

2011 Edition

Guide to Farm Trucking in Oregon



OREGON
ASSOCIATION OF
NURSERIES



OREGON
WHEAT

Revised January 2011

This publication is a basic guide to farm trucking in Oregon. But it cannot contain everything a farmer needs to know.

Farmers with questions about regulations can contact their association representatives or the Oregon Department of Transportation at the numbers listed here.

**Oregon Department of Transportation
Motor Carrier Transportation Division**

550 Capitol Street NE
Salem OR 97301-2530
503-378-2399

Farm Desk: 503-378-5203

www.oregon.gov/ODOT/MCT

Also, see page 35 for a list of ODOT Motor Carrier Division offices throughout Oregon.

Oregon Farm Bureau

3415 Commercial Street SE
Salem OR 97302
503-399-1701

www.oregonfb.org

Oregon Wheat Growers League

115 SE 8th
Pendleton OR 97801
541-276-7330

www.owgl.org

Oregon Association of Nurseries

29751 SW Town Center Loop West
Wilsonville OR 97070


800-342-6401 or 503-682-5089

www.oan.org

Contents


Farm Trucking in Oregon — The Basics	4
Benefits of Oregon Farm Certification.....	5
Permitted Uses of Farm-Plated Trucks	6
“T” Truck Plate Requirements	7
Operating Trucks Under Lease Agreements.....	8
For-Hire Hauling.....	9
<u>Intrastate</u> vs. <u>Interstate</u> Commerce.....	10
Farm Truck Operations Checklist	11
General Applicability of Safety Regs.....	11
Insurance	11
Parts & Accessories	12
Inspection, Repair, and Maintenance.....	13
Annual Truck Safety Check.....	13
Driver Qualifications.....	14
CDL Requirements.....	14
Farm Endorsements	15
Drug and Alcohol Testing	16
Interstate Driver Hours-of-Service	17
Vehicle Identification	18
Trailer and Truck Tractor Markings	19
Rear Impact Guards.....	20
Crash Reporting.....	21
Load Securement.....	22
Over-Dimension Permits.....	24
Applicability of safety regulations when operating in interstate commerce	
Farm trucks 10,000 lbs. or less	26
Farm trucks 10,001 lbs., up to 26,000 lbs.....	28
Farm trucks 26,001 lbs. or more	29
Farm Operations in Oregon’s Neighbor States ..	30
Types of Truck Safety Inspections	32
Level 2 “Walk Around” Checklist.....	33
For-Hire Farmer Records Requirements	34
Oregon DOT Staff.....	35


Farm Trucking in Oregon – The Basics

 **Get farm-certified.** Apply for farm plates by first completing the Farm Certification Application and submitting it to the ODOT Motor Carrier Transportation Division in Salem.


Farm Certification Application:

www.odot.state.or.us/forms/motcarr/reg/9670fill.pdf

 **Get farm license plates.** Oregon DMV issues “F” farm plates, but only with approval of the Motor Carrier Transportation Division (MCTD). DMV needs MCTD approval of the Farm Certification Application before issuing the first farm plate(s) and before issuing additional plates to a certified farmer. If there’s a delay getting MCTD approval of either the initial Certification Application or a later request for additional plates, DMV staff routinely issues temporary, 45-day farm registration permits for a farmer’s vehicles.

 **Determine if trucks are subject to safety regulations.** The following are subject to federal motor carrier safety regulations:

- All interstate farm operations
- Interstate and intrastate farm operations hauling for-hire
- Interstate and intrastate farm trucks over 80,000 pounds actual weight
- Interstate and intrastate farm trucks hauling triple trailers

 **Meet fuels tax requirements.** A farmer with a bulk storage tank, an F-plated vehicle, and/or a diesel powered rig commonly needs a Use Fuel User License. Contact the ODOT Fuels Tax Group – 888-753-2525 or 503-378-8150 – for more info or visit: <http://fuelstax.oregon.gov>

Benefits of Oregon Farm Certification



- **Lower annual truck registration fees.** Savings vary. A 26,000-pound farm truck pays \$137, which is \$627 less than the fee for a non-farm vehicle. An 80,000-pound truck pays \$440, which is \$558 less.
- **Exempt from Oregon weight-mile tax.** Farm vehicles may still be subject to state fuels tax.
- **Exempt from motor carrier insurance requirements.** Farm vehicles must comply with DMV insurance requirements.
- **Exempt from motor carrier safety regulations when operating in intrastate commerce** (except as noted on page 4).
- **Exempt from Oregon DEQ pollution control equipment and emissions testing.**
- **Lower fee for participation in Oregon's International Fuel Tax Agreement (IFTA).**
- **Farm plates help identify vehicles that can be operated with a regular driver license with a "Y" or "Z" farm endorsement.** But a farm plate is not required to be eligible to use the farm endorsement.

