

A Louisiana Guide To Farm Vehicle Compliance



The Voice of Louisiana Agriculture®

Revised 10/2019

Confusion is standard when it comes to farmer exemptions in Federal Motor Carrier Safety. The Covered Farm Vehicle (CFV) exemption in The Moving Ahead for Progress in the 21st Century Act (MAP-21) changed how farmers are regulated by federal guidelines. A CFV provides farmers exemptions from parts of the Federal Motor Carrier Safety Regulations. But you have to qualify in order to get the exemption.

NOTE: If your truck does not meet all the qualifications listed in the regulation, you cannot use the exemptions.

The moment you do not meet any one of these qualifications you are subject to the regulations. Please take the time to learn and understand if the regulations apply to you. To qualify for most exemptions and exceptions discussed in this guide a driver must meet the definition of a Farm Vehicle Driver or operate a Covered Farm Vehicle.

When does a farmer lose the exemptions?

When you cultivate land, crops, or livestock which **IS NOT** owned under the direct control of that person.

When your operating authority **IS NOT** a private motor carrier of property.

When your operating authority **IS** a for-hire motor carrier (for-hire motor carrier operations do not include the crop share farm lease agreement)

Carrying hazardous materials that requires the commercial motor vehicle to be placarded.

Being used **BEYOND 150** air miles of the farmer's farm.

Not registered with a farm plate.

Transporting anything other than agricultural commodities, livestock, machinery or supplies to or from a farm or ranch.

Question 1. *Boudreaux is a farmer driving his 1 ton dually pickup pulling a gooseneck two axle dual tire trailer. The total GCWR for the truck and trailer is 32,000 lbs and the trailer GVWR is 20,000 lbs (Class "A" CDL Type Vehicle). Boudreaux has driven 160 air-miles interstate from his farm.*

Answer. *Boudreaux exceeded the 150 air-mile radius and must possess a valid Class "A" CDL and must be enrolled in a drug and alcohol testing program. He must have a Medical Examiner's Certificate, Driver Qualification Files, Hours of Service and Inspection, Repair and Maintenance for his vehicles. See page 49.*

Question 2. *Thibodeaux is a sugarcane farmer driving his 2009 Freightliner pulling a sugarcane trailer. Thibodeaux has finished transporting his cane to the mill. Thibodeaux begins to transport cane for another farmer for a fee. Thibodeaux has driven 45 air-miles intrastate from his farm.*

Answer. *Thibodeaux is being paid to haul sugarcane on land he does not own and must possess a valid Class "A" CDL and must be enrolled in a drug and alcohol testing program. He must have a Medical Examiner's Certificate, Driver Qualification Files, Hours of Service and Inspection, Repair and Maintenance for his vehicles. See page 49.*

Question 3. *Hebert is a farmer driving his 2012 Peterbilt towing a bulldozer with farm plates. The bulldozer is 9 feet (108 inches) wide. Hebert has driven 40 air-miles intrastate from his farm to his friend's land to build a levee for his friend.*

Answer. *Hebert has lost his farm exemption because he is hauling equipment that is no longer exempt and must possess a valid Class "A" CDL and must be enrolled in a drug and alcohol testing program. He must have a Medical Examiner's Certificate, Driver Qualification Files, Hours of Service and Inspection, Repair and Maintenance for his vehicles and a permit for the bulldozer. See page 34 and page 49.*

This document was prepared for the exclusive use of Milana Walters for The Louisiana Farm Bureau Federation®.

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Introduction

The Louisiana Farm Bureau Federation® is the state's largest general farm organization representing farmers, ranchers and rural residents. We are a private, non-profit, non-governmental agency established in 1922 to bring a voice to agricultural issues. This pamphlet was produced in order to provide basic information to Louisiana Farmers. However, it is not intended to be a complete listing of all laws affecting farmers.

This booklet is designed to educate and increase understanding of State and Federal regulations and statues in an effort to gain voluntary compliance which translates into reduce property loss, injuries and fatalities.

About the Contents

The various sections of this booklet are listed in the table of contents. You may also obtain further information from the Federal Motor Carrier Safety Administration's web site at www.fmcsa.dot.gov, Louisiana Administrative Rules at <https://www.doa.la.gov> (Title 33, Part V, Chapter 103, Motor Carrier Safety and Hazardous Materials), Louisiana Office of Motor Vehicles <https://www.expresslane.org> and the **Louisiana State Police, Commercial Vehicle Enforcement Division** (CVED) at www.lsp.gov or call 225-925-6113.

Disclaimer

This resource reference is produced by the Louisiana Farm Bureau Federation, Inc., a non-governmental, non-regulatory, non-profit organization representing Louisiana's farmers and ranchers. While every effort has been made to provide the most up-to-date information, the Louisiana Farm Bureau Federation, Inc. and its affiliated companies cannot warrant the accuracy or reliability of the information contained herein with the passage of time. It is not intended to take the place of published agency regulations. The contents may not be relied upon as a substitute for the official text, published in the law or in the current official text of the agency involved. It is the responsibility of all owner/operators to know and comply with all Louisiana laws pertaining to farm vehicle operations. The Louisiana Farm Bureau Federation, Inc. assumes no responsibility for errors and misinformation in the production, printing and distribution of this document. Questions about specific transportation issues and their legal ramifications should be directed to the Louisiana Department of Public Safety and the Louisiana Office of Motor Vehicles.

The following definitions are used throughout this document.

FMCSR = 49 Code of Federal Regulations

HMR = Hazardous Material Regulations

LRS = Louisiana Revised Statues

TO OBTAIN A USDOT NUMBER

Call 1-800-832-5660 or www.fmcsa.dot.gov

TO OBTAIN AN IFTA FUEL PERMIT

Call the Louisiana Department of Revenue at 225-219-7656 or <https://www.revenue.louisiana.gov/>

TO OBTAIN INFORMATION ON APPORTIONED REGISTRATION

Call the Louisiana OMV at 225-925-7022 or <https://www.la-trucks-online.org>

FOR REGULAR LICENSE PLATES

Contact your local Louisiana OMV at 225-925-6146 or <https://www.expresslane.org/>

TO OBTAIN INFORMATION ON HAZARDOUS MATERIALS

Call 1-800-HMR-4922 or 1-800-467-4922 or <https://www.phmsa.dot.gov/>

TO OBTAIN INFORMATION PERMITS FOR THE MOVEMENT OF OVERSIZE AND OVERWEIGHT LOADS ON THE HIGHWAY

Call 225-343-2345 or 1-800-654-1433 or <http://www.sp.dotd.la.gov/>

Louisiana Office of Motor Vehicles Offices & Locations

Parish	City	Phone	Address
Acadia	Crowley	337-788-7505	1710 West Second Street, Crowley, LA 70526
Allen	Kinder	337-738-5669	PO Box 947, 333 8th Street, Kinder, LA 70648
Allen	Oakdale	318-335-2578	229 S. 10th Street, Oakdale, LA 71463
Ascension	Donaldsonville	225-474-2018	413 Williams St, Donaldsonville, LA 70346
Ascension	Gonzales	225-647-9725	320 East Ascension St, Gonzales, LA 70737
Assumption	Napoleonville	985-369-7745	PO Box 415 105 Martin Luther King, Napoleonville, LA 70390
Avoyelles	Bunkie	318-346-7798	1136 Shirley Rd. Bunkie, LA 71322
Avoyelles	Marksville	318-253-9773	311 North Monroe, Marksville, LA 71351
Beauregard	Deridder	337-463-8865	2366 Hwy 190 West, DeRidder, LA 70634
Bienville	Arcadia	318-263-8649	2428 Second St. Suite A, Arcadia, LA 71001
Bossier	Bossier	318-741-7113	3802 Kilpatrick Blvd. Bossier, LA 71112
Caddo	Shreveport	318-688-6807	9310 Normandie Drive, Shreveport, LA 71118
Caddo	Vivian	318-375-4900	102-A East Georgia, Vivian, LA 71082
Calcasieu	DeQuincy	337-786-4720	101 S. Pine Street, DeQuincy, LA 70633
Calcasieu	Lake Charles	337-491-2533	951 Main Street, Lake Charles, LA 70615
Calcasieu	Sulphur	337-625-0304	940 Beglis Parkway, Sulphur, LA 70663
Caldwell	Columbia	318-649-7443	PO Box 876, 232 Riser Street, Columbia, LA 71418
Cameron	Cameron	337-775-2238	PO Box 961, 110 Smith Circle, Suite B, Room 1202, Cameron, LA 70631
Catahoula	Jonesville	318-339-6102	1114 First Street, Jonesville, LA 71343
Claiborne	Homer	318-927-3912	833 West Main St. Homer, LA 71040
Concordia	Vidalia	318-336-7137	2009 Billy Deal Lane, Vidalia, LA 71373
Desoto	Mansfield	318-872-3202	619 Franklin St. Mansfield, LA 71052
East Baton Rouge	Baton Rouge	225-925-6146	7701 Independence Bld. Baton Rouge, LA 70806
East Carroll	Lake Providence	318-559-2917	409 2nd Street, Ste 3, Lake Providence, LA 71254
East Feliciana	Clinton	225-683-5746	11086 Bank Street, Clinton, LA 70722
Evangeline	Ville Platte	337-363-3140	1004 W. LaSalle Street, Ville Platte, LA 70586
Franklin	Winnsboro	318-435-2148	2601 Loop Rd. Winnsboro, LA 71295
Grant	Colfax	318-627-5739	306 8th St. Colfax, LA 71417
Iberia	New Iberia	337-373-0054	1613 East Main Street, New Iberia, LA 70560
Iberville	Plaquemine	225-687-5884	57815 Fort Street, Plaquemine, LA 70764
Jackson	Jonesboro	318-259-7197	524 Pershing Hwy, Jonesboro, LA 71251
Jefferson	Harvey	504-361-6222	2150 Westbank Expwy. Harvey, LA 70058
Jefferson	Kenner	504-463-5783	421 Williams Blvd. Kenner, LA 70062
Jefferson	Westwego	504-349-8776	1100 4th Street, Westwego, LA 70094
Jefferson Davis	Jennings	337-824-5750	210 South State Street, Jennings, LA 70546
Lafayette	Lafayette	337-896-8121	3241 N.W. Evangeline Thruway, Ste A, Lafayette, LA 70507
Lafourche	Golden Meadow	985-475-6244	108 Jervis Dr. Golden Meadow, LA 70357
Lafourche	Thibodaux	985-447-0910	1424 Tiger Drive, Thibodaux, LA 70301
LaSalle	Jena	318-992-4791	1090 E Elwood St. Jena, LA 71342
Lincoln	Ruston	318-251-4148	104 West Arizona, Ruston, LA 71270
Livingston	Livingston	225-686-1447	PO Box 700, 20355 Government Blvd. Livingston, LA 70754

