hill. Shifting while on the hill could cause tractor and implement to tip or lose control.

Lane Usage

As much as practical, keep your equipment completely in your lane. Your equipment must not interfere with traffic in an adjoining lane.

On a busy two-lane highway or narrow road, pull over when possible to let traffic backed up behind you pass safely.

Wide equipment should be folded or loaded as its design was intended for transport between fields.

Hitches

Always connect the implement at a point lower than the rear axle of the tractor. Use a hitchpin that has a locking device to keep the pin in place.

Two safety chains should be used to connect the tongue of a farm wagon, wagon trailer, implement trailer, nurse tank or fertilizer buggy to the towing vehicle.

Reflectors

Keep all reflectors, lights, and slow moving vehicle emblems clean and free of dust or mud.

Replace faded SMV emblems with a new emblem meeting ASABE standards. Look for the latest retro-reflective material standard number on the emblem, S276.5 (or higher.)

Reflectors or reflectorized tape should be used to mark the left and right extremities of equipment over 8 feet wide—red displayed to the rear, and amber to the front.

Equipment more than 16 feet long when transported should have reflectors or reflectorized tape periodically along its sides. Amber is the appropriate color.

Speed

According to ASABE standards, the following guidelines should be used for towing implements which do not have their own braking system. For example: If a wagon weighing 24,000 pounds were to be pulled by a tractor weighing 12,000 pounds, the maximum speed should be 10 mph.

Always reduce speed on hillsides, rough or uneven pavement, and on curves.

Drive at the maximum speed pavement, weather conditions, equipment and load will safely allow. This keeps the "rate of closure" between the implement and trailing traffic to a minimum.

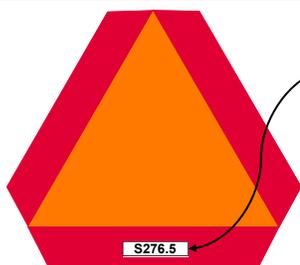
Mud & Debris

Clean off your vehicles before leaving the field so they don't track mud or other debris onto the road. If your vehicle deposits mud or debris on the road, it's your responsibility to clean it off.

Relative Weights Affect Speed

| Weight of Implement Relative to Weight of Power Unit | Maximum Road Speed |
|--|--------------------|
| 1:1 or less | Up to 20 mph |
| 2:1 or less | Up to 10 mph |
| More than 2:1 | Do not tow |

SMV EMBLEM



Look for the label on the lower face of the emblem indicating compliance with S276.5 (or higher.)

S276.5



Implements of husbandry are required to display a Slow-Moving Vehicle (SMV) Emblem to the rear at any time they are operated on a public road—day or night. Since 2004, all SMV emblems in use in the State of Illinois have had to meet or exceed the specifications and mounting requirements established by the American Society of Agricultural & Biological Engineers (ASABE) in standard S276.5.

Proper Use

The Illinois Vehicle Code requires that certain vehicle types display the SMV emblem when operated on public roads—day and night. It is NOT contingent on the speed of the vehicle. Vehicle types affected are:

- Implements of husbandry (*farm equipment*)
- Animal-drawn vehicles
- Special mobile equipment
- Neighborhood vehicles (*on-street golf carts*)

Any use of the SMV emblem other than for these vehicle types is prohibited by Illinois law.

(See back for more on misuse of the emblem.)

Maintenance

Keep it clean! It's the simplest thing you can do to ensure you're seen when out on the road.

Replace faded reflectors. The design standards that specify reflectivity of the SMV emblem are encoded in Illinois law. That means that old, faded emblems no longer meet legal requirements and should be replaced.

Just compare the old emblem to a new one, both in daylight and at night. If there's a noticeable difference in reflectivity, replace the old one. The new materials can last 8 to 10 years, but fade faster if stored outdoors and constantly exposed to sunlight.

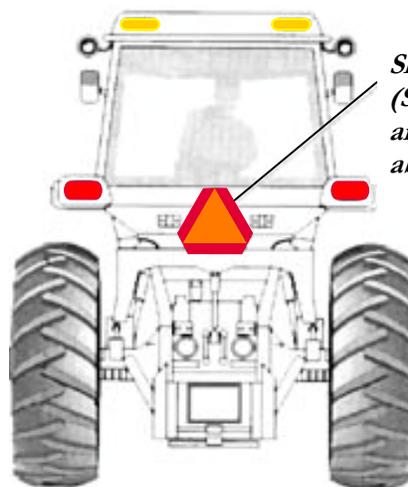
Mounting the SMV Emblem

ASABE standards spell out how the SMV emblem is to be positioned on farm equipment:

- As near to the rear and centered, or as near to the left of center of the equipment as practical.
- From 2' to 10' above the pavement (measured to the lower edge of the emblem)
- Perpendicular to the direction of travel
- Visible to the rear
- Point of the triangle upward
- Securely and rigidly affixed to the equipment. (Moveable emblems may be mounted with socket and bracket.)

