

Designation as a Kansas Covered Farm Vehicle

Communication to the Motoring Public

The "Moving Ahead for Progress in the 21st Century Act", also referred to as MAP-21, creates a new definition of "covered farm vehicle," and a new set of exceptions for those vehicles and their drivers. A "covered farm vehicle" (defined in Section 32934 of MAP-21 or 49 C.F.R §390.5) is one that is (1) operated by a farmer or rancher, a family member of the farmer or rancher, or an employee of the farmer or rancher, (2) used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch, (3) not used "for-hire" except a tenant hauling the land-owners products under a crop-share arrangement, and (4) " is equipped with a special license plate or other designation by the state in which the vehicle is registered to allow for identification of the vehicle as a covered farm vehicle by enforcement personnel.

This Covered Farm Vehicle (CFV) exception applies to both straight trucks and combination vehicles, and the distance involved depends on the size of the vehicle. For vehicles 26,001 pounds or less, the CFV designation applies anywhere in the United States. The weight in MAP-21 is the greater of the Gross Vehicle Weight (GVW) or Gross Vehicle Weight Rating (GVWR).

For vehicles over 26,001 pounds the distance limits are (1) anywhere in the registration state or (2) in interstate commerce within 150 air-miles (172.6 statute miles) of the farm or ranch.

The other key issue is the "special license plate or other designation." Kansas, along with several other states, issues a "farm" registration and has for several years. Going forward, we will allow farmers and ranchers, operating non-farm registered vehicles to "self-declare" they are Covered Farm Vehicles as long as the following criteria are met:

- Effective July 1, 2015, the Division of Vehicles will have the Covered Farm Vehicle form on two different websites. To register and print the registration certificate, the farmer or rancher can log on to (www.ksrevenue.org) or (kcc.ks.gov), fill out the form and print the designation certificate that will be required to be carried in the Covered Farm Vehicle.
- Drivers of CFVs do not need a Commercial Driver's License, but Kansas will require a license of appropriate class or type based on vehicle configuration. Kansas issues a "Class A" and "Class C" license, and both licenses are available as either a CDL or Regular (non-CDL).
- The vehicle must have a valid license plate, and if fuel tax registration is required, a valid International Fuel Tax Agreement registration or trip permit.

The CFV is subject to being stopped and inspected to verify the CFV designation is valid. The CFV must follow federal and state equipment safety requirements, and they remain subject to traffic laws and size and weight regulations. The drivers must still enter Kansas inspection and weigh stations when they are open.