Permitted Uses of Farm-Plated Trucks

Oregon law – ORS 805.390 – allows farm-registered trucks to be used in the following ways:

- Hauling the farmer's own agricultural commodities, products, or livestock that were originally grown or raised by the farmer on his or



her own farm, ranch, or orchard. This includes products or byproducts of commodities or livestock that were

packed, processed, or manufactured by the farm or for the farm, if the farmer retains ownership of the products. This does not include products that have been transformed into a finished state.

- Hauling things that are incidental to the regular operation of the farmer's farm. Also, hauling supplies, equipment, or materials that will be consumed or used on the farmer's farm.
- Hauling forest products to his or her farm, or hauling forest materials originating on a farm or as an incident to the regular operation of the farm. But the truck cannot be used to haul piling or poles over 30" around at the large end or logs over 8' 6" long. A farm-plated truck with a loaded weight of 16,000 pounds or less may, however, transport logs over 8' 6" if they're not over 16' 6" long.
- Transporting straw, whether or not the straw was grown on the farmer's own farm, if the farmer hauling the straw is the one who bales it. "Straw" is defined as the stalk of grass or grain left after threshing.

- Personal use by the farmer, any member of his or her immediate family, or any person employed by the farmer. “Personal use” includes such things as taking the boat to the lake, hauling the camper, and going to the movies or the grocery store.
- Hauling products, supplies, equipment, or materials for another qualifying farmer on a bonafide, documented exchange of labor basis if what’s hauled will be used or consumed on that farmer’s farm or is directly related to the operation of the farm.
- Farm trucks may be rented or borrowed by a farmer to haul his or her own agricultural commodities, products, or livestock that were originally grown or raised on his or her farm, but only if that farmer could qualify for farm registration for trucks of the type and size rented or borrowed.

“T” Truck Plate Requirements



Trucks that don’t have a farm plate will need an Oregon “T” plate if they operate with a combined weight over 10,000 pounds. Truck tractors will need one if they operate with a combined weight over 8,000 pounds – ORS 803.430(3)(a)(b). “Combined weight” means the total empty weight of all vehicles in a combination plus the total weight of the load carried on that combination of vehicles – ORS 801.199. Commercial trucks over 26,000 pounds subject to weight-mile tax display an Oregon Commercial or Apportioned plate rather than a T-plate.

Operating Trucks Under Lease Agreements

Farmers may lease trucks for their farming operation, but only as many as are reasonably required to support operations.

When an Oregon farmer leases a truck for his farming operation, or an out-of-state farmer leases a truck for his farm-related operations in Oregon, the farmer must carry in that truck a signed copy of the leased vehicle letter that is obtained from the Oregon Farm Desk. This leased vehicle letter is vehicle specific. The farmer must also carry a copy of the Lease / Rental Agreement that contains the starting and ending date and the terms of the rental basis (daily, weekly, monthly, annually).

A farm certification or farm verification does not exempt a farmer from Oregon use fuel tax law. For further information about the law, call the ODOT Fuels Tax Group at 503-378-8150 or visit their Web site: www.oregon.gov/ODOT/CS/FTG/

Other questions? Contact the ODOT Motor Carrier Transportation Division, Farm Certification Unit — 503-378-5203.

For-Hire Hauling

A trucker is considered to be “for-hire” if he holds himself out to provide transportation service to the public for compensation.

A farmer may use his farm-registered truck to haul products, supplies, equipment, or materials for another qualifying farmer on a bonafide, documented exchange of labor basis if what’s hauled will be used or consumed on that farmer’s farm or is directly related to the operation of the farm.

In other situations, a farmer with a farm-registered truck who wants to haul for-hire must obtain a Class 1A Permit from the ODOT Motor Carrier Transportation Division. The permit authorizes occasional use of the vehicle to haul for-hire from point to point within Oregon. It does not, however, authorize hauling household goods or passengers or hauling for-hire interstate. There is a one-time \$300 filing fee for the Class 1A permit.

Farmers who want to haul for-hire within Oregon also need to obtain a paper credential called an Oregon Weight Receipt and Tax Identifier so they can conduct both farm and for-hire operations. The haul-for-hire operations are subject to motor carrier regulations, including requirements related to weight-mile tax, bond, insurance, safety, and record keeping. Farmers must keep records showing the miles a vehicle was used to haul for-hire and the miles the vehicle was used in exempt farm operations. (More information on page 34.)

Questions? Contact the ODOT Motor Carrier Transportation Division at 503-378-5203.

Intrastate vs. Interstate Commerce

A farmer is subject to safety regulations when operating in interstate commerce. What's interstate commerce? In federal law – 49 CFR 390.5 – “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 the U.S.;
2. Between two places in a State through another State or a place outside the U.S.; or
3. Between two places in a State as part of trade, traffic, or transportation originating or terminating outside the State or the U.S.

While hauling products across state lines is clearly interstate commerce, sometimes even hauling from point to point within a state can be interstate commerce. It's usually interstate commerce when, for example, a farmer hauls wheat from an Oregon field to an Oregon elevator. After the elevator buys the wheat it may ship some to a local flour mill and some to a facility for shipment overseas. Just because the wheat stops and changes hands at a middle point like the storage elevator, it doesn't necessarily break its transportation into two separate parts. The trip from the field to the elevator and the later delivery to various customers can both be trips in interstate commerce. Also, when wheat is commingled and there's no way to know which grain went where, it's more likely to be interstate commerce. But if the wheat is taken from an Oregon field to an Oregon mill and turned into flour, that's intrastate commerce because the wheat is substantially changed into something else before the next shipment.