Parish	City	Phone	Address
Madison	Tallulah	318-574-4481	1703 Felicia Drive, Tallulah, LA 71282
Morehouse	Bastrop	318-283-0842	510 N. Washington St. Bastrop, LA 71220
Natchitoches	Natchitoches	318-357-3166	113 South Drive, Suite 10, Natchitoches, LA 71457
Orleans	New Orleans East	504-243-7501	7500 Bullard Ave. Ste. 104, New Orleans, LA 70128
Orleans	Veterans	504-483-1870	100 Veterans Blvd. New Orleans, LA 70124
Ouachita	Monroe	318-362-3121	5171 Northeast Road, Monroe, LA 71203
Ouachita	West Monroe	318-362-3424	501 Natchitoches, West Monroe, LA 71291
Plaquemine	Buras	504-564-6667	117 Auditorium Dr. Buras, LA 70041
Pointe Coupee	New Roads	225-638-6789	424 Hospital Road, Unit A, New Roads, LA 70760
Rapides	Alexandria	318-487-5933	5602 Coliseum Blvd. Alexandria, LA 71303
Rapides	Pineville	318-487-5949	831 Main Street. Pineville, LA 71360
Red River	Coushatta	318-932-3250	PO Box 441, 1213 E. Carrol, Coushatta, LA 71019
Richland	Rayville	318-728-3048	6 Lynn Gayle Robertson Rd. Rayville, LA 71269
Sabine	Many	318-256-4128	109 North Highland. Many, LA 71449
St. Bernard	Chalmette	504-278-6513	3870 E. Judge Perez Drive, Meraux, LA 70075
St. Charles	Hahnville	985-783-9168	15012A River Road, Hahnville, LA 70057
St. Helena	Greensburg	225-222-4449	38 South Main, Greensburg, LA 70441
St. James	Gramercy	225-869-4209	827 N. Pine St. Ste. B, Gramercy, LA 70052
St. John	Reserve	985-479-5188	4034 W. Airline Hwy. Reserve, LA 70084
St. Landry	Eunice	337-457-7638	2101 W Ash St. Eunice, LA 70535
St. Landry	Opelousas	337-948-0235	1638 Creswell Extension # 3, Opelousas, LA 70570
St. Martin	Breaux Bridge	337-332-1622	101 Berard Street. Suite D, Breaux Bridge, LA 70517
St. Mary	Morgan City	985-380-2443	1200 Victor II Boulevard, Morgan City, LA 70380
St. Tammany	Mandeville	985-624-4445	1715 N. Causeway Blvd. Mandeville, LA 70471
St. Tammany	Slidell	985-646-6461	1514 Lindberg, Suite 100, Slidell, LA 70458
Tangipahoa	Amite	985-748-2081	112 East Mulberry St. Amite, LA 70422
Tensas	St. Joseph	318-766-3239	PO Box 756, 203 Hancock St. Courthouse Annex. St. Joseph, LA 71366
Terrebonne	Houma	985-857-3675	108 Capital Blvd. Houma, LA 70360
Union	Farmerville	318-368-3080	303 C East Water St. Farmerville, LA 71241
Vermillion	Abbeville	337-893-1316	112 Rue Centre, Abbeville, LA 70510
Vernon	Leesville	337-238-6434	1315 North 5th St. Leesville, LA 71446
Washington	Bogalusa	985-732-6628	62041 Benjamin Road. Bogalusa, LA 70427
Washington	Franklinton	985-795-1015	309 11th Avenue. Franklinton, LA 70438
Webster	Minden	318-371-3003	301 Morris Drive, Minden, LA 71055
W. Baton Rouge	Port Allen	225-925-6146	782 Louisiana Ave. Port Allen, LA 70767
West Carroll	Oak Grove	318-428-4963	706 East Main St. Ste 1, Oak Grove, LA 71263
West Feliciana	St. Francisville	225-635-6880	5932 Commerce Street. St. Francisville, LA 70775
Winn	Winnfield	318-628-6059	Courthouse Bldg. Rm 1, 100 West Main St. Winnfield, LA 71483

Definitions and Applicability

What is a Farmer? (Federal Motor Carrier Safety Regulations (FMCSR 390.5))

Any person who operates a farm or is directly involved in the cultivation of land, crops, or livestock which —

- (a) Are **owned by that person**; or
- (b) Are under the **direct control of that person**.

What is a Farm Vehicle Driver? (FMCSR 390.5)

A person who drives only a commercial motor vehicle that is —

- (a) Controlled and operated by a **farmer as a private motor carrier of property**;
- (b) Being used to transport either —
 - 1. Agricultural products, or
 - 2. Farm machinery, farm supplies, or both, to or from a farm;
- (c) Not being used in the operation of a **for hire motor carrier**;
- (d) Not carrying hazardous materials of a type or quantity that requires the commercial motor vehicle to be placarded in accordance with 49 CFR (Code of Federal Regulations), §177.823 of this subtitle; and
- (e) Being used within **150 air miles of the farmer's farm**.

What is a Covered Farm Vehicle? (FMCSR 390.5)

- (a) Means a straight truck or articulated vehicle:
 - (1) Registered in a State with a **license plate** or other designation issued by the State of registration that allows law enforcement officials to **identify it as a farm vehicle**;
Note: See Louisiana OMV License Plate Classifications & Requirements for Farm Produce Plates 10.00 at: <https://www.expresslane.org/Pages/Policy/Motor-Vehicle-License-Plate-Classifications-Requirements.aspx>
 - (2) Operated by the owner or operator of a farm or ranch, or an employee of family member of an owner or operator of a farm or ranch;
 - (3) Used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch; and
 - (4) **Not used in for-hire motor carrier operations**; however, for-hire motor carrier operations do not include the operation of a vehicle meeting the requirements of paragraphs (a)(1) through (3) of this definition by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement.
- (b) Meeting the requirements of paragraphs (a)(1) through (4) of this definition:
 - (1) With a gross vehicle weight or gross vehicle weight rating, whichever is greater, of **26,001 pounds or less may utilize the exemptions in 390.39 anywhere in the United States**; or
 - (2) With a gross vehicle weight or gross vehicle weight rating, whichever is greater, of **more than 26,001 pounds** may utilize the exemptions in 390.39 **anywhere in the State of registration or across State lines within 150 air miles** of the farm or ranch with respect to which the vehicle is being operated.

Applicability of Federal Regulations (FMCSR 390.39)

a) Federal requirements. A covered farm vehicle, as defined in §390.5, including the individual operating that vehicle, is exempt from the following:

- (1) Any requirement relating to commercial driver's licenses in 49 CFR Part 383 or controlled substances and alcohol use and testing in 49 CFR Part 382;
 - (2) Any requirement in 49 CFR Part 391, Subpart E, Physical Qualifications and Examinations.
 - (3) Any requirement in 49 CFR Part 395, Hours of Service of Drivers.
 - (4) Any requirement in 49 CFR Part 396, Inspection, Repair, and Maintenance.
- (b) State requirements—(1) In general. Federal transportation funding to a State may not be terminated, limited, or otherwise interfered with as a result of the State exempting a covered farm vehicle, including the individual operating that vehicle, from—

- (i) A requirement described in paragraph (a) of this section; or
- (ii) Any other minimum standard provided by a State relating to the operation of that vehicle.

(2) Exception. Paragraph (b)(1) of this section does not apply with respect to a covered farm vehicle transporting hazardous materials that require a placard.

(c) Other exemptions and exceptions. The exemptions in paragraphs (a) and (b) of this section are in addition to, not in place of, the agricultural exemptions and exceptions in §§383.3(d)(1), 383.3(e), 383.3(f), 391.2(a), 391.2(b), 391.2(c), 391.67, 395.1(e)(1), 395.1(e)(2), 395.1(h), 395.1(i), and 395.1(k) of this chapter. Motor carriers and drivers may utilize any combination of these exemptions and exceptions, providing they comply fully with each separate exemption and exception.

Types of Driver's Licenses for Louisiana Farm Vehicles

Class A Permits the operation of:

1. All vehicles with classes "B", "C", "D" or "E"
2. Any combination of vehicles with GVWR of 26,001 or more pounds provided the GVWR of the towed vehicle(s) is in excess of 10,000 pounds.

Class B Permits the operation of:

1. All vehicles with classes "C", "D" and "E"
2. Any single vehicle with a GVWR of 26,001 or more pounds
3. Any single vehicle with a GVWR of 26,001 or more pounds towing a vehicle not in excess of 10,000 GVWR

Class C Permits the operation of:

1. All vehicles with classes "D" or "E"
2. Any vehicle less than 26,001 pounds GVWR that is:
 - a. Designed to transport 16 or more passengers including the driver or
 - b. Is placarded for hazardous materials

Class D Permits the operation of:

1. All vehicles within class "E"
2. Any single vehicle or combination of vehicles with a GVWR of 10,001 or more pounds but less than 26,001 pounds used in commerce that is:
 - a. Designed to transport less than 16 passengers including the driver or
 - b. Not placarded for hazardous materials

Class E Permits the operation of:

1. Any single motor vehicle under 10,001 pounds GVWR
2. Any personal use recreational vehicle or combination of vehicles
3. **Farm vehicles controlled and operated by a farmer to transport agricultural products, farm machinery, or farm supplies (supplies can include placarded Hazardous Material) to and from a farm within 150 miles of the owner's or operator's farm and which is not used in the operation of a common contract carrier.**
4. Any vehicle which is not within the definition of classes "A", "B", "C", or "D"

EXCEPTIONS

The only license required for farmers and their employees will be a Class E license as long as they are operating within 150 air miles of the owner or operator's farm. A farmer may transport agricultural products, farm machinery, farm supplies, agricultural crop production fertilizers, agricultural chemicals, or agricultural related fuels found to be hazardous under the provisions of the Hazardous Materials Transportation Act which requires the motor vehicle to bear a placard.



LOUISIANA DEPARTMENT OF PUBLIC SAFETY
OFFICE OF MOTOR VEHICLES

Section: I Issuance of Driver's License
Number: 1.02

Effective: 03/15/1995
Revised: 08/01/2014

FARM RELATED SERVICE INDUSTRY CDL WAIVER

To view Louisiana Statutes: <http://www.legis.state.la.us/>

AUTHORITY

Federal Motor Carrier Safety Regulations,
49 C.F.R. 383.3(f)

DEFINITION

The Federal Highway Administration allows states to issue restricted CDLs (farm related service industry waivers) to seasonal drivers which are accepted through reciprocity in all states and which are limited to the following farm related service industries:

- Farm retail outlets and suppliers
- Agri-chemical businesses
- Custom harvesters
- Livestock feeders

NOTE: Crop Dusters (Agricultural Aviators) are NOT ELIGIBLE for this waiver as determined by the FMCSA in 1992.

ELIGIBILITY

Applicant must:

- Be at least 18 years of age and must have been licensed for at least one year prior to making application.
- Hold a valid driver's license with no active or pending suspensions showing on his Louisiana driving record or any violation in another state that would cause his driving privileges to be suspended.
- Meet all CDL medical requirements.

REQUIREMENTS

- The driver must provide a letter (on company letterhead) from his employer or a notarized affidavit (if self-employed).
- The letter/notarized affidavit must identify one or more of the above mentioned categories of activities for which the waiver is being applied for and the period of time for which the waiver is needed.
- The employer must also state that the driver will drive within a 150 mile radius from the place of business or from the farm which is being served.
- The applicant must have a current Medical Examiner's Certificate certifying the driver is qualified under the provisions of 49 CFR 391.41.
- The applicant must complete a self-certification form, initially and anytime the type of commerce changes.

- On or after May 21, 2014, all CDL physicals must be performed by a medical examiner certified by the National Registry of Medical Examiners.
- Please visit <https://www.fmcsa.dot.gov/regulations/medical> for a list of certified medical examiners.
- Applicant must pass the vision test at each application (minimum 20/40 in each & both eyes.
- A Farm Related Service Industry waiver (DPSMV2279, see next page)
- A \$15.00 application fee to initiate a CDLIS and NDR inquiry on the initial issuance or renewal of the license.

NOTES

Under the provisions of the federal rule, the following procedures apply:

- Applicants for the waiver are not required to take the CDL skills or knowledge tests.
- Applicants are restricted to Class B or C only; the waiver shall **not** be issued with a Class A CDL.
- Restricted CDL holders shall not be issued any endorsements.
- Restricted CDL holders may not operate a commercial motor vehicle beyond 150 miles from the place of business or the farm currently being served.
- While the photo license is issued with a 4 year expiration, it must be accompanied by the Farm Related Services Industry waiver while operating commercial vehicles. The waiver form may be issued for more than one seasonal period within any calendar year but the total period cannot exceed 180 days in any calendar year.
- The restricted CDL is valid only during the currently approved season and must be re-validated for each successive season. Only one seasonal period of validity (Farm Related Services Industry waiver) shall accompany the license document at one time.
- If an applicant changes jobs, the CDL farm waiver will automatically become invalid. A new "Farm Related Service Industry Waiver" may be issued with submission of the required information from the new employer. The applicant must submit the medical card, application, letter from new employer, and pass the vision exam. A copy of the new "Farm Related Services Industry Waiver" must be maintained with the supporting documents. A duplicate CDL license will be issued (\$5.00). The \$5.00 fee will cover the cost of an NDR and CDLIS check and an update to the driver's license record.
- The restricted CDL issued for a Farm Related Service Industry Waiver will be marked by a large red "R" on its face to further signify that this is a specially restricted CDL license.

MISCELLANEOUS INFORMATION

- If the applicant discontinues driving for agricultural industries, the license will remain valid until the expiration date for the previous class issued **ONLY**.
- At renewal time the license will be downgraded to the previous class held. The "CDL Waiver for Farm Related Service Industries Waiver" will show the previous class issued. If the applicant has misplaced this form, the IMAGE system can be checked to verify the previous class held.