An SMV emblem must be displayed on the back of the trailing implement if:

- The SMV emblem on the tractor is obscured by the implement being towed, or;
- The implement being towed is more than 16 feet long from the point of hitch.



Slow-Moving Vehicle (SMV) emblem, centered, and from 2 to 10 feet above the pavement.

Graphic courtesy of University of Illinois Extension

The SMV emblem is specifically designed for slow-moving vehicles
By law, use of the SMV emblem is required on, and limited to:

- Implements of husbandry (farm equipment)
- Special mobile equipment
- Animal-draw vehicles, and
- Neighborhood vehicles (on-street golf carts)

"A slow-moving vehicle emblem may not be displayed in public view of a highway on an object other than a vehicle . . ." (as listed above.)

Improper use distorts the true meaning of this internationally-recognized traffic symbol. It's unique triangular shape and red/orange color combination was scientifically engineered to give motorists advance warning that the vehicle they are approaching is slow-moving. That's why Illinois law prohibits its use on stationary objects and other vehicle types.

Penalty for improper use

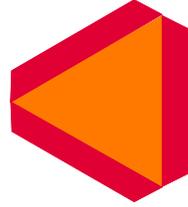
Misuse of an SMV emblem is a petty offense subject to a \$75 fine.

For safety sake

Please help Illinois farm families and the motoring public stay safe by avoiding misuse of the SMV emblem and preserving its true meaning.

References

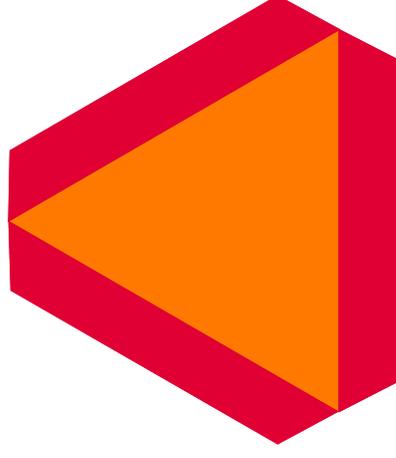
- IL Statutes: [625 ILCS 5/12-709](#)
[625 ILCS 5/1-130](#)
[625 ILCS 5/1-191](#)
[625 ILCS 5/11-1426.1](#)
- IL Admin. Code: [Title 92, Part 564](#)



Thank you!

**Are Your Emblems
SMV Emblem?
Used Properly?**

**Please don't use the
Slow-Moving Vehicle
(SMV) emblem to mark
driveways, mailboxes, or
other fixed objects.**



**Improper use
is illegal in Illinois**

- ASAE at: <http://www.asabe.org>
- IL Farm Bureau®: <http://www.ilfb.org>

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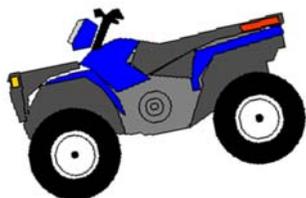
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ATVs ON PUBLIC ROADS



Under certain conditions and only for purposes of farming, farmers are allowed to operate All-Terrain Vehicles (ATVs) and Gator-type vehicles of limited size on county and township roadways. Use on State highways or city streets is not authorized. Prior to this 2010 law, ATVs had been prohibited from anything but crossing a public road unless local ordinance provided further authorization. Non-farm use of ATVs on public roads is still prohibited. A driver's license and insurance are required for this on-road operation. [625 ILCS 5/11-1426.1]

Vehicle Types

ATV — is defined by the Illinois Vehicle Code. It narrowly describes only a certain type of vehicle based on size, weight and configuration. It excludes others that the public might normally think of as ATVs, so be cautious as to how broadly you apply the ATV moniker.

—[625 ILCS 5/1-101.8] *All-terrain vehicle. Any motorized off-highway device designed to travel primarily off-highway, 50 inches or less in width, having a manufacturer's dry weight of 900 pounds or less, traveling on 3 or more low-pressure tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.*

ROHV — is short for "Recreational Off-Highway Vehicle", the statutory name for Gator-type vehicles, which can informally go by a variety of other names.

—[625 ILCS 5/1-168.8] *Recreational off-highway vehicle. Any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer's dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.*

Does this apply to vehicles such as the John Deere Gator or the Kubota RTV900?

Yes. The law applies the same on-road privileges to such cargo-hauling off-road vehicles—known by various names—up to 64" wide and up to 2,000 pounds when being used for farming. Despite their utilitarian capability, this legislation calls these contrivances "Recreational Off-Highway Vehicles" (ROHV.)