Farm Truck Operations Checklist

The following pages provide a checklist of the basic federal and state requirements for farm trucking in Oregon.

General Applicability of Safety Regs

Generally speaking, safety regulations apply to trucks operating in interstate commerce when:

1. They have a gross vehicle weight rating (GVWR) or combination weight rating (GCWR) of 10,001 pounds or more, or
2. Actual weight of 10,001 pounds or more, or
3. They're transporting hazardous materials in a quantity requiring placards, or
4. They're designed to transport 16 or more passengers, including the driver

The regulations also apply to trucks operating in Oregon intrastate commerce when hauling for-hire, when over 80,000 pounds, or when pulling triple trailers.

Insurance

Have at least the minimum amount of liability insurance required by DMV. Trucks transporting hazardous materials may need insurance coverage between \$1 million and \$5 million.

 **Parts & Accessories**

Check all of the following:

- Headlights and stop lights work.
- Tractor and trailer have reflective sheeting or reflectors to make them more visible at night.
- Truck has service brake, parking brake, and brakes on all wheels. Trucks towing a trailer have breakaway and emergency brakes.
- Brake tubing and hoses are okay.
- Truck has brake warning system that tells driver of problems with hydraulic brakes, air brakes, or vacuum brakes.
- Windshield isn't discolored or cracked in area from top of steering wheel to within two inches of windshield top.
- No fuel system part is wider than the widest part of the truck or forward of the front axle. Fuel lines don't extend between the truck and trailer.
- Coupling devices and fifth wheel assemblies are securely attached and safe.
- Cargo is loaded and secured so it will not shift or fall off.
- Tires are in good shape, including 4/32 inch or more tread on front tires and 2/32 inch on other tires. Wheels are in good shape – no cracks or loose fasteners.
- Exhaust system is securely fastened and not located below fuel tank or tank filler pipe or located where it could burn or damage wiring, fuel supply, or anything combustible. Also, there are no temporary repairs or patches and it's not leaking at a point near the driver.
- There's a bumper or other device to prevent under ride if another vehicle strikes the rear end. (Tractors, pole trailers, and driveaway-

towaway vehicles are exempt.)

- Truck is equipped with functional seat belts (applies to post-1965 trucks).
- Emergency equipment includes spare fuses, stopped vehicle warning devices, and fire extinguisher with a rating of at least UL 5 B:C, or 10 B:C if transporting hazardous materials.
- Frames and suspension systems – axles, adjustable axles, leaf and coil springs, torsion bars, air suspensions – are structurally sound and in safe working order. There are no cracked or broken frame members.
- Steering system – steering wheel, steering column, gear box, ball joints – are in proper working order.



Inspection, Repair, and Maintenance

Inspection, repair, and maintenance records for each vehicle must be saved on file for one year. Also drivers must sign a daily post-trip inspection report that at least remarks about service brakes (including trailer brake connections), parking brake, steering, lights, tires, horn, windshield wipers, rearview mirrors, coupling devices, wheels and rims, and emergency equipment. Keep driver post-trip reports at least three months. Post-trip reports do not apply to one-truck/trailer operators.



Annual Truck Safety Check

Any truck that operates in interstate commerce must be checked by a qualified person at least once a year and a copy of that checkup must be kept for 14 months. Knowledgeable farmers can do their own annual truck safety check.

Driver Qualifications

A farm truck driver must be at least 18 years old, be able to safely operate the type of vehicle being driven, be able to read and speak English, and be physically qualified. Also, he or she must provide a list of all traffic violations to his or her employer and pass a road test. The driver may not be disqualified (driving privileges suspended in any state), and must have a current, appropriate operator's license.

Driver qualifications, other than operator license requirements, do not apply to a solo farm truck driver within 150 air-miles of the farm.

CDL Requirements

A driver needs a CDL to operate a farm truck when:

1. The truck and trailer have a GCWR or actual weight of 26,001 pounds or more, and the trailer GVWR or actual weight is 10,001 pounds or more, or
2. The truck has a GVWR or actual weight of 26,001 pounds or more, or
3. The vehicle is transporting hazardous materials that require placards.

NOTE: When hauling for the farmer's farm, the driver of a farm truck over 26,000 pounds doesn't need a CDL if he or she has a Farm Endorsement on a Class C license and operates within 150-miles of the farm, including distance into Washington or Idaho. (Triple trailer operations do require a CDL.)

Farm Endorsements

Most drivers of farm vehicles are not required to have a CDL if they have a farm endorsement on their regular driver's license. With the farm endorsement, a driver may operate vehicles equipped with air brakes, tankers, double trailers, and vehicles transporting hazardous materials when the vehicle is properly placarded.