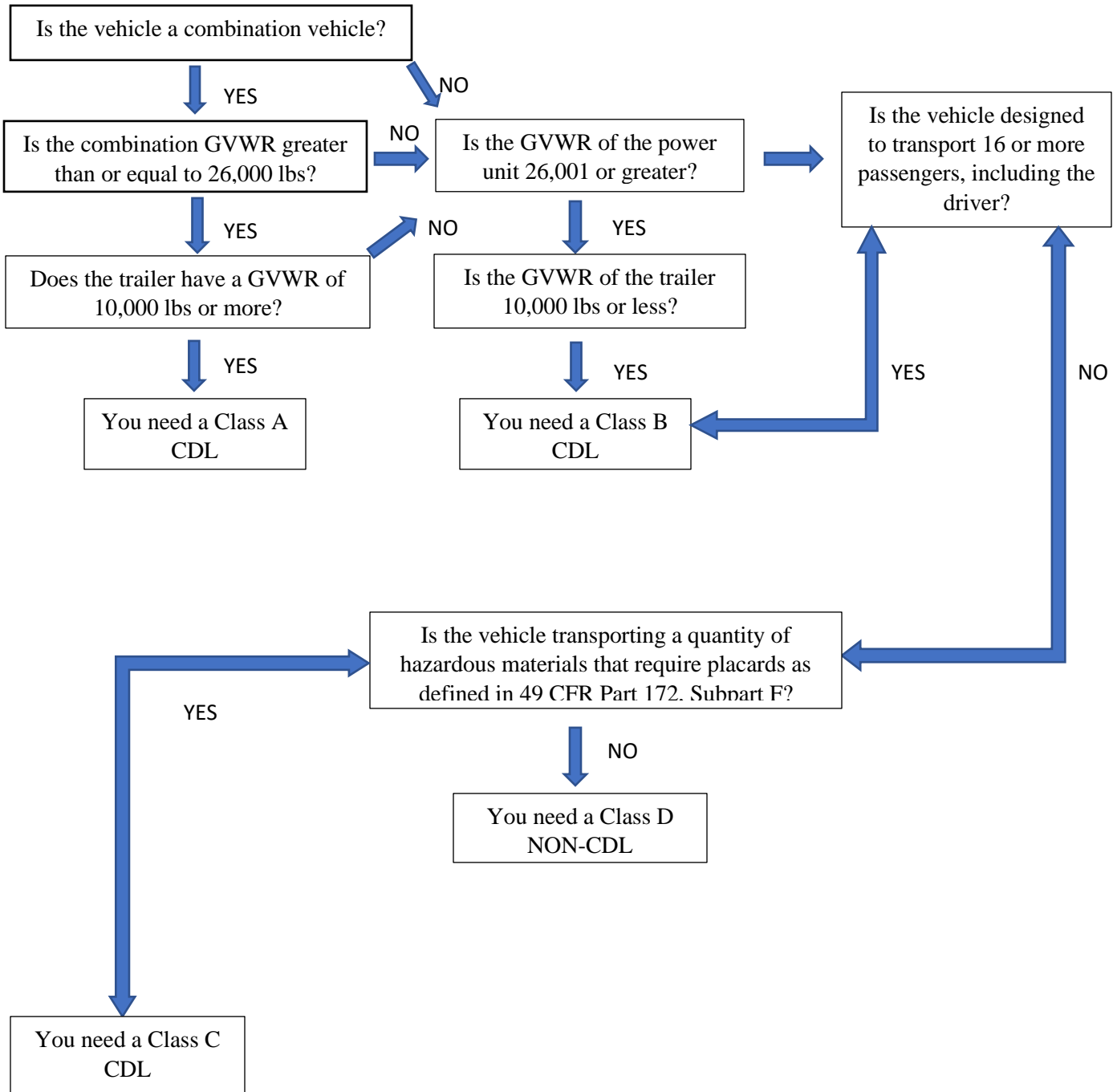
For transport of hazardous materials requiring placarding, restricted CDL holders would be limited to:

- Diesel fuel in quantities of 1,000 gallons or less;
- Liquid fertilizers in vehicles with total capacity of 3,000 gallons or less;
- Solid fertilizers that are not mixed with any organic substance.

Restricted CDL

- No other placarded hazardous materials may be transported by holders of restricted CDLs.
- Restricted CDL holders will be fully subject to all CDL disqualification penalties.

Commercial Driver's License Flow Chart (LRS 32:408)



*REMINDER: THERE ARE EXEMPTIONS TO THE CDL REQUIREMENTS

** NOTE: IF THE GVWR CANNOT BE DETERMINED THEN THE ACTUAL GROSS WEIGHT MAY BE USED TO DETERMINE CDL APPLICABILITY.

Louisiana Driver's License Requirements for Farmers

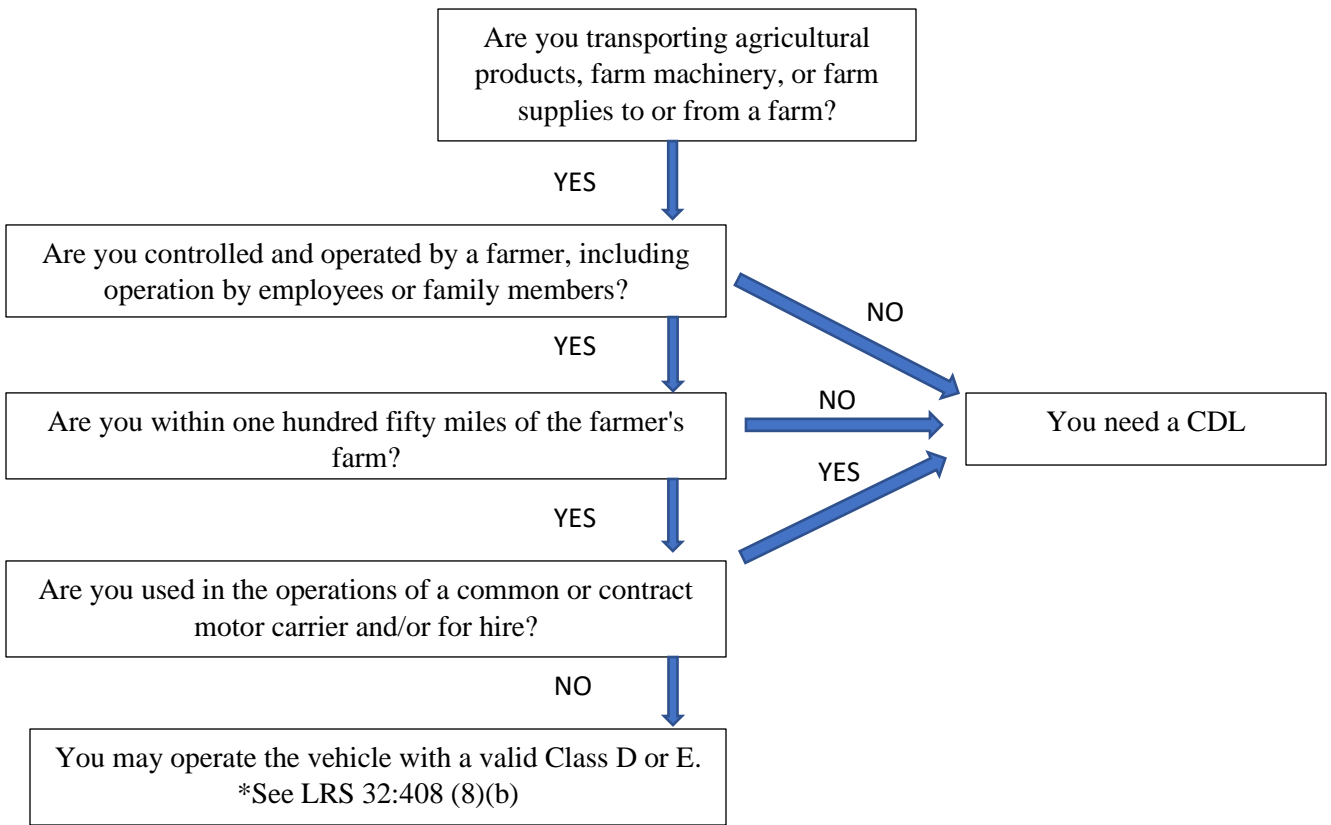
- LRS 32:408 (8)(b) states drivers possessing a valid Class "D" or "E" license are allowed to operate the following vehicles without a commercial driver's license, subject to the following limitations: farm vehicle which is controlled and operated by a farmer, including operation by employees or family members, is used to transport agricultural products, farm machinery, or farm supplies, to or from a farm, is not used in the operations of a common or contract motor carrier, and is used within one hundred fifty miles of the farmer's farm. In order to qualify for this exemption, an applicant shall meet the following criteria:

(i) An applicant with one to two years of driving experience shall demonstrate a satisfactory operating record for his entire driving history. An applicant with more than two years of driving experience shall demonstrate a satisfactory operating record for the two most recent years of his driving history. An applicant who has not previously been issued a driver's license shall not be eligible for this exemption.

(ii) For purposes of this Subparagraph, "satisfactory operating record" shall mean that an applicant has not had more than one license, has not had any license suspended, revoked, or canceled, has not had any conviction for a driving offense which requires disqualification as provided for in R.S. 32:414.2, has not had any conviction of a serious traffic violation as provided for in R.S. 32:414.2, and has not had any conviction of a state or local law relating to traffic control, other than a violation arising in connection with a traffic accident, and has no record of an accident in which the applicant was at fault.

- LRS 32:408 (11)(B)(2) states a commercial driver's license shall be required when a vehicle is used in commerce, and is a commercial motor vehicle.

- LRS 32:298 (B) states notwithstanding R.S. 32:402 or any law to the contrary, no driver's license shall be required by a person who operates farm equipment **on the shoulder of a highway**, provided that the person is at least twelve years of age and the operation of such equipment is in compliance with Subsection A of this Section.

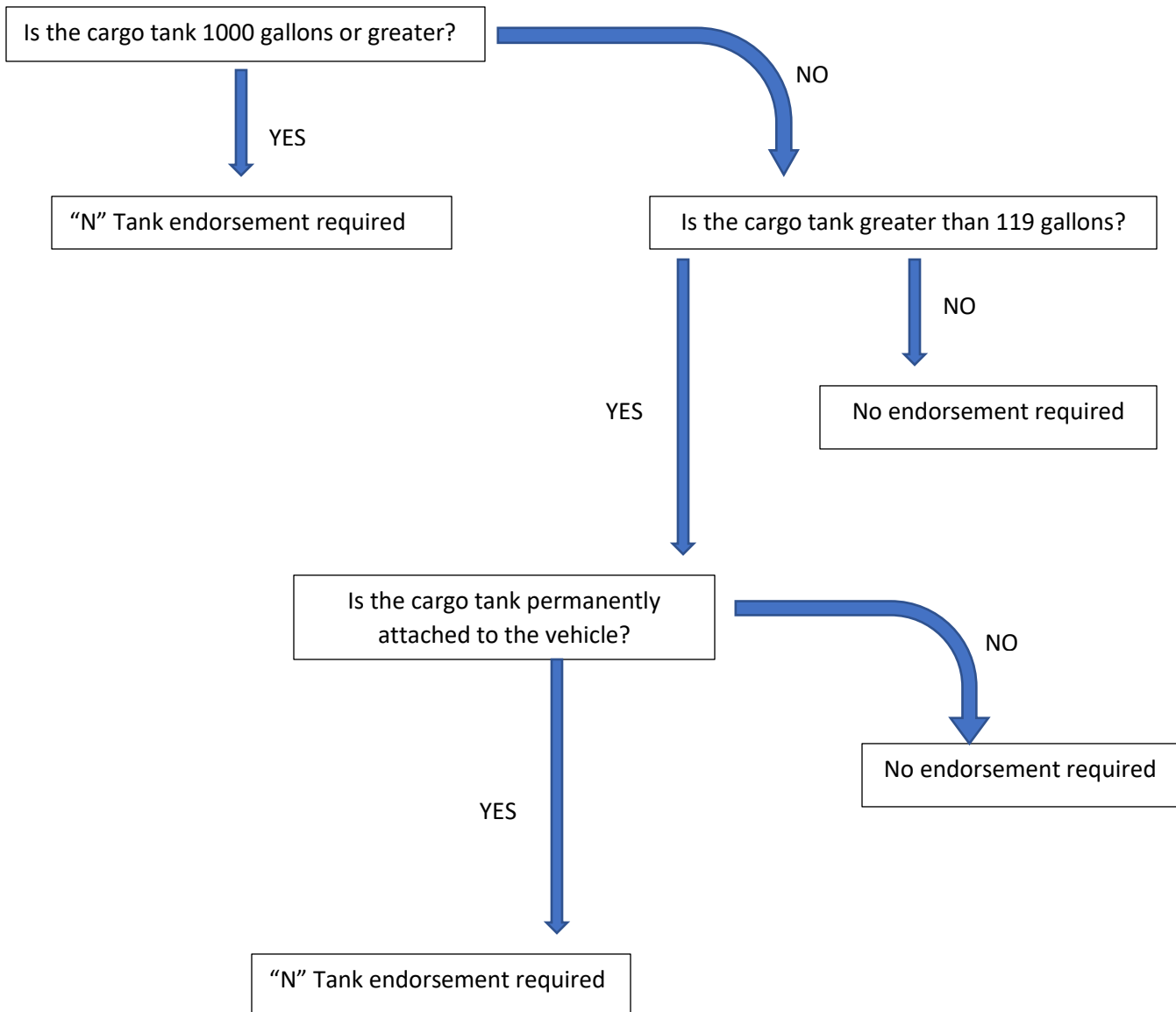


“N” – TANK ENDORSEMENT

REMINDER: THE DRIVER MUST BE REQUIRED TO HAVE A CDL BEFORE ANY ENDORSEMENTS APPLY.

