



“Moving Ahead For Progress in the 21st Century (MAP-21)”

On July 6, 2012, the President signed into law the “**Moving Ahead for Progress in the 21st Century Act**” (MAP-21) ([Pub. L. 112-141](#), 126 Stat. 405). MAP-21 included two provisions applicable to the operation of commercial motor vehicles (CMVs) for agricultural purposes. They are section 32101(d), “Transportation of Agricultural Commodities and Farm Supplies,” and section 32934, “Exemptions from Requirements for Covered Farm Vehicles.”

Section 32101 of MAP-21 provides a statutory exemption from the hours-of-service regulations for certain carriers transporting agricultural commodities and farm supplies and section 32934 provides a statutory exemption from most of the Federal Motor Carrier Safety Regulations (FMCSRs) for the operation of covered farm vehicles by farm and ranch operators, their employees, and certain other specified individuals under certain specific circumstances. The statutory provisions are self-executing and take effect on October 1, 2012. The Federal Motor Carrier Safety Administration (FMCSA) issued a final rule effective March 14, 2013 to include the new MAP-21 provisions in the Federal Motor Carrier Safety Regulations.

Previously, federal law only exempted farmers and farm helpers from the requirement to have a commercial driver's license (CDL) while operating within a 150 air-mile radius of the home farm. The MAP-21 exemptions broaden this exemption by expanding the geographic area in which covered farm vehicles may be operated and parts of the FMCSRs that covered farm vehicles and their operators are exempted from.

Although states have up to three years to amend their commercial vehicle safety regulations to conform to the revised FMCSRs that will be implemented by FMCSA under MAP-21, the Georgia Department of Public Safety (DPS) is taking immediate actions to implement the covered farm vehicle exemptions, so as to provide immediate regulatory relief to the state's agricultural industry. Accordingly, the MAP-21 exemptions shall apply statewide in Georgia on July 1, 2013.

Actions

Effective on January 1, 2014, the following actions are taken by the Georgia Department of Public Safety (DPS) to implement the agricultural-related provisions of MAP-21:

- Georgia law will be modified to include the MAP-21 agricultural exemptions contained both in the Georgia's motor carrier safety regulations and the Federal Motor Carrier Safety Regulations (FMCSRs);
- DPS will/has issued a news release and published online a notice offering initial guidance to motor carriers, farm and ranch operators and their employees, and law enforcement officials;
- To accommodate Georgia's farmers and ranchers, DPS has created a "**Covered Farm Vehicle Designation**" form (DPS TR0025), which is web-based and can be obtained and printed free of charge by Georgia farmers and ranchers via our website at www.gamccd.net. The form is also available at any regional commercial vehicle inspection station in the state. **NOTE:** The completed form **must** be carried in the power unit of the covered farm vehicle during all operation under the exemptions, and must be available for inspection by law enforcement personnel.

MAP-21 FREQUENTLY ASKED QUESTIONS (FAQ)

1: What is a commercial motor vehicle (CMV)?

For purposes relevant to farm operations, a CMV is any self-propelled or towed motor vehicle used on a highway to transport goods that meets the following criteria:

- Has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight of 4,537 kg (10,001 lbs.) or more;
- A vehicle of any size, whether operated interstate (crosses state lines) or solely within Georgia, that transports hazardous materials in an amount that requires placarding.

2: Which CMVs are considered "Covered Farm Vehicles?"

Federal and state law defines a "**Covered Farm Vehicle**" as a vehicle that:

- Is operated by a farm/ranch owner or operator, or an employee or a family member of the farmer or rancher;
- Transports agricultural commodities, livestock or machinery or supplies to and from a farm or ranch;
- Is **NOT** operated for-hire (hauling for others for compensation);
- Are **NOT** transporting **hazardous materials** in quantities requiring the display of hazardous material warning placards.

3: Where can covered farm vehicles be operated?

Where a vehicle can be operated and remain within the definition of a covered farm vehicle (and therefore within the exemptions) depends upon the manufacturer's Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW), whichever is greater.

A "covered farm vehicle" that has a GVWR or GVW of:

- 26,000 pounds or less can be operated anywhere in Georgia, and in any other state under the MAP-21 exemptions.
- More than 26,000 pounds can be operated anywhere in Georgia and across state lines, when operated within 150 air miles of the farm or ranch when operated in interstate commerce.

Although the MAP-21 exemptions allow travel in other states, be careful before entering another state under the MAP-21 agricultural exemptions. During the initial period of adoption, other states may not immediately adopt and implement the exemptions in the same way.