To qualify for a farm endorsement the driver must:

- Be at least 16 years old, provide Proof of Identification, complete a Farm Endorsement Application, and pay appropriate fees
- Meet the qualifications for or have a non-commercial Class C (or higher) driver license
- Have a good driving record, as defined in Oregon Administrative Rules 735-062-0085

Drivers with a "Y" or "Z" farm endorsement can drive large farm trucks under certain conditions, including when it's controlled or operated by a farmer, used to transport agricultural products, farm machinery, or farm supplies to and from a farm, operated within 150 miles of any of the farmer's farms, and not used in for-hire operations. The "Y" endorsement lets them operate or tow any vehicle that can be operated or towed under a Class A CDL. The "Z" endorsement lets them operate or tow any vehicle that can be operated or towed under a Class B CDL.

A CDL is always required to operate a triple trailer combination and drivers need a "T" endorsement. A CDL is also required to transport passengers in a vehicle designed for 16 or more people, including the driver. A "P" endorsement is required to transport farm workers or other passengers.



Drug and Alcohol Testing

Drivers required to have a CDL are subject to five types of drug and alcohol tests:

1. Pre-employment
2. Post-accident
3. Random
4. Reasonable suspicion
5. Return-to-duty and follow-up.

It's important to keep records related to testing. Also, motor carriers must establish a policy regarding alcohol misuse and controlled substance abuse and provide drivers with related educational materials.

Testing requirements don't apply to farmers with a farm endorsement operating within 150 miles of the farm or drivers who are not required to have a CDL for the type of vehicle they're operating. If a driver does not need a CDL but chooses to have one, he or she is not subject to testing.



Interstate Driver Hours-of-Service

- No more than 11 hours driving following 10 hours off duty.
 - No driving after 14 hours after coming on duty following 10 hours off duty.
 - No driving after 60 hours on duty in 7 consecutive days, or 70 hours on duty in 8 consecutive days.
 - A 7- or 8-consecutive day period may restart after 34 hours off duty.
-
- Keep log book records for six months.

EXCEPTION: Under Oregon administrative rules, carriers operating in intrastate commerce and transporting property other than hazardous materials can follow these limits:

- Drivers may not exceed 12 hours driving after 10 consecutive hours off duty.
- Drivers may not drive beyond the 16th hour after coming on duty following 10 consecutive hours off duty.
- Drivers may not drive following 70 hours on duty in any 7 consecutive days, or 80 hours on duty in any 8 consecutive days.
- A 7- or 8-consecutive day period may restart after 34 hours off duty.

Driving time limits don't apply to farm truck drivers hauling agricultural commodities or farm supplies within a 100 air mile radius from the source of the commodities, or the distribution point for the farm supplies, when done during planting and harvesting seasons within the state.

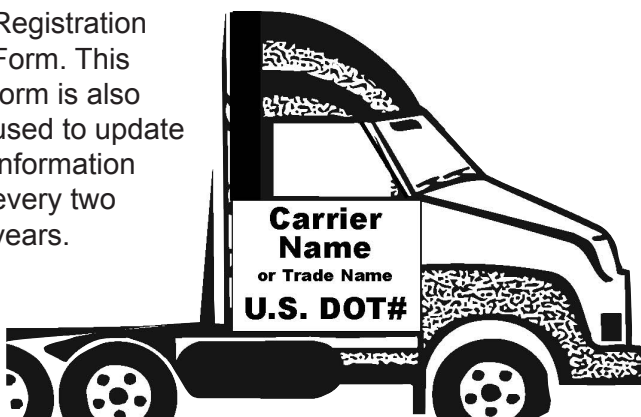
Vehicle Identification

Trucks should be marked on both sides with the company's name or trade name and U.S. DOT number. Letters and numbers must contrast sharply with background colors and be large enough to be seen from a distance of 50 feet during daylight hours when the truck is stationary.

Farmers who operate solely intrastate and don't haul hazardous materials may be exempt from these marking requirements.

Get a U.S. DOT number from the Federal Motor Carrier Safety Administration by completing an MCS-150

Registration Form. This form is also used to update information every two years.



Register online at the following Internet address:

MCS-150 Registration / U.S. DOT Number

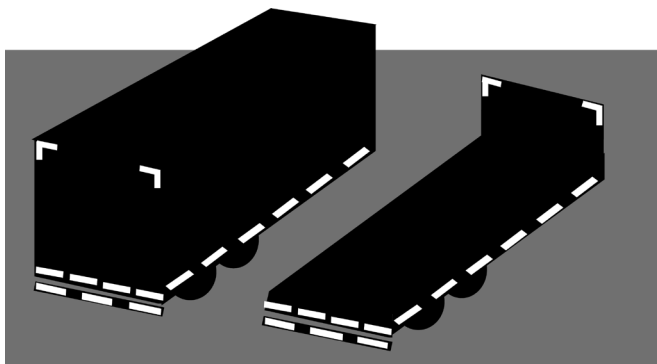
https://li-public.fmcsa.dot.gov/LIVIEW/PKG_Registration.prc_option



Trailer and Truck Tractor Markings

Trailers and the rear of truck tractors need to be marked with red and white reflective material to make them visible to other drivers at night.