DEFINITION

Tank Vehicle means any Commercial Motor Vehicle that is DESIGNED to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to a vehicle or the chassis. Such vehicles include, but are not limited to cargo tanks and portable tanks, as defined in Part 171 of this title. However, this definition does not include portable tanks having a rated capacity under 1000 gallons.



Louisiana CDL Self-Certification Requirements

All CDL holders are required to remit to the Office of Motor Vehicles a self-certification form, initially and whenever the type of commerce changes and a current Medical Examiner's Certificate. In accordance with Louisiana law, ALL CDL drivers, regardless of self-certification category are required to submit a current Medical Examiner's Certificate (if required).

All Louisiana CDL holders are required to self-certify with the Office of Motor Vehicles as to the appropriate type of commerce. Once the self-certification category has been captured by the Office of Motor Vehicles, it is not necessary for the driver to submit another self-certification unless the driver's type of commerce changes.

When applying for a CDL driver's license transaction

- The applicant must submit a current Medical Examiner's Certificate certifying the driver is qualified under the provisions of 49 CFR 391.41.
- The applicant must complete a self-certification form, initially and anytime the type of commerce changes.
- On or after May 21, 2014, all CDL physicals must be performed by a medical examiner certified by the National Registry of Medical Examiners.
- Please visit <https://nationalregistry.fmcsa.dot.gov/> for a list of certified medical examiners.
- The CLP/CDL applicant must provide proof that the individual is a resident of the state of Louisiana as per 49 CFR 383.71. Acceptable documentation includes, but is not limited to the following:
 - A Louisiana voter's registration card
 - A Louisiana property tax receipt from the tax assessor's office indicating the property owner is the same individual as shown on the exemption certificate.
 - A copy of a lease or rental agreement on property within the State of Louisiana, indicating the lessee is the same individual.
 - Utility statements (electric, gas, water, telephone, or cablevision) indicating the applicant's name and address.
 - A statement on letterhead stationery, from the postmaster in the city where the applicant resides verifying the mailing address of the applicant and stating that the applicant receives mail at that address.
 - W-2 Form reflecting the applicant's name and Louisiana address.
 - A current health, home or personal vehicle insurance policy reflecting the name of the applicant and the applicant's Louisiana address.
 - A copy of the current telephone statement listing the physical address and the individual's name.

Definitions of Self-Certification Categories

Interstate Commerce is when you drive a CMV:

- From one state to another state or a foreign country;
 - Between two places within a state, but during part of the trip, the CMV crosses into another state or foreign country;
- or
- Between two places within a state, but the cargo is part of a trip that began or will end in another state or foreign country.

Intrastate Commerce is when you drive a CMV within a state and you do not meet any of the descriptions above for Interstate Commerce.

Interstate Non-excepted – Operates in interstate commerce and is both subject to and meets the requirements under 49 CFR part 391, and is required to obtain a medical examiner's certificate.

• This class applies to:

- All Class A, B, or C privately or self-employed commercial drivers who operate or expect to operate in interstate commerce, and are subject to meet the federal medical standard and, therefore, are required to obtain a medical examiner's certificate
- All Class A, B, or C drivers who do not fall under any other category or who have been granted a federal vision or diabetes exemption or a Skill Performance Evaluation (SPE)

Interstate Excepted – Operates in interstate commerce and does not have to meet the Federal DOT medical card requirements.

• Drivers who operate or expect to operate in interstate commerce but engage only in transportation or operations that are not required to meet all or parts of the federal qualification requirements and are, therefore, not required to obtain a medical examiner's certificate. Examples are:

- **Farm Custom Operations – driver who operates a CMV controlled and operated by a person engaged in custom harvesting operations, if the CMV is used to**
 - ❖ **Transport farm machinery, supplies, or both to or from a farm for custom-harvesting operations on a farm.**
 - ❖ **Transport custom-harvested crops to storage or market.**
- **Apiarian Industries – driver who operates a CMV controlled and operated by a beekeeper engaged in the seasonal transportation of bees.**
- **Certain farm vehicle drivers – farm vehicle driver who drives an articulated (combination) CMV as defined in 390.5.**
- All school bus operations
- Transportation performed by the Federal or State Government
- Occasional transportation of personal property
- Transportation of human corpses or sick and injured persons
- Fire trucks and rescue vehicles
- Commercial motor vehicles designed or used to transport between 5 and 15 passengers (including driver)
- Commercial motor vehicles used primarily in the transportation of propane winter heating fuel.

Intrastate Non-excepted – Operates in intrastate commerce and who meets the physical qualifications of 49 CFR section 391 and is required to obtain a medical examiners certificate. Louisiana has chosen to adopt FMCSA regulations.

Intrastate Excepted – Operates in intrastate commerce and must meet Louisiana's physical qualifications and possess a valid medical examiner's certificate. Louisiana has a vision waiver program only. Louisiana has chosen to adopt FMCSA regulations.

- Drivers who operate in intrastate commerce but engage exclusively in transportation or operations that are not required to meet all or parts of the state driver qualification requirements.
- Examples of excepted Intrastate Drivers include city, municipal, or state employees commercial driver's license holders.

Note: If you operate in both Intrastate Commerce and Interstate Commerce, you must self-certify as Interstate Commerce. If you operate in both excepted interstate commerce and non-excepted interstate commerce, you must self-certify as non-excepted interstate commerce to be qualified to operate in both types of interstate commerce.

The “CDL Medical Inquiry” application can be accessed at: www.expresslane.org

Regulations regarding driver license requirements for non-us citizens hauling agriculture

In Louisiana, the only license required for farmers and their employees will be a Class E license as long as they are operating within 150 air miles of the owner or operator's farm, etc.

The only foreign CDL that are accepted in the United States are from the federal government of Mexico and provinces and territories in Canada. The United States has CDL reciprocity agreements with only these two North American countries. In rare instances, FMCSA may issue temporary waivers (up to 90 days) or exemptions (up to two years) to allow drivers licensed in other countries to operate in the United States. These drivers are required to carry the waiver or exemption document with them.

In January 2017, the United States Department of Transportation (USDOT) and Mexico's Secretariat of Communication and Transport (SCT) signed and brought into force the Amendment to the Memorandum of Understanding between the Government of the United States and Government of the United Mexican States Relating to Recognition and Validity of Commercial Driver's Licenses and Licencias Federales de Conductor.

A driver with residence in Mexico drives for a U.S. company. Does that driver need a state-issued commercial driver's license?

No, the driver may hold a valid license for the type of vehicle operated that is issued by the Mexico's Secretaría de Comunicaciones y Transportes (SCT). Licensing is not dependent on place of employment.

However, to clarify further, the U.S. only recognizes the license (Licencia Federal de Conductor) issued by Mexico's SCT (NOT a Mexican-state-issued license) as reciprocal for operations in the U.S.

A CMV operator from Mexico who has been issued a valid Mexican Licencia Federal is no longer required to have a medical certificate. The driver's medical exam is part of the driver's license process and is proof of medical fitness to drive in the United States.

However, Mexican drivers who are insulin-using diabetics, who have epilepsy, or who are hearing-and-vision impaired are not qualified to drive CMVs in the United States.

Mexican drivers who do not meet the medical fitness provision of The Licencia Federal de Conductor but who have been issued a waiver by The Licencia Federal de Conductor are not qualified to drive CMVs in the United States.

Restrictions: The top back of the license has a series of preprinted boxes. The pre-printed restriction box labeled **LENTES (eye glasses)** is applicable to operating a CMV in the United States. If the LENTES box contains the word "**SI**", **the driver must be wearing corrective lenses, contact or eye glasses**, to operate a CMV.

Other preprinted restrictions may be marked; these would provide useful medical conditions of the driver, should he or she be involved in an accident. If the driver is restricted to operating a CMV in Mexico, the restriction would be documented in the large comment field labeled Observaciones. Licencia Federal are manually typed in field offices around Mexico; restriction phrases in the Observaciones are not standardized. It is expected this restriction phrase will be standardized when license issuance is computerized in Mexico.

Mexican Classes of CDLs

A driver with a Mexican Class "A" CDL **IS NOT EQUAL TO** a USA Class "A" CDL!

Class "A" can only drive a BUS

Class "B" is equal to our Class "A" NO HazMat

Class "C" is a three axle, straight truck with a tank endorsement

Class "D" is a taxi/tour guide (no airports)

Class "E" is equal to our Class "A" with HazMat

Class "F" taxi drivers for airports (security clearance)

When inspecting at a Mexican CDL, DOT troopers will look and verify they have the correct class.

REMINDER: IF the driver qualifies for the farming exemption it does not matter what class he has.

CATEGORÍAS OF LICENCIA FEDERAL ISSUED BY THE MEXICAN SCT/DGAF:

<i>Class</i>	<i>Explanation</i>
A	Authorizes holder to operate all sizes of passenger buses. The bus can carry mixed cargo, (e.g., under the bus) but NOT placardable amounts of hazardous material. This is roughly comparable to a U.S. class B CDL with a passenger endorsement. Note. A limited number of this categoría were previously issued to airport and seaport taxi drivers, but with a restriction on the back of the license to 12 passenger maximum.
B	Authorizes holder to operate all commercial freight trucks and combinations, excluding carrying placardable amounts of hazardous materials. This is roughly comparable to a U.S. class A CDL with endorsements for tank, and double/triples.
C	Authorizes holder to operate commercial straight freight trucks (with a maximum of 3 axles, including any trailer axle) excluding hazardous materials. This is roughly comparable to a U.S. class B CDL with a tank endorsement.
D	There is no comparable CDL definition. Authorizes holder to operate automobiles and small buses which do not exceed 7,716 pounds (3500kg) or have a capacity to carry no more than 13 passengers (including the driver who also serves as the tour guide) for purposes of tourism.
E	Authorizes holder to operate any type of freight truck, including combination vehicles, and includes carrying placardable amounts of hazardous materials. This is roughly comparable to a U.S. class A CDL with endorsements for hazardous materials, tank, and double/triples.
F	Taxi drivers operating from any airport or seaport in Mexico. Note. This is because airports and seaports are federal and require a federal license, similar to driving a commercial vehicle on a federal road.

Qualifications of Drivers

Applicability (FMCSR 391.2)

(a) Farm Custom Operation. The rules in this part, except 391.15(e), do not apply to a driver who drives a commercial motor vehicle controlled and operated by a person engaged in custom harvesting operations, if the commercial motor vehicle is used to---

- (1) Transport farm machinery, supplies, or both, to or from a farm for custom harvesting operations on a farm; or
- (2) Transport custom-harvesting crops to storage or market.

(b) Apiarian industries. The rules in this part, except 391.15(e) do not apply to a driver who is operating a commercial motor vehicle controlled and operated by a beekeeper engaged in the seasonal transportation of bees.

(c) Certain farm vehicle drivers. The rules in this part, except for 391.15(e), do not apply to a farm vehicle driver except a farm vehicle driver who drives an articulated (combination) commercial motor vehicle, as defined in 390.5 of this chapter. For limited exemptions for farm vehicle drivers of articulated commercial motor vehicles, see 391.67.

(d) Covered farm vehicles. The rules in part 391, Subpart E – Physical Qualifications and Examinations – do not apply to drivers of “covered farm vehicles,” as defined in 49 CFR 390.5.