4: Do covered farm vehicles have to be identified in a special way?

Yes. To be classified as a "Covered Farm Vehicle," MAP-21 requires that the vehicle be equipped with a special license plate or other Designation, issued by the state of registration; such license plate or "Designation" allows law enforcement personnel to identify the vehicle as a "Covered Farm Vehicle." Georgia farm operators must identify their vehicles as "Covered Farm Vehicles," by displaying upon the demand of any law enforcement officer, a completed Georgia Department of Public Safety (DPS) "Covered Farm Vehicle Designation" form (DPS TR0025), specifically identifying the vehicle

operated. In Georgia, the Vehicle Identification Number (VIN) is the serial number on the document. There is no fee required. The completed form must be carried in the power unit of the covered farm vehicle during all operation under the exemptions.

5: What are the MAP-21 exemptions?

Under MAP-21, drivers of “Covered Farm Vehicles” may utilize the following exemptions when operating a CMV within the scope of the “Covered Farm Vehicle” exemption.

- No CDL is required (exemption from 49 CFR § 383 & Article 7 of Title 40, OCGA).
- No enrollment and testing in a company-based controlled substance and alcohol testing program are required (exemption from 49 CFR § 382).
- No physical examination and Medical Examiner's Certificate are needed (exemption from 49 CFR § 391, subpart E).
- Hours of service regulations do not apply (exemption from 49 CFR § 395).

“Covered Farm Vehicles” and their operators are not subject to the inspection, repair and maintenance provisions of 49 CFR § 396, but must comply with other FMCSA and state motor vehicle laws, including the general provisions of 49 CFR § 390, remaining driver qualification provisions of 49 CFR § 391, driving provisions of 49 CFR § 392, provisions regarding parts and accessories necessary for safe operation under 49 CFR § 393, and applicable Georgia Traffic Law (Title 40, OCGA).

“Covered Farm Vehicles” remain subject to inspection by commercial vehicle enforcement officers and other law enforcement personnel under these regulations, and under state motor vehicle laws.

6: Does MAP-21 exempt “Covered Farm Vehicles” from size and weight restrictions?

No. All vehicle weight, width, height and length regulations, not otherwise exempted by Georgia law, remain in effect. All vehicles, including farm vehicles, must abide by posted weight and load limits on roads and bridges in Georgia.

7: Does MAP-21 exempt “Covered Farm Vehicles from vehicle registration, fuel tax, and vehicle marking requirements?

No. The MAP-21 exemptions do not waive or affect the travel authority, registration, fuel tax or vehicle marking (Name of Carrier & USDOT number) requirements for CMVs that are operated interstate, or those marking requirements specifically provided for in OCGA Title 40 of Georgia law.

8: Are operators of “Covered Farm Vehicles” required to possess specific types of driver’s licenses to operate truck-tractor/semitrailer combinations?

Although the operator of a covered farm vehicle is not required to hold a Commercial Driver’s License (CDL) to operate a vehicle within the scope of the “Covered Farm Vehicle” exemptions, a Georgia operator is still required to have the applicable Georgia driver’s license specific to the vehicle operated. This is a state law requirement that is not affected by MAP-21.

9: Have all states adopted the MAP-21 Exemptions?

The provisions of MAP-21 are not being adopted uniformly or at the same time by the states. Therefore, if you plan to travel in other states using the “Covered Farm Vehicle” exemptions, be sure that you know what regulations apply in those other states.

For further information on MAP-21 agricultural exemptions and additional Frequently Asked Questions (FAQs), please visit the Federal Motor Carrier Safety Administration’s (FMCSA) website at <http://www.fmcsa.dot.gov/about/what-we-do/MAP-21/Map21.aspx>

If you are a Georgia farmer or rancher operating “Covered Farm Vehicles,” you may register your vehicles as a “Covered Farm Vehicle” by clicking [here \(insert hyperlink to MAP-21 registration\)](#).

If you have questions regarding the agricultural exemptions provided for in MAP-21 in Georgia, you may contact:

*Georgia Department of Public Safety (Georgia-only (intrastate) operations)
Motor Carrier Compliance Division (MCCD)
P.O. Box 1456
Atlanta, Georgia 30371
Phone: (404) 624-7211
Fax: (404) 624-7295*

For agricultural operations conducted outside of Georgia (interstate commerce), for specific MAP-21 information, you may contact:

Federal Motor Carrier Safety Administration (Interstate operations)

Southern Service Center

1800 Century Boulevard, Suite 1700

Atlanta, Georgia 30345

Phone: (404) 327-7400

Fax: (404) 327-7349