Since 1993, manufacturers have been outlining trailers with red and white reflective tape or hard plastic reflector strips. In 1999, the Federal Motor Carrier Safety Administration ordered all older trailers to be retrofitted to the new standards.



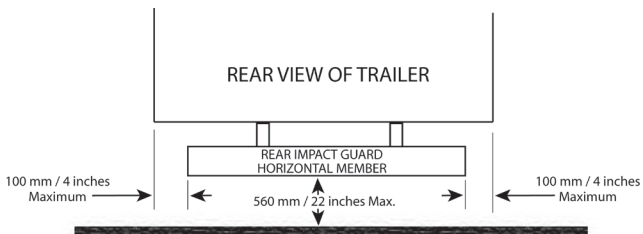
The requirements apply to all trailers and semi-trailers with an overall width of 80 inches and a gross vehicle weight rating of 10,001 pounds or more. The only exceptions are pole trailers, trailers transported in a driveway-towaway operation (when the trailer itself is the cargo or is being towed for repair), and trailers used only as offices or dwellings.

The federal regulations are in Part 393.13:

www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/FmcsrGuideDetails.asp?menukey=393

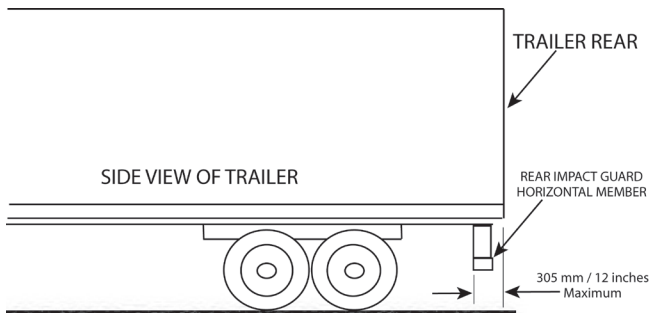
Rear Impact Guards

Trucks and trailers need a rear impact guard to protect against vehicles going under them in a collision. For trailers manufactured after January 26, 1998, the rear impact guard must be within 12 inches of the rear of the vehicle, no more than 22 inches from the ground, and extending to within 4 inches of the sides. All trucks and older trailers can have a rear impact guard that is within 24 inches of the rear of the vehicle, no more than 30 inches from the ground, and extending to within 18 inches of the sides.



The requirements apply to all vehicles with a gross vehicle weight rating of 10,000 pounds or more, except truck tractors, pole and pulpwood trailers, special purpose vehicles, and certain temporary living quarters. The regulations are in Part 393.86.

www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/FmcsrGuideDetails.asp?menukey=393



 **Crash Reporting**

Report to DMV any crash involving a fatality, injury, or damage exceeding \$1,500. Also, report to the ODOT Crash Analysis and Reporting Unit any crash involving a fatality, injury, or disabling damage requiring that a vehicle be towed away. The Motor Carrier Crash Report can be completed on paper or online.

To report on paper, complete the Oregon Traffic Accident and Insurance Report, which includes a Motor Carrier Crash Report on pages 6 and 7. File that with the Crash Analysis and Reporting Unit of ODOT's Transportation Development Division.

Oregon Traffic Accident and Insurance Report

www.odot.state.or.us/forms/dmv/32.pdf

To report online, use the Oregon Trucking Online Crash Report Form and submit it electronically.

Online Crash Report Form

www.oregontruckingonline.com/cf/MCAD/pubMetaEntry/accidentRpt/

Maintain a crash register, including copies of crash reports, for three years after a crash.



Load Securement

A commercial motor vehicle must be loaded and equipped, and its cargo secured, to prevent anything from leaking, spilling, blowing, or falling from the vehicle. Cargo must also be contained, immobilized, or secured to prevent any shifting that affects vehicle stability or maneuverability.

Hay and straw hauling provides one example of the load securement challenges farmers commonly face. In recent years, the Federal Motor Carrier Safety Administration confirmed that a combination of longitudinal tiedowns can unitize hay bales and with one or two lateral securement devices, depending on vehicle length, provide a system that meets or exceeds securement requirements. Here's a summary of acceptable securement practices:

Bale Placement — The load must be balanced and positioned so it's stable without tiedowns.

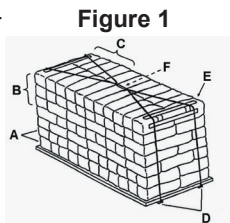
- Small bales (see Figure 1) — *Sides of load:* Do not place outside bales in the same direction in more than two successive tiers (A), except one bale above and below a tier, up to three tiers in succession (B). In the top tier, load bales crosswise to the vehicle (C). Do not load any bale vertically.
- Big bales — *Sides of load:* Do not place outside bales in the same direction in more than three successive tiers.