Farm Vehicle Drivers of Articulated Commercial Motor Vehicles (FMCSR 391.67)

(e) Farm vehicle drivers (as defined in Part 390.5) operating articulated (combination) commercial vehicles are exempt from the following requirements in Part 391. (391.67)

- (1) Minimum age of 21 (Must be at least 18 years of age) (391.11(b)(1))
- (2) Has prepared and furnished the motor carrier that employs him with a list of violations or the certificate required by Part 391.27. (391.11(b)(6))
- (3) Has successfully completed a driver’s road test and has been issued a certificate of driver’s road test in accordance with 391.31, or has presented an operator’s license or a certificate of road test which the motor carrier that employs him/her has accepted as equivalent to a road test in accordance with 391.33. (391.11(b)(8))
- (4) Disclosure of, investigation into, and inquiries about the background, character, and driving record of drivers. (Subpart C)
- (5) Road tests (Subpart D)
- (6) Maintenance of files and records (Subpart F)
- (7) Must remain within 150 air miles (172.6 statute miles) of the farm.

Farm vehicle drivers lose the CDL and farm exemption if they exceed the 150-air mile (172.6 statute mile) radius.

Farm vehicle drivers operating a Covered Farm Vehicle, must comply with 49 CFR 391.1, 391.11(b)(2, 3, 5, 7), 391.13, 391.15.

FMCSR 391.11(b) (2) Can read and speak the English language

- (3) Can, by reason of experience, training, or both, safely operate the type of commercial motor vehicle he/she drives
- (5) Has a currently valid commercial motor vehicle operator's license issued only by one State or jurisdiction
- (7) Is not disqualified to drive a commercial motor vehicle under the rules in §391.15

FMCSR 391.13 Responsibilities of drivers.

In order to comply with the requirements of §§392.9(a) and 383.111(a)(16) of this subchapter, a motor carrier shall not require or permit a person to drive a commercial motor vehicle unless the person—

(a) Can, by reason of experience, training, or both, determine whether the cargo he/she transports (including baggage in a passenger-carrying commercial motor vehicle) has been properly located, distributed, and secured in or on the commercial motor vehicle he/she drives;

(b) Is familiar with methods and procedures for securing cargo in or on the commercial motor vehicle he/she drives.

FMCSR 391.15 Disqualification of drivers.

(a) General. A driver who is disqualified shall not drive a commercial motor vehicle. A motor carrier shall not require or permit a driver who is disqualified to drive a commercial motor vehicle.

Driving Commercial Motor Vehicles:

FMCSR 392 prohibits unsafe driving practices for all drivers operating CMVs. These prohibited practices include but are not limited to the following:

(392.2) Operating a CMV in violation of a local law

(392.3) Operating a CMV while ill or fatigued

(393.4) Possession/Consumption of drugs or other substances

(392.5) Possession/Consumption of alcohol

(392.7) Operating a CMV when the driver has not determined the vehicle to be in safe operating condition

(392.14) Failing to use extreme caution or discontinuing trip when adverse conditions are encountered

(392.16) Driving a CMV while not wearing a safety belt

(392.71) Operating a CMV that is equipped with a radar detector

(392.80) Operating a CMV while texting

(392.82) Using a handheld cellular phone while operating a CMV

Hours of Service of Drivers

Applicability (FMCSR 395.1)

(a) Agricultural operations (FMCSR 395.1(k))

(1) The provisions of this part shall not apply during planting and harvesting periods, as determined by each, to drivers transporting

a) Agricultural commodities from the source of the agricultural commodities to a location within a 150 air-mile radius from the source;

b) Farm supplies for agricultural purposes from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used within a 150 air-mile radius from the distribution point; or

c) Farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a 150 air-mile radius from the wholesale distribution point.

(b) Covered Farm Vehicles (FMCSR 395.1(s)) The rules in this part do not apply to drivers of “covered farm vehicles,” as defined in 390.5.

(c) Federal Interpretations (FMCSR 395.1)

(1) The *agriculture* exception in §395.1(k) for “drivers transporting agricultural commodities or farm supplies for agricultural purposes” provides in part that the hours of service regulations “shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes...” The terms “agricultural commodities or farm supplies for agricultural purposes” were not defined, but the context clarifies their meaning. Because the statute made the exception available only “during the planting and harvesting seasons” in each State, Congress obviously intended to restrict it to agriculture in the traditional (and etymological) sense, i.e., the cultivation of fields. “*Agricultural commodities*” therefore means products grown on and harvested from the land, and “farm supplies for agricultural purposes” means products directly related to the growing or harvesting of agricultural commodities. In addition, drivers transporting livestock or slaughtered animals, or the grain, corn, hay, etc., used to feed animals, may not use the “agricultural operations” exception.

(FMCSR 395.1 Interpretation)

(2) Fuel used in the production of agricultural commodities qualify as “farm supplies” under §395.1(k) if (1) it is “for agricultural purposes,” e.g. used in tractors or other equipment that cultivate agricultural commodities or trucks that haul them, but not in automobiles, station wagons, SUVs or other vehicles designed primarily to carry passengers, or for

residential heating or cooking; (2) it is transported within the planting and harvesting season, as determined by the State, and within a 100 air-mile radius of the distribution point for fuel;

(3) the motor carrier is operating in interstate commerce; and

(4) the entire fuel load on the vehicle is to be delivered to one or more farms. A carrier may not use the exemption if any portion of the fuel load is to be delivered to a non-farm customer. (FMCSR 395.1 Interpretation)

(d) Farm Vehicle definition LRS 47:462 A(5) Those vehicles owned by persons engaged in the business of actual farming and by them used primarily, but not exclusively, in carrying farm produce raised on their farms from such farms to market, or returning therefrom carrying goods and merchandise back to their farms, this individually or cooperatively, but not for hire. Farm produce shall include, but not be limited to, fruits, vegetables, livestock, fish, shellfish, bees, and chickens. Those vehicles owned by persons engaged exclusively in the business of hauling milk and milk products for dairy cooperatives or any other milk plant. (This does not allow home delivery, milkman-type using a farm plate.)

(e) 100 Air Mile (INTERSTATE)/ 150 Air Mile Radius (INTRASTATE) **SHORT HAUL EXEMPTION 395.1(e)**

(1) A driver is exempt from the requirements of completing a driver's record of duty status (395.8) if:

(a) The driver operates within a 100/150 air mile radius of the normal work reporting location;

(b) The driver returns to the work reporting location and is released from work within 12 consecutive hours;

(c) At least 10 consecutive hours off duty separate each 12 hours on duty;

(d) The driver does not exceed 11 hours (interstate) maximum driving time following 10 consecutive hours off duty or 12 hours (intrastate) maximum driving time following 8 consecutive hours off duty; and

(e) The motor carrier that employs the driver maintains and retains for a period of 6 months accurate and true time records showing:

(i) The time the driver reports for duty each day;

(ii) The total number of hours the driver is on duty each day;

(iii) The time the driver is released from duty each day; and

(iv) The total time for the preceding 7 days in accordance with §395.8(j)(2) for drivers used for the first time or intermittently.

➤ A farm vehicle driver that cannot claim the agricultural exemption must either complete a record of duty status or maintain time records as previously explained.

➤ The agricultural and 100/150 air mile radius exemptions are two separate exemptions and cannot be used together. You must use one or the other, they cannot be combined.

(Any period of 7 or 8 consecutive days may end with the beginning of any off duty period of 34 or more consecutive hours. This applies to Intrastate drivers. Interstate drivers not exempt must comply with maximum driving times in 395.3)

Inspection, repair and maintenance (396.3)

FMCSR 392.7 prior to operating the vehicle, a farmer is required to check the vehicle's parts and accessories, to ensure the vehicle is in safe working order. There are no exemptions for farm commercial motor vehicles in this part.

FMCSR 393 addresses parts and accessories (lights, suspension, brakes, frame, couplings, cargo securement etc..) that are necessary for safe operation. There are no exemptions for farm commercial motor vehicles in this part. All of these parts required by the regulations must be in proper working order.

FMCSR 396 covers records including inspections by the driver and carrier, repair records and maintenance records for all commercial motor vehicles. Farmers operating Covered Farm Vehicles are exempt from part 396.

396.3 Inspection, repair, and maintenance.

(a) General. Every motor carrier and intermodal equipment provider must systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles and intermodal equipment subject to its control.

(1) Parts and accessories shall be in safe and proper operating condition at all times. These include those specified in part 393 of this subchapter and any additional parts and accessories which may affect safety of operation, including but not limited to, frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems.

(b) Required records. Motor carriers, except for a private motor carrier of passengers (nonbusiness), must maintain, or cause to be maintained, records for each motor vehicle they control for 30 consecutive days. Intermodal equipment providers must maintain or cause to be maintained, records for each unit of intermodal equipment they tender or intend to tender to a motor carrier. These records must include:

(1) An identification of the vehicle including company number, if so marked, make, serial number, year, and tire size. In addition, if the motor vehicle is not owned by the motor carrier, the record shall identify the name of the person furnishing the vehicle;

(2) A means to indicate the nature and due date of the various inspection and maintenance operations to be performed;

(3) A record of inspection, repairs, and maintenance indicating their date and nature; and

(4) A record of tests conducted on pushout windows, emergency doors, and emergency door marking lights on buses.

(c) Record retention. The records required by this section shall be retained where the vehicle is either housed or maintained for a period of 1 year and for 6 months after the motor vehicle leaves the motor carrier's control.

Driver vehicle inspection report(s) (396.11)

(a) **Report required** – Every motor carrier shall require its drivers to report, and every driver shall prepare a report in writing when the driver has found or been made aware of any vehicle defects or deficiencies on each vehicle operated and the report shall cover at least the following parts and accessories:

- Service brakes including trailer brake connections
- Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- Windshield wipers
- Rear vision mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment

(b) **Report content** – The report shall identify the vehicle and list any defect or deficiency discovered by or reported by the driver which would affect the safety of operation of the vehicle or result in its mechanical breakdown. In all instances, the driver shall sign the report. If a driver operates more than one vehicle during the day, a report shall be prepared for each vehicle operated.

(c) **Corrective action** – Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect or deficiency listed on the driver vehicle inspection report which would be likely to affect the safety of operation of the vehicle.

(1) Every motor carrier or its agent shall certify on the original driver vehicle inspection report which lists any defect or deficiency that the defect or deficiency has been repaired or that repair is unnecessary before the vehicle is operated again.

(2) Every motor carrier shall maintain the original driver vehicle inspection report, the certification of repairs, and the certification of the driver's review for three months from the date the written report was prepared.

(d) Exceptions – The rules in this section shall not apply to any motor carrier operating only one commercial motor vehicle.

Periodic inspection (FMCSR 396.17)

(a) Every commercial motor vehicle shall be inspected as required by this section. The inspection shall include, at a minimum, the parts and accessories set forth in Appendix G. Appendix G of Part 396 FMCSR consists of the following items:

(1) Brake System

Appendix G criteria rejects vehicles with any defective brakes, and air leaks, etc. The Commercial Vehicle Safety Alliance out-of-service criteria allows 20% defective brakes on non-steering axles and a certain latitude on air leaks before placing a vehicle out-of-service.

(2) Coupling Devices

Appendix G rejects vehicles with any fifth wheel mounting fastener missing or ineffective. The out of service criteria allows up to 20% missing or ineffective fasteners on frame mountings and pivot bracket mountings and 25% on slider latching fasteners. The out-of-service criteria also allows some latitude on cracked welds.

(3) Exhaust System

Appendix G follows Section 393.83 verbatim. The out-of-service criteria allows vehicles to exhaust forward of the dimensions given in Section 393.83 as long as the exhaust does not leak or exhaust under the chassis.

(4) Fuel System

Same for Appendix G and the out-of-service criteria.

(5) Lighting Devices

Appendix G requires all lighting devices required by section 393 to be operative at all times. The out-of-service criteria only requires one stop light and functioning turn signals on the rearmost vehicle of a combination of vehicles to be operative at all times. In addition, one operative head lamp and tail lamp are required during the hours of darkness.

(6) Safe Loading

Same for both Appendix G and the out-of-service criteria.

(7) Steering Mechanism

Steering lash requirements of Appendix G follows the new requirements of 393.209

(8) Suspension

Appendix G follows 393.207 which does not allow any broken leaves in a leaf spring assembly. The out-of-service criteria allows up to 25% broken or missing leaves before being placed out-of-service.