Titling

Generally, ATVs purchased on or after January 1, 1998 are required to be titled; there is no known requirement for registration in Illinois.

Driver's License

Illinois law requires the operators of such vehicles on the road to hold a valid driver's license. This effectively sets a minimum age for drivers, as well.

Mandatory Insurance

Illinois law requires ATVs and ROHVs to be insured for on-road use if they will be used in that manner. Either a highway motor vehicle insurance policy meeting the minimum levels of coverage under Illinois' mandatory vehicle insurance requirements or equivalent levels of coverage under a farm, home, or non-highway vehicle insurance policy is required. Talk with your insurance agent for specifics. [625 ILCS 5/11-1426.1(h)]

Lighting

Though excused from the lighting required of other non-highway vehicles, farm-use ATVs are generally covered by a law requiring all motor vehicles—unless specifically excused—to exhibit: at least 2 (white) headlamps and 2 (red) tail lamps, brake lamps (red or amber), and turn signals at front (white or amber) and rear (red or amber). Head lamps and tail lamps must be lit at times identical to those required of automobiles (from sunset to sunrise and at times of rain, snow, fog, etc.)

[625 ILCS 5/12-201(b) & 5/12-208(a) & (b)]

Should an SMV emblem be displayed on the back of an ATV?

Generally, the use of an SMV emblem in Illinois is not based on the speed of the vehicle; instead it is limited to three vehicle types when operated on a public road [625 ILCS 12-709(a)]:

- Implements of husbandry;
- Special mobile equipment (operating outside of construction zones); and,
- Animal-drawn vehicles.

Since the ATV does not meet any of those definitions, it is not required by this section to display the SMV emblem.

Certain non-highway vehicles are also required to display the SMV emblem when allowed to be operated on a public road. This includes ATVs, however those ATVs and ROHVs used under the farmer exemption are excused from this requirement. [625 ILCS 5/11-1426.1(h)]

Elsewhere, statute prohibits the use of the SMV emblem on any other vehicle. That makes it unlikely that the SMV emblem is required—or even allowed—on an ATV or ROHV being operated under the farm-use exemption, though a formal judicial opinion has yet to be issued. [625 ILCS 5/11-1426.1(h)]

If used like a farm tractor, can an ATV be operated on public roads like a farm tractor can be?

No. The Illinois Vehicle Code specifies that an ATV is not considered to be a farm tractor. That distinction is found in the law's definition of a farm tractor:

[625 ILCS 5/1-120] **Farm tractor.** *Every motor vehicle designed and used primarily as a farm implement for drawing wagons, plows, mowing machines and other implements of husbandry, and every implement of husbandry which is self propelled, excluding all-terrain vehicles and off-highway motorcycles as defined in this Code.*

From the practical perspective, this only means that an ATV or ROHV may not be operated on a state highway or city street as though it was a farm tractor. Operation on county and township roads, however, remains fair game.



The statutory language refers to "Roadway"—what's that?

Generally it refers to travel portion of the road, the area that is paved (other than shoulders.) The Illinois Vehicle Code's definition of "Roadway" is:

(625 ILCS 5/1-179) Roadway. *That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways the term "roadway" as used herein shall refer to any such roadway separately but not to all such roadways collectively. (Source: P.A. 76-1586.)*

Local Authorities

Local governments may authorize the operation of certain non-highway vehicles on roadways under its jurisdiction if they deem it safe to do so. They must post signs along the route indicating that authorization.

Confusion

There seems to be a lot of confusion on the provisions of the farm-use exemption for ATVs and ROHVs. There are likely several reasons for that.

First, the law is relatively new in its current form, having only been in-place since 2013.

Secondly, the language of this statute went through several iterations over five years before settling into its current form. That left the language somewhat disjointed. It's plausible that it could cause confusion, even among law enforcement officers.

Finally, the fact that some ATV use is allowed and other types of uses are not muddies the water.

For more information

For a full copy of the statute, refer to:
[625 ILCS 5/11-1426.1](#)

- Illinois Farm Bureau® [General Info]
309-557-3274
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A pdf version of this document is available with hyperlinks at the ilfb web address.

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APPENDIX

Driver License Types & Classifications



| | | |
|----------|--|----------|
| A | Combination vehicles of 26,001 pounds or more (where the trailer is 10,001 pounds or more) | A |
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| B | Single vehicle of 26,001 pounds or more (may include trailer of 10,000 pounds or less) | B |
|----------|--|----------|

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| C | Single vehicle of more than 16,000 but less than 26,001 pounds (may include trailer of 10,000 pounds or less) | C |
|----------|---|----------|

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| ★ | Single vehicle of 16,000 pounds or less (may include trailer of any size so long as the combination is not 26,001 pounds or more) | D |
|----------|---|----------|