Load projection — Bales may extend over the truck cab if they're supported, interlocked with other bales, and don't obstruct the driver's view. But no bales may extend beyond the vehicle bed between a truck and trailer, or semi-trailer and

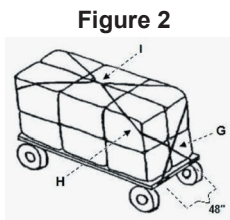
trailer, or more than one-third the bale length beyond the rear of the bed surface on a single vehicle or the last vehicle in a combination.

Longitudinal Tiedowns — Unitize the load with two longitudinal tiedowns, each with a minimum working load limit of 2,100 pounds, and secured with a tightening device (F, I). The tiedowns must be applied over V-boards (E), or big bales may use the alternate method below.

With V-Boards (big or small bales) — Two tiedowns anchored at the front and rear near the corners (D), extended over the top, and crossed or connected with a tightening device at the center (F).



Alternate securement (big bales) — Two tiedowns anchored at the front and rear of the load at least 48 inches apart, crossed at the front and rear (G), passed to the outside around the upper corners of the load (H), and connected with a tightening device at the top center (I).



Lateral Tiedowns — Each tiedown must have a minimum working load limit of 4,000 pounds. Multiple tiedowns may be substituted if each has a load limit of 625 pounds, with a combined working load limit of 4,000 pounds or more. Tiedowns less than 2 inches in width or diameter must include V-boards. Vehicles 32 feet or less long require one tiedown in the center of the length of the vehicle. Longer vehicles need two tiedowns – at one-third and two-thirds the length of the vehicle.



Over-Dimension Permits

The Motor Carrier Transportation Division issues single-trip and annual variance permits for overweight, over-height, over-width, over-length, and other unusual truck loads. Trucks need one of these over-dimension permits when the vehicle combination exceeds maximum size and/or weight limits. A farm truck needs one, for example, when the truck is operating over 80,000 pounds. DMV may issue a farm plate for that truck, but the farmer still needs to contact MCTD to get what's called an Extended Weight Permit to operate over the maximum weight limit.

Over-Dimension Permits Contact MCTD — 503-373-0000

A permit is also needed for any non-divisible load for which any one of the following applies:

- Width of the load or hauling equipment exceeds 8 feet, 6 inches, and/or height of vehicle or vehicle combination and load exceeds 14 feet
- Any single axle weight exceeds 20,000 pounds, and/or any tandem axle exceeds 34,000 pounds, and/or gross combination weight exceeds 80,000 pounds, and/or gross weight of a group of axles exceeds those in the legal weight table shown on Group Map 1
- Front overhang exceeds 4 feet beyond the front bumper of the vehicle
- Load greater than 40 feet, exceeding 5 feet beyond the end of the semi-trailer, or load less than or equal to 40 feet, exceeding 1/3 of the combination wheelbase, whichever is less
- Vehicle combination length exceeds those authorized on Group Map 1

Oregon law provides one exemption for farm trucks that exceed maximum allowable weight limits. To facilitate farm hauling on roads linking Oregon and Idaho, a farm truck transporting field-loaded agricultural products in Malheur County may operate at greater weights listed in ORS 818.010(4). The heavier, field-loaded trucks can travel state and county roads in Malheur County (unless they would violate posted weight limits on a road or bridge), but the law specifies that they cannot travel on I-84 or US95.

The law provides one exemption from maximum size limits for implements of husbandry hauled, towed, or moved on any highway not a part of the Interstate system if the movement is incidental to a farming operation and the owner of the implement of husbandry is engaged in farming or the owner is hired by or under contract to a farmer to perform agricultural activities — ORS 818.100(12). This type of movement is subject, however, to the maximum limit of allowable extension beyond the last axle of a combination of vehicles shown in Table II of ORS 818.080(2).

The law also provides one exemption from the limits on the number of vehicles in combination, allowing for a combination of three implements of husbandry, or two implements of husbandry hauled or towed by another vehicle — ORS 818.120(7).

Farm trucks**10,000 lbs. or less****GVWR or actual weight,
whichever is greater**

Applicability of safety regulations
when operating in interstate commerce

Code of Federal Regs	Private	For-Hire	Hazardous Materials
Drug Testing Part 382	NO	NO	NO, with farm endorsement
CDL — Commercial Driver License Part 383	NO	NO	NO, with farm endorsement
Insurance Part 387	Meet DMV requirement	Meet DMV requirement	YES,* \$5 Million
Driver Qualifications Part 391	NO	NO	NO
Driver Hours of Service Part 395	NO	NO	NO
Maintenance Part 393/396	NO	NO	NO

* See Minimum Levels of Financial Responsibility for Motor Carriers, Part 387 excerpt on page 27.

Excerpts from Two Safety Regulations:

* **Part 387 – Minimum Levels of Financial Responsibility for Motor Carriers**

[www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/
FmcsrGuideDetails.asp?menukey=387](http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/FmcsrGuideDetails.asp?menukey=387)

* §387.3 Applicability. (Insurance)

(a) This subpart applies to for hire motor carriers operating motor vehicles transporting property in interstate or foreign commerce.

(b) This subpart applies to motor carriers operating motor vehicles transporting hazardous materials, hazardous substances, or hazardous wastes in interstate, foreign, or intrastate commerce.