(9) Frame

Appendix G follows 393.201 which does not allow any frame cracks. The out-of-service criteria allows a certain latitude in frame cracks before placing a vehicle out-of-service.

(10) Tires

Appendix G follows the requirements of 393.75 which requires a tire tread depth of 4/32 inch on power unit steering axles and 2/32 inch on all other axles. The out-of-service criteria only requires 2/32 inch tire tread depth on power unit steering axles and 1/32 inch on all other axles.

(11) Wheel and Rims

Appendix G meets the requirements of the 393.205 which does not allow defective wheels and rims, non-effective nuts and bolts. The out-of-service criteria allows a certain amount latitude for wheel and rim cracks and missing or defective fasteners.

(12) Windshield Glazing

Appendix G addresses requirements for the whole windshield as specified in 393.60. The out-of-service criteria places in a restricted service condition any vehicle that has a crack or discoloration in the windshield area lying within the sweep of the wiper on the driver's side and does not address the remaining area of the windshield.

(13) Windshield Wipers

Appendix G requires windshield wipers to be operative at all times. The out-of-service criteria only requires that the windshield wiper on the driver's side to be inspected during inclement weather.

Note: *The term commercial motor vehicle includes each vehicle in a combination of vehicles. For example, for a tractor semi-trailer, full trailer combination, the tractor, semi-trailer and the full trailer.*

Equivalent to periodic inspection (FMCSR 396.23)

(b)(1) If a commercial motor vehicle is subject to a mandatory State inspection program which is determined by the Administrator to be as effective as 396.17, the motor carrier shall meet the requirement of 396.17 through that State's inspection program. Commercial motor vehicle inspections may be conducted by State personnel, at State authorized commercial facilities, or by the motor carrier under the auspices of a State authorized self inspection program.

Note: *Louisiana has a State Inspection Program and all commercial motor vehicles must have the State Periodic Inspection in order to meet the requirements of 396.17.*

Vehicles without required equipment or in unsafe condition (LSR 32:1301)

No person shall drive or move on any highway any motor vehicle, low-speed vehicle as defined in R.S. 32:1(40), trailer, semitrailer, or pole trailer, or any combination thereof, unless the equipment upon any such vehicle is in good working order and adjustment as required in this Chapter and said vehicle is in such safe mechanical condition as not to endanger the driver or other occupant or any person upon the highway. Every motor vehicle, low-speed vehicle, trailer, semitrailer, and pole trailer registered in this state shall bear a valid safety inspection certificate issued in the state of Louisiana, except as otherwise provided by R.S. 32:1305(G).

Hazardous Material (HM) Regulations for Farmers

What is a Farmer?

-As defined in section 171.8 of Chapter 49 of the Code of Federal Regulations (CFR) a farmer is a person engaged in the production or raising of crops, poultry, or livestock.

Hazardous Material Registration (HMR 107.601)

Hazardous material registration does not apply to those activities of a farmer, as defined in 171.8 of 49 CFR, that are in direct support of the farmer's farming operations when transporting a quantity of hazardous material that requires placarding, under the provisions of subpart F of part 172 of 49 CFR. (HMR 107.601(a)(6) and 107.601(b))

Copies of DOT Form F 5800.2 and instructions for its on line completion or completion via mail-in form may be obtained from the Hazardous Materials Registration Program, DHM- 60, U.S. Department of Transportation, Washington, DC 20590-0001, by calling 617-494-2545 or 202-366-4109, or on the Internet at <https://www.phmsa.dot.gov/registration/registration-overview>

NOTE: *HMR 107.601(a) requires certain persons to register if transporting certain hazardous materials. Contact the US DOT Hazardous Material Registration Program at (800) 467-4922 for specific assistance.*

Shipping Papers (HMR 172.200)

Basic description of shipping papers. (172.202)

- | | |
|--|----------------------|
| (1) Identification number. | (UN1993) |
| (2) Proper shipping name from 172.101 table | (Diesel fuel) |
| (3) Hazard class or division of the HM . | (3) |
| (4) Packing group in Roman numerals. | (III) |
| (5) Total quantity of HM being transported. | (503 gallons) |

Additional entries if needed (Example: Limited quantities, poisonous materials, gases, etc.) (172.203)

The Hazardous Material Regulations allow diesel fuel to be reclassified as a combustible liquid.

Farmers transporting diesel fuel for farm use should use the following basic shipping paper.

EXAMPLE:

UN1993 / Diesel Fuel / Combustible Liquid / III – 503 gallons

- This shipping paper must be carried at all times and must be within reach of the driver or in view for someone else entering the driver compartment. It must also be carried separate from other papers, tabbed or otherwise marked so it stands out from the rest of the papers.

Marking (HMR 172.300)

General requirements for non-bulk packages. (172.301)

(Any amount less than the definition for a bulk package listed below)

General requirements for bulk packages. (172.302)

A **bulk package** is defined as:

- | | |
|---|---------------------|
| (1) Having a capacity greater than 119 gallons for liquids. | (Diesel Fuel) |
| (2) A capacity greater than 882 pounds for a solid. | (Urea) |
| (3) A water capacity greater than 1000 pounds for a gas. | (Anhydrous Ammonia) |

Marking requirements. What the markings must look like (172.304)

This would include placards, labels, identification numbers, proper shipping names, and tank owner, which would depend on the type of package.

Additional marking requirements for package types

Portable tanks (172.326)

- (1) Proper shipping name for 172.101 table. (Anhydrous ammonia)
- (2) The owner of the tanks name. (Joe's chemical)

A **portable tank** is designed to be temporarily loaded onto another vehicle, and is equipped with skids, mountings or other accessories to aid in the handling of the tank.

Cargo tanks. (172.328)

A **cargo tank** is a **bulk** package and is permanently attached to or forms part of a motor vehicle.

Identification number marking can be; (172.332)

- (1) On an orange panel.
- (2) On a placard.
- (3) Or on a white square on point display.

Labeling Requirements (HMR 172.400)

General labeling requirement for non-bulk, bulk, and portable tanks.
(Labels are small placards used for non-bulk packages and cylinders)

Placarding Requirements (HMR 172.500)

General placarding requirements. (172.504)

A placard is required if certain amounts of hazardous materials are carried:

- (1) Any amount of a table 1 product (i.e., Poison by inhalation hazard, Zone A or B – **Anhydrous ammonia.**)
- (2) 1,001 or more pounds of a table 2 product. (i.e., Diesel fuel)
- (3) This is an aggregate weight meaning the total of the package and the product in the package.
- (4) Any BULK package. (as previously defined)

Nurse tanks. (Defined later) (172.507)

Not required to display placards on an end containing valves, fittings, regulators or gauges.

Emergency Response Information (HMR 172.600)

No person to whom this subpart applies may transport, transfer, store or handle during transportation a hazardous material unless: (172.600(c))

(1) Emergency response information is immediately available at all times the hazardous material is present.

Examples: Material Safety Data Sheet (MSDS) or Emergency Response Guide Book.

(2) Emergency response information (including emergency response phone number) is available to Federal, State, or Local government agency.

Exceptions – this section does not apply to hazardous material excepted from the shipping paper requirements. (See nurse tanks)

Agricultural operations (HMR 173.5)

(a) For other than a Class 2 material, the transportation of an agricultural product* over local roads between fields of the same farm is excepted from the requirements of this subchapter. A Class 2 material transported over local roads between fields of the same farm is excepted from the Emergency Response Information and Hazardous Material Training Requirements. In either instance, transportation of the hazardous material is subject to the following conditions:

(1) It is transported by a farmer who is an intrastate private motor carrier; and

(2) The movement of the agricultural product conforms to the requirements of the State in which it is transported and is specifically authorized by a State statute or regulation in effect before October 1, 1998.

(3) **Agricultural product means a hazardous material, other than a hazardous waste, whose end use directly supports the production of an agricultural commodity including, but not limited to a fertilizer, pesticide, soil amendment or fuel. An agricultural product is limited to a material in Class 3, 8 or 9, Division 2.1, 2.2, 5.1, or 6.1, or an ORM-D material.**

(b) The transportation of an agricultural product to or from a farm, within 150 miles of the farm, is excepted from the Emergency Response Information and Hazardous Material Training requirements and from the specific packaging requirements of this subchapter when:

(1) It is transported by a farmer who is an intrastate private motor carrier;

(2) The total amount of agricultural product being transported on a single vehicle does not exceed:

(i) 7,300 kg (16,094 pounds) of ammonium nitrate fertilizer properly classed as Division 5.1, PG III, in a bulk packaging, or

(ii) 1900 L (502 gallons) for liquids or gases,

(iii) or 2,300 kg (5,070 pounds) for solids, of any other agricultural product;

(3) The movement and packaging of the agricultural product conforms to the requirements of the State in which it is transported and are specifically authorized by a State statute or regulation in effect before October 1, 1998; and

(4) Each person having any responsibility for transporting the agricultural product or preparing the agricultural product for shipment has been instructed in the applicable requirements of this subchapter.

(c) Formulated liquid agricultural products in specification packaging's of 220 L (58 gallons) capacity, or less, with closures manifolded to a closed mixing system and equipped with positive dry disconnect devices may be transported by a private motor carrier between a final distribution point and an ultimate point of application or for loading aboard an airplane for aerial application.

(d) See 173.315(m) pertaining to nurse tanks of anhydrous ammonia.

(e) See 173.6 pertaining to materials of trade.

- Most of the above information can be obtained from the supplier of the hazardous material when needed.

Training (HMR 172.700)

Prescribes requirements for training hazardous material employees. (172.700) Applicability (172.702)

(a) A hazardous material employer shall ensure all employees are trained.

(1) Hazardous material employer as defined in 171.8 means a person who uses one or more of its employees in connection with transporting of HM in commerce.

(2) Hazardous material employee as defined in 171.8 means a person who is employed by a hazardous material employer who directly affects HM transportation safety.

Packaging Requirements (HMR 173)

Packaging requirements for commonly used hazardous materials.

DIESEL FUEL (49 CFR 173.150 & Special Provision B1)

(a) A vehicle transporting a combustible liquid is not required specification packages (tanks).

(b) A combustible liquid that is in a bulk packaging or a combustible liquid that is a hazardous substance, a hazardous waste, or a marine pollutant is not subject to the Hazardous Material Regulations, except for shipping papers, marking of packages, display of identification numbers, placarding requirements, reporting of hazardous material incidents and other requirements.

(c) A combustible liquid that is in a non-bulk packaging is not subject to the hazardous material regulations.

Exception to HM Regulations NOTE – (Not subject to Inspection) – The following farm vehicles when displaying farm license plates, not transporting hazardous materials requiring placards, and not operating as a for-hire motor carrier (Effective 10/01/12 – “Moving Ahead for Progress in the 21st Century Act” are exempt from inspection procedures.

(a) Has a gross vehicle weight rating (GVWR), gross combination weight rating (GCWR) or gross weight or gross combination weight, whichever is greater, that is:

i) 26,001 pounds or less, for vehicles operating in interstate commerce anywhere in the United States, or,

ii) Greater than 26,001 pounds and operating in interstate commerce within Louisiana and is registered as a farm covered vehicle in Louisiana,

iii) Greater than 26,001 pounds and operating in interstate commerce within 150 air miles of the farm or ranch with respect to which the vehicle is being operated, regardless of whether it is being operated within the State it is registered.

Motor Carrier Registration – Operating Authority

Companies that operate commercial vehicles transporting passengers or hauling cargo in interstate commerce must be registered with the FMCSA and must have a USDOT Number. Also, commercial intrastate hazardous materials carriers who haul types and quantities requiring a safety permit must register for a USDOT Number.

You are subject to FMCSA regulations if you operate any of the following types of commercial motor vehicles in interstate commerce:

- A vehicle with a GVWR or GCWR (whichever is greater) of 10,001 lbs. or more
- A vehicle designed or used to transport between 9 and 15 passengers (including the driver) for compensation, whether direct or indirect
- A vehicle designed or used to transport 15 or more passengers including the driver and not used for compensation
- Any size vehicle used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5101 et seq.) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Parts 100-177). This includes INTRASTATE Hazardous Materials carriers

To determine if you need a USDOT Number, go here <https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number-1>

FMCSA requires all entities under its jurisdiction to update their information every two years, or more often if your business information has changed. You are required to provide this update every two years. Failure to complete a biennial update will result in deactivation of your U.S. DOT Number and may result in civil penalties of up to \$1,000 per day, not to exceed \$10,000 as periodically adjusted for inflation. FMCSA strongly encourages carriers to use the electronic update process, as it has built-in edit checks for accuracy.