(c) Exception. (1) The rules in this part do not apply to a motor vehicle that has a gross vehicle weight rating (GVWR) of less than 10,000 pounds. **This exception does not apply if the vehicle is used to transport any quantity of a Division 1.1, 1.2, or 1.3 (explosives) material, any quantity of a Division 2.3 (poisons), Hazard Zone A, or Division 6.1 (poisons, inhalation hazards), Packing Group I, Hazard Zone A, or to a highway route controlled quantity of a Class 7 (radioactive material) material as it is defined in 49 CFR 173.403, in interstate or foreign commerce.**

** **Part 395 – Hours-of-Service of Drivers**

[www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/
FmcsrGuideDetails.asp?menukey=395](http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/FmcsrGuideDetails.asp?menukey=395)

** §395.1 Scope of rules in this part.

(k) Agricultural operations. The provisions of §395 shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes in a State if such transportation:

(k)(1) Is limited to an area within a 100 air mile radius from the source of the commodities or the distribution point for the farm supplies, and

(k)(2) Is conducted during the planting and harvesting seasons within such State, as determined by the State.

Farm trucks

10,001 lbs. and up to 26,000 lbs. GVWR

Applicability of safety regulations
when operating in interstate commerce

Code of Federal Regulations	Private	For-Hire	Placarded Hazardous Materials (Private)
Drug Testing Part 382	NO	NO	NO, with farm endorsement
CDL — Commercial Driver License Part 383	NO	NO	NO, with farm endorsement
Insurance Part 387	Meet DMV requirement	YES, \$750,000	YES,* Any - \$1 Million Bulk - \$5 Million
Driver Qualifications Part 391	Limited Exemption (see pg. 14)	YES	Limited Exemption (see pg. 14)
Driver Hours of Service ** Part 395	NO, within 100 air miles of farm	NO, within 100 air miles of farm	NO, within 100 air miles of farm
Maintenance Part 393/396	YES	YES	YES

* See Part 387 excerpt on page 27.

** See Part 395 excerpt on page 27.

Farm trucks

26,001 lbs. or more GVWR

Applicability of safety regulations
when operating in interstate commerce

Code of Federal Regulations	Private	For-Hire	Placarded Hazardous Materials (Private)
Drug Testing Part 382	NO, if CDL not required	YES	NO, with farm endorsement
CDL — Commercial Driver License Part 383	NO, with farm endorsement and within 150 miles of farm	YES	NO, with farm endorsement and within 150 miles of farm
Insurance Part 387	Meet DMV requirement	YES, \$750,000	YES,* Any - \$1 Million Bulk - \$5 Million
Driver Qualifications Part 391	Limited Exemption (see pg. 14)	YES	Limited Exemption (see pg. 14)
Driver Hours of Service ** Part 395	NO, within 100 air miles of farm	NO, within 100 air miles of farm	NO, within 100 air miles of farm
Maintenance Part 393/396	YES	YES	YES

* See Part 387 excerpt on page 27.

** See Part 395 excerpt on page 27.

Farm Operations in Oregon's Neighbor States

REGISTRATION

Washington has an agreement with Oregon to waive its registration requirements for farm-plated trucks operating within 50 miles of the border. Oregon farmers can haul products from point of production to market or warehouse in that state. They can also haul commodities, supplies, or equipment for their farm or ranch. But if they go beyond 50 miles of the border, farmers must meet state registration requirements.

Oregon has other farm-related agreements with Idaho, Kansas, Missouri, Nebraska, North Carolina, Wyoming, Nova Scotia, and Saskatchewan. It has a very limited agreement with Nevada and no agreement with California. For more information about reciprocity, contact the Oregon Farm Desk at 503-378-5203.

FUEL TAX

Oregon farmers may operate in neighboring states if they pay each state's diesel fuel tax. Oregon farmers either need to participate in the International Fuel Tax Agreement (IFTA) or get a temporary fuel tax trip permit before going to California, Nevada, or Washington. Those states don't allow truckers to stop at the nearest truck stop or Port of Entry to get a permit. Idaho is the only neighbor state that allows farmers who don't participate in IFTA to obtain a fuel tax trip permit at their first stop in the state.

Under IFTA, an Oregon farmer pays an annual license fee to operate in other states and Canada. It's a \$50 fee if more than half of the farmer's

IFTA-qualified vehicles are farm vehicles. The farmer then files quarterly reports showing the miles traveled and fuel taxes owed. Oregon collects the fuel tax and distributes it on behalf of the farmer. Call the ODOT Motor Carrier Division at 503-373-1634 for more information.

CALIFORNIA FUEL TAX PERMITS

Temporary permits can be obtained at two Medford truck stops on I-5 — the Petro Truck Stop at 541-535-3372, and Withams Truck Stop at 541-779-0792 — and at the Worden Truck Stop on US97 at 541-882-3023. Truckers can also call the Board of Equalization, Fuels Tax Division, in Sacramento at 916-322-9669.

NEVADA FUEL TAX PERMITS

Temporary permits can be obtained from AKD Mid-Cow Permit Co. at 800-257-4568, The Permit Co. at 800-331-0418, or Transceiver at 800-749-6058. Call the Nevada DMV Motor Carrier Bureau at 775-684-4711 for more information.

WASHINGTON FUEL TAX PERMITS

Temporary permits can be obtained from several permit agents, but the Washington Truckers Association is the only one through which a person can call, pay by credit card, and have a permit faxed back. Call the Washington Truckers Association at 800-732-9019 or 253-838-1650.

IDAHO FUEL TAX PERMITS

Temporary permits can be obtained at the first Idaho truck stop or Port of Entry, or by calling the East Boise Port of Entry at 208-334-3272. Farmers registered with Idaho can go online for service — <http://trucking.idaho.gov/>

Types of Truck Safety Inspections Conducted Throughout North America

LEVEL 1 — A complete inspection that includes a check of the driver's license, medical examiner's certificate (and waiver, if any), alcohol and drugs, hours of service, seat belt, annual vehicle inspection report, brake system, coupling devices, exhaust system, frame, fuel system, turn signals, brake and tail lamps, headlamps, lamps on loads, load securement, steering, suspension, tires, van and open-top trailer bodies, wheels and rims, windshield wipers, emergency exits on buses and hazardous materials requirements, as applicable.

LEVEL 2 — A “walk-around” inspection that includes a check of each of the items in a Level 1 inspection, but not items that require the inspector to physically get under the truck.

LEVEL 3 — An inspection of just the driver-related items in a Level 1 inspection.

LEVEL 4 — A special inspection, typically a one-time examination of a particular item for a safety study or to verify or refute a suspected trend.

LEVEL 5 — An inspection of just the truck-related items in a Level 1 inspection.

LEVEL 6 — An inspection of a shipment of highway-route-controlled quantities of radioactive material. A Level 6 inspection includes an enhanced check of each of the items in a Level 1 inspection.

Level 2 “Walk Around” Checklist

- 1** Identify company name and check for a U.S. DOT number.
- 2** Review driver documents and check for appropriate driver license.
- 3** If hauling hazardous materials, check shipping paper, package labels, and placarding.
- 4** Inspect front of truck. Check lights, windshield, wipers, horn, wheels, and tires.
- 5** Inspect left side of truck. Check fuel tanks, air and electrical lines, wheels and tires, exhaust system, coupling device, side lamps, and condition of vehicle and trailer body. Check tractors and trailers for required reflective tape.
- 6** Inspect rear of truck. Check lights, rear bumper, wheels and tires, reflective tape.
- 7** Inspect right side of truck. Inspect as described in #5.
- 8** Check for proper cargo securement. Check for unsecured dunnage, tools, and spare tire.
- 9** Inspect inside truck. Check for low air brake warning device. Check same for vacuum and hydraulic brakes. Check fire extinguisher and reflective triangles.
- 10** Complete the inspection document and return documents to the driver.

For-Hire Farmer Records Requirements

Oregon farmers who haul commodities for-hire are subject to the Oregon weight-mile tax and record keeping requirements (see page 9). Once



a farmer begins for-hire operations, he or she must keep records for three years for all operations so auditors can verify which are subject to weight-mile tax and which are exempt. (Operations exempt

from the tax are still subject to Oregon fuels tax.) Farmers who conduct for-hire operations in addition to their own farm operations must keep a daily record of their for-hire and farm operations.

Daily Record of Farm Vehicle Operation

www.odot.state.or.us/forms/motcarr/reg/9448.pdf

One confusing aspect of conducting both for-hire and farm operations is determining when one ends and the other begins. If a farmer hauls for-hire one week and for his farm the next, when did the for-hire hauling actually end and when did the farm-related hauling begin? For-hire miles begin at the point of loading a for-hire commodity and continue until a farm-related commodity is loaded. This includes all empty miles from the time the for-hire load is delivered until a farm-related commodity is again loaded. If an auditor is unable to distinguish between farm-related and for-hire mileage, all miles, including the farm operation's mileage, may be considered taxable.

Questions? Contact the Motor Carrier Division in Salem at 503-378-6658.



Motor Carrier Safety and Truck Size and Weight Enforcement Offices

	Motor Carrier Safety	Truck Size and Weight
ASHLAND		541-776-6004
BEND	541-388-6171	541-388-6217
BURNS		541-573-2261
CASCADE LOCKS	541-374-0087	541-374-8980
FAREWELL BEND	541-869-2909	541-869-2474
KLAMATH FALLS		541-883-5701
LA GRANDE	541-963-1389	541-963-3170
MEDFORD	541-776-6221	
PORTLAND	971-673-5909	503-731-3238
ROSEBURG		541-957-3605
SALEM	503-378-6168	503-378-6070
SPRINGFIELD	541-736-2303	541-736-2314
UMATILLA	541-922-2578	541-922-5183
WOODBURN		503-982-0804



OREGON
ASSOCIATION OF
NURSERIES

OREGON
WHEAT