International Fuel Tax Agreement (IFTA)

- (a) The Louisiana Department of Revenue administers the IFTA program.
- (b) An interstate carrier is determined by the operation of a qualified motor vehicle across state lines and not the load.
- (c) A “Qualified Motor Vehicle” is a vehicle with:
 - (1) Two axles and a gross weight or registered weight exceeding 26,000 pounds.
 - (2) Three or more axles regardless of weight
 - 3) In combination & weight of combination exceeds 26,000 pounds.

Note: The number of axles applies only to the power unit.

- (d) Farm vehicles are not exempt from the IFTA requirements.
- (e) A single IFTA license is issued for all qualified motor vehicles.
- (f) A photocopy of the original license must be carried in each qualified motor vehicle.
- (g) Two decals are issued for each qualified motor vehicle.
- (h) The IFTA license is valid for one calendar year.
- (i) Current year IFTA credentials must be displayed by March 1st of each new calendar year.

You may obtain information or an application (Form R-5678-L) by calling the Louisiana Department of Revenue at (225) 219-7656 or visiting the Department’s website at [http://revenue.louisiana.gov/TaxForms/5678L\(2_02\)F.pdf](http://revenue.louisiana.gov/TaxForms/5678L(2_02)F.pdf)

NOTE: – LRS 47:818.52 - A person may not operate a motor vehicle on a public highway in this state with taxable motor fuel that contains dye in the fuel supply tank of the motor vehicle. Violation of this law subjects the violator to criminal and civil penalties.

Farm Trailer Registration

Louisiana law requires every owner of a motor vehicle, trailer, or semi-trailer, or other vehicle be registered prior to being operated upon the public highways in this state. The category of trailer determines the class of the license plate issued.

"Farm trailer" and "farm semi-trailer" -- every vehicle of the trailer or semi-trailer type as are owned by persons engaged in the business of actually farming and used exclusively in carrying farm produce raised on their farms from such farms to market and returning therefrom carrying goods and merchandise back to their farms.

EXCEPTION

- Trailers and semi-trailers with a gross vehicle weight rating of not more than twelve thousand (12,000) pounds, when owned and used by a retail business in this State and designed and used **EXCLUSIVELY** for the purpose of pick-up or delivery of new, used, or repaired farm equipment, shall be exempt from the payment of registration and license tax.

REQUIREMENTS

- All trailers must be titled in the registered owner's name before a license plate can be issued.
- Once the category of a trailer has been established, the proper class of license plate must be determined. The expiration of the license plate is based upon the class of license plate.
- The expiration is set on all class of trailer plates, except for identification trailer plates.
- To determine the gross vehicle weight of a semi-trailer, the weight of the trailer and the maximum load it can carry must be verified. If a semi-trailer has a gross vehicle weight more than 500 lbs., an identification trailer plate must be issued.
- To determine the gross vehicle weight of a farm trailer, the weight of the trailer and the maximum load it can carry must be verified. If a farm trailer has a gross vehicle weight more than 6000 lbs., an identification trailer plate must be issued.
- In order to issue a Farm Semi-Trailer plate, a statement of farm-use must be submitted. It states the owner is a bona fide farmer and the vehicle will be used primarily, but not exclusively, in hauling produce to market and hauling merchandise to their farm, as well as the location of the farm. The statement must also show a complete description of the vehicle including make, year model, and VIN and must be signed by the owner. A Farm Semi-Trailer plate cannot be transferred to a new owner, unless the new owner completes a statement of Farm Use.

NOTES:

- An applicant has the option of purchasing an identification plate for a period of one year, four years or permanent (lifetime) plate.
- An identification trailer plate with a one year or a four-year expiration can be transferred to a new owner.
- If an applicant purchases a four-year trailer plate and the vehicle is ultimately moved from this State, he or she is entitled to a refund. The refund will be calculated in \$10.00 increments for each full year remaining on the registration period. Partial year refunds will not be issued.
- The permanent trailer license plate **CANNOT BE TRANSFERRED FOR ANY REASON**. When the owner of a said trailer no longer holds an interest, the license plate is to be returned to the Office of Motor Vehicles. The plate will be cancelled according to policy with no refund due.
- Apportioned trailer license plates are no longer issued in Louisiana (effective January 1, 2002).

Farm Vehicle Registration LRS (47:462a(5))

FEES

- The license plate fees on trucks, tandem trucks, and truck tractors are charged according to use and per 100 pound weight increments.
- Trucks under 10,000 lbs. and trailers will be issued a four-year license plate with a staggered expiration.
- Trucks over 10,000 lbs. will be issued a one-year non-staggered plate.

- The expiration of these plates is June 30th. The chart lists the full year fee.
- Non-staggered plates may be pro-rated based on the date of issuance, after August 1st.
- The minimum pro-rate fee is \$10.00.
- Replacement Plate - Under 10,000 lbs./trailer - Fee will be \$10.00 plus \$.25 per month plus a \$8.00 handling fee.
- Over 10,000 lbs. - Fee will be \$10.00 plus an 8.00 handling fee.

GROSS WEIGHT IN POUNDS	FEE	EXPIRATION
Up to 10,000 lbs.	\$12.00	4 - year Staggered
10000 to 23999	\$10.00	One year*
24000 - 43999	\$20.00	One year*
44000 - 65999	\$30.00	One year*
66000 - 88000	\$40.00	One year*
Semi -Trailer	\$12.00	4 - year Staggered

*Expire June 30th of each calendar year

PRORATION OF LICENSE PLATE FEES

- Louisiana law allows the license plate fee to be prorated if a vehicle requires a non-staggered license plate and is purchased or brought into Louisiana after the initial registration period expires (July 31) each year.
- The minimum proration amount allowed is \$10.00 on any prorated plate.

REQUIREMENTS

- All vehicles must be titled in Louisiana.
- Proof of current liability insurance must be presented before a license plate can be issued.
- Vehicles being registered for 55,000 pounds or more must present proof of payment of federal heavy vehicle use tax, if applicable.
- Statement of Farm Use on back of Vehicle Application Form DPSMV 1799 (see next page)

If a person has previously had a farm use plate, it will not be necessary for him to produce a farm use statement to renew that plate. The farm use statement will be required only in these instances:

- Purchase of a new or used vehicle which will be used in farm use.
- Individuals who have recently become eligible for a farm use plate.
- Conversion of a regular plate to a farm use plate.
- Purchase of a used vehicle which bears a farm plate which the new owner wishes to retain.

Trucks to bear name and address of owner or lessee; exceptions (LRS 32:478)

A.(1) All interstate motor carriers registered with the Interstate Commerce Commission which operate on the highways shall bear the name or trade name of the motor carrier under whose authority the vehicle is being operated. Such a name or trade name shall be placed on the outside of both truck doors and may be placed thereon by any means permitted by R.S. 32:651.

(2) All other trucks operated on the highways shall bear the name and address or equivalent identification of the owner or lessee. Such a name and address shall be placed on the outside of both truck doors and may be placed thereon by any means permitted by R.S. 32:651.

B. The requirement provided for in Subsection A of this Section shall apply to only those trucks licensed and registered for four thousand pounds or more and which are used for commercial purposes.

HANDICAPPED LICENSE PLATES FOR FARM VEHICLES (LRS 47:463:21)

This law provides for the issuance of Farm Handicapped license plates. Vehicles qualifying for this plate shall be farm trucks weighing 10,000 lbs. or less ONLY. These plates are entered on computer with "HF" prefix.

ELIGIBILITY

Mobility impaired persons who have a permanent impairment or veterans who have a 50% or more service-connected disability are eligible for the mobility impairment license plates.

The term "mobility impaired person" will include any person who is impaired because of any of the following conditions:

- Cannot walk two hundred feet without stopping to rest.
- Cannot walk without the assistance of another person, walker, cane crutches, braces, prosthetic device, or wheelchair. This includes individuals who are blind or who have such a visual impairment that the assistance of another person is necessary to walk.
- Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest.
- Uses portable oxygen.
- Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
- Has diagnosed disease or disorder, including a severe arthritic, neurological, or orthopedic impairment, which creates a severe mobility limitation. Applicants for Farm Handicapped license plates shall include:
 - Any person who comes under the statutory definition of a mobility impaired person.
 - Vehicle must meet definition of farm use.

REQUIREMENTS

- A Medical Examiner's Certification of Mobility Impairment (DPSMV1966) that attests to the applicant's physical condition must be signed and dated by the applicant's medical examiner and submitted with the application.
- A current Medical Examiner's Certification of Mobility Impairment must be submitted upon initial issuance of license.
- Recertification will not be necessary on subsequent renewals.
- "Medical examiner" is defined as a person licensed to practice medicine by the Louisiana State Board of Medical Examiners, a person licensed to practice chiropractic by the Louisiana State Board of Chiropractic Examiners, a person licensed by the Louisiana State Board of Physical Therapy Examiners, or an advanced practice registered nurse.

FEES

- The fee for Farm Handicapped license plates will be the same as for a regular farm use truck (10,000 lbs. or less) plus the \$8.00 handling fee.
- The transfer fee is \$3.00.

Out of State Vehicles/Trip Permits

A trip permit is a temporary authority document issued to allow an apportionable vehicle without an IRP apportioned registration to travel in a jurisdiction in without obtaining an IRP plate. A carrier should secure a trip permit prior to entering a jurisdiction for which they are not apportioned. Trip permits for travel in Louisiana are valid for 48 hours at a cost of \$50.00 and can be obtained through one of the wire service companies, Louisiana State Police - DPS Weight Enforcement Division Port of Entry Scales, and Office of Motor Vehicles.

Wire service companies

- Across America (877)255-3301 Email: Aats1306@yahoo.com
- Axle permits (855) 771-2953 Website: lastminutepermits.com
- Coast to Coast Trucking Services LLC (877) 963-0830 Website: coast2coasttruckingpermits.com
- Comdata (800) 749-9143 Website: <https://www.comdata.com/comdata-permit-services>
- Custom permit Services (800) 669-5014 Email: permits@custompermits.com
- EFS/T-Check Permit Services (888) 824-7378 Website: <https://www.efslc.com/fleet/regulatory-compliance/permits/>
- Fleet One, LLC (877) 251-7639 Website: <https://www.fleetone.com/fleet/regulatory-compliance/permits/>
- Highway Permit Services (888) 731-0312 Website: <http://www.highway-permits.com/trip-and-fuel>
- JJ Keller & Associates (800)231-5266 Website: <https://www.kellerpermits.com/Home/Permits>

Current fixed scales sites that are selling trip permits.

Baptist West 12381 I-12 West Hammond, La	Kentwood South 77479 I-55 South Kentwood, La
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Greenwood East 10605 I-20 East Greenwood, La	LaPlace West 1147 I-10 West LaPlace, La
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Starks
4543 Hwy 12 West
Starks, La

The following OMV Offices provide IRP Program services.

Shreveport 9310 Normandie Dr. Shreveport, LA 71118	Alexandria 5602 Coliseum Blvd Alexandria, LA 71303	Baton Rouge (East) 7701 Independence Bld. Baton Rouge, LA 70806
Lake Charles 951 Main St. Lake Charles, LA 70615	Monroe 5171 NE Rd Monroe, LA 71203	Slidell 1514 Lindberg Dr. Ste. 100 Slidell, LA 70458
Lafayette 3241 N.W. Evangeline Thruway Ste. A Lafayette, LA 70507	Metairie 100 Veterans Blvd. New Orleans, LA 70124	Houma 108 Capital Blvd. Houma, LA 70360

A TEMPORARY 48-HOUR TRIP PERMIT must be in the cab of the vehicle for which it was issued from the time the vehicle enters Louisiana unless the vehicle is on a direct route to a port-of-entry enforcement unit.

Interstate and Intrastate Operation

If a vehicle or combination of vehicles is from an IRP member jurisdiction and the motor vehicle has three (3) or more axles or any of the vehicles alone or in combination weighs more than 26,000 pounds or the power unit is licensed for more than 26,000 pounds or if a power unit having two axles and a gross weight or registered weight in excess of 26,000 pounds or is registered for more than 26,000 pounds, then the motor vehicle must have Louisiana plates, plates which are apportioned for Louisiana, or a TEMPORARY 48-HOUR TRIP PERMIT in order to operate either interstate or intrastate in Louisiana.

Any state's semi-trailer or trailer license plate is honored by Louisiana if the pulling unit is properly registered and licensed.

Farm, forest product, public, or any other restricted plates are honored by Louisiana if the vehicles are properly registered and licensed in their home state and are not hauling for hire.

International Registration Plan (IRP)

The International Registration Plan (IRP) is an optional program for licensing commercial vehicles traveling in two or more IRP jurisdictions. All member IRP jurisdictions are required to comply with the following three basic concepts of the Plan:

1. Issuance of a single "apportioned" plate
2. Issuance of a single registration cab card
3. Allow intrastate and interstate movement Under the IRP plan, an interstate carrier files an application with the jurisdiction where they are based and have an established place of business

IRP registration does not:

- Exempt a carrier from the payment of motor fuel taxes.
- Exempt a carrier from obtaining operating authority.
- Exempt a carrier from payment of the Federal Heavy Vehicle Use Tax (form 2290).
- Permit a carrier to exceed maximum height, length, width, and axle limitations.
- Permit a carrier to exceed "bridge laws."

"Restricted Plate" means a plate that has a time, geographic area, distance, or commodity restriction or a mass transit or other special plate issued for a bus leased or owned by a municipal government, a state or provincial transportation authority, or a private party, and operated as part of an urban mass transit system, as defined by the jurisdiction that issues the plate.

Vehicles displaying the following restricted plates by Louisiana are exempt if applicable agreements, understandings, or declarations so provide. These vehicles exempt from apportioned registration can operate Intrastate only. If operating Intrastate within other IRP jurisdictions, a trip permit must be obtained prior to entry OR vehicles may be apportioned at the option of the registrant.

- Public
- Forest Products
- Farm-use
- Gravel Haul
- Dealer Inventory
- Transport

Louisiana IRP plates expire at midnight on the last day of the expiration month. There is no grace period.

The preprinted renewal application is mailed 60 days of the month prior to the expiration date.

The completed renewal application and any required supporting documents should be submitted to an IRP office on or before the 1st working day of the expiration month.

Unified Carrier Registration (UCR) Information (49 U.S.C. Section 14504a)

Louisiana is a member of the Unified Carrier Registration Agreement. All fees for the current year in UCR must be paid. Any carrier who is delinquent in payment of UCR fees must pay the current fees before vehicle(s) can be added to the existing account or before a new account can be opened.

To operate Interstate for-hire transportation in Louisiana all common and contract for-hire carriers of passengers, household goods, or waste must register with the United Carrier Registration in order to be compliant with State and Federal laws.

The Unified Carrier Registration (UCR) program requires individuals and companies that operate commercial motor vehicles in Intrastate commerce to register their business and to pay an annual fee based on the size of their fleet.

For purposes of determining fees, a “commercial motor vehicle” is defined as a self propelled or towed vehicle used on highways in commerce principally to transport passengers or cargo.

If the vehicle has:

- A GVWR or GVW of 10,001 lbs. or more.
- Is designed to transport 11 or more passengers, including the driver; or
- Is used in transporting hazardous materials in a quantity requiring a placard.

NOTE: UCR fees are subject to change in future registration years. Check the UCR website: <https://www.ucr.gov> or with any Louisiana IRP Processing Center for the latest fees. Trailers have been eliminated as part of the vehicle count.

Insurance

To obtain Louisiana apportioned plates an applicant must have proof of liability insurance in the amount of \$100,000/\$300,000/\$25,000 or combined single limit of \$300,000 if the vehicle has a GVW rating in the excess of 50,000 lbs. Vehicles with a combined rating of 20,001 through 50,000 lbs must submit proof of liability insurance in the amount of \$25,000/\$50,000/\$25,000 or a combined single limit of not less than \$75,000.

NOTE: If a carrier is leasing equipment to another company/individual and the lessee is providing insurance on the unit, it will be necessary to submit a copy of the lease agreement.

Federal Heavy Vehicle Use Tax (IRS Form 2290)

This form is required for any vehicle with a registered weight of 55,000 pounds or higher.
This tax is paid directly to the IRS each year.

NOTE: Do not send the original Form 2290! Originals will not be returned.

Proof of payment or exemption must be one of the following:

- A copy of the Form 2290 Schedule 1 stamped paid or received by the IRS.
- A copy of the Form 2290 Schedule 1 and both sides of the canceled check showing validation by the IRS.
- The VIN(s) listed on the form must match that of the vehicle(s) being licensed.
- The name on the form must match the registrant name unless the vehicle is leased.

IRS Toll Free Number for Assistance: 800-829-1040

To apply for FEIN (Federal Identification Number): 800-829-4933

Width, Height and Length Exemptions for Farmers

Farm vehicles and equipment; exemptions (LRS 32:385)

A.(1)(a) Farm and agricultural vehicles and equipment, **except draglines and bulldozers**, being operated or transported for bona fide agricultural purposes or the transportation of farm vehicles and equipment to be used for normal farm purposes by persons transporting such farm equipment or machinery, for distances not to **exceed fifty miles** from the point of origin, and fertilizer tending units shall be exempt from the requirements of R.S. 32:380 through 382 and, additionally, farm equipment shall be exempt from the requirements of R.S. 32:384.

(b) Trailers and semi-trailers with a gross vehicle weight rating of not more than twelve thousand pounds, when owned and used by a retail business in this state and designed and used exclusively for the purposes of pick-up or delivery of new, used, or repaired farm equipment for distances not to exceed fifty miles from the point of origin, shall be exempt from the requirements of R.S. 32:380.

(2) Vehicles being operated to transport timber cutting or logging equipment from one job site to another and the equipment being transported, when the trailer upon which the equipment is towed and the equipment are owned or leased by the same person, shall be exempt from the requirements of R.S. 32:380, 381, and 382.

(3) Such farm vehicles and vehicles transporting cutting or logging equipment may use any public highways other than those designated as part of the national system of interstate and defense highways during the period from **sunrise until sunset** without obtaining a special permit from the secretary, as provided in R.S. 32:387, or from any other agency or department of the state or political subdivisions, provided that such machinery or equipment being shipped by persons to be used for normal farm purposes shall be equipped with front and rear reflector lights and with a blinking hazard light clearly visible from the front and rear.

B. The provisions of R.S. 32:380, 381, and 382, relative to limitations on the width, height, and length of motor vehicles shall not apply to trucks which transport seed cotton modules or cotton from the field to the gin, or cotton seed from the gin to the mill, if the owner or operators of such trucks obtain an annual permit to be issued by the secretary for an annual fee of five dollars, according to rules and regulations to be promulgated by the secretary.

NOTE: Subsection C eff. upon exemption notification from federal Dept. of Transportation. See Acts 1991, No. 445.

C. Notwithstanding any other provisions of law to the contrary, Part 393.86 of the Federal Motor Carrier Safety Regulations and state law as they pertain to the requirements of bumpers or devices serving similar purposes shall not apply to any vehicle transporting seed cotton modules if such vehicle was manufactured prior to September 1, 1991.

-The load of a vehicle cannot drop, leak or otherwise escape from the vehicle. The load must be securely fastened so as to prevent the load or any covering from becoming loose, detached or in any manner a hazard to other users of the highway.

-“Loose material” means dirt, sand, gravel or other material that is capable of blowing or spilling from a vehicle as a result of movement or exposure to air, wind currents or weather, but shall not include agricultural products in the natural state or wood chips.

-Any load of loose material as defined above being transported by a commercial hauler shall be covered in such a manner as to prevent the load from blowing, spilling or dropping from the vehicle.

Width; projecting loads on vehicles (LRS 32:380)

- A. The width of any vehicle shall not exceed **one hundred two inches**, exclusive of safety devices.
- B. The load on any vehicle shall not project more than **twelve inches** beyond the width of its body.
- C. **The width of a farm tractor shall not exceed nine feet.**
- D. The secretary shall designate the qualifying highway system to which the foregoing width limitations shall apply.

Height (LRS 32:381)

A.(1) The height of any vehicle and its load shall not exceed **thirteen feet, six inches**, except that the height of any vehicle and its load which operates exclusively on the interstate highway system shall not exceed fourteen feet, provided that vehicles operating on the interstate highway system shall have reasonable access, within one road mile from the interstate highway to terminals and facilities for food, fuel, repairs, and rest, unless prohibited for specific safety reasons on individual routes.

(2) The operator of a vehicle that is higher than thirteen feet six inches shall ensure that the vehicle will pass through each vertical clearance of a structure in its path without touching the structure.

(3) Any damage to a bridge, underpass, or similar structure caused by the height of a vehicle shall be the responsibility of the owner of the vehicle.

B. Nothing in this Section shall be interpreted to require the state or any subdivision thereof or any person, firm, or corporation in this state to raise, alter, construct, or reconstruct any overpass, wire, pole, trestle, or other structure to provide such clearance.

Length; special length limits (LRS 32:382)

A. Length

(1) The length of a single vehicle shall not exceed **forty-five feet**. The length of a trailing unit on any single vehicle shall not exceed **thirty feet**. The length of the semitrailer portion of a tractor-semitrailer combination shall not exceed **fifty-nine feet and six inches**. The length of the semitrailer or trailer portion of a tractor-semitrailer-trailer combination shall not exceed **thirty feet**. The length of the trailer portions of a tractor-trailer-trailer combination shall not exceed **thirty feet**. The length of the semitrailer portions of a tractor-semitrailer-semitrailer combination shall not exceed **thirty feet**.

(2)(a) The load carried by a combination of vehicles transporting timber poles and piling shall not exceed **sixty-five feet plus one foot additional tolerance in length**. The load carried by a combination of vehicles transporting forest products in their natural or treated state shall not exceed **sixty-five feet plus one foot additional tolerance in length**. Said combinations transporting poles and piling or forest products in their natural or treated state shall operate only during **daylight hours and shall display a red flag or cloth not less than one foot square at the rear of the load**. A combination of vehicles transporting forest products in their natural state shall be equipped with stationary vertical retaining poles on the driver's side of the trailer portion.

(b) No combination of vehicles shall consist of more than two vehicles, except as provided in R.S. 32:384(C) and R.S. 32:382(A)(3) and except that combinations of truck-tractor and two trailers; truck-tractor and two semi-trailers; or truck-tractor, semi-trailer, and trailer are permitted.

(c) The combination of vehicles consisting of three vehicles excepted in this Section by Subsection A(2)(b) shall be permitted to operate over all highways within the Interstate System and other highways designated by the secretary.

(d) No combination of vehicles operated on any parish road under the jurisdiction of the police jury shall consist of more than two vehicles, except as provided in R.S. 32:382(A)(3).

(3)(a) A vehicle having no more than two axles may tow any combination of two vehicles, provided the combination of vehicles does not exceed sixty-five feet.

(b) A vehicle having no more than two axles and owned and/or operated by a manufacturer or dealer of boats may tow two boat trailers.

B. Special length limits

(1) Subject to the provisions of R.S. 32:380, R.S. 32:381, and Subsection A of this Section, the load upon any single vehicle or upon the front vehicle of a combination of vehicles shall not project more than **four feet beyond the foremost part of said vehicle**, and the load upon any single vehicle or upon the rear vehicle of a combination of vehicles shall not project more than **eight feet beyond the rear of the bed or body of said vehicle**, except that the load upon the rear vehicle of a combination of vehicles transporting poles and piling shall not project more than **fifteen feet beyond the rear of the bed or rear tire of said vehicle, whichever is further from the cab**, and the load upon the rear vehicle of a combination of vehicles transporting forest products in their natural state shall not project more than **twenty feet beyond the rear of the bed or rear tire of said vehicle**, whichever is further from the cab, and said load or loads must maintain a two foot clearance above the pavement structure, and provided further said combination of vehicles transporting forest products in their natural state with a rear projecting load in excess of **fifteen feet** shall operate only during daylight hours and **shall display a red flag or cloth not less than one foot square at the rear of its projected load**. A combination of vehicles transporting forest products in their natural state shall be equipped with stationary vertical retaining poles on the driver's side of the trailer portion.

(2) Equipment that is permanently attached to and cannot be readily removed from a vehicle shall not constitute load and the provisions of Subsection B(1) of this Section shall not apply to such vehicles if the following conditions exist:

(a) The vehicle meets requisite state safety standards to be and is licensed for use on state highways; and

(b) That portion of such equipment which extends in front of the foremost part of said vehicle has a minimum vertical clearance above the surface of the highway of **six feet**.

(c) The provisions of this Section shall not apply to vehicles collecting garbage, rubbish, refuse, or recyclable materials which are equipped with front-end loading attachments and containers provided that the vehicles are actively engaged in the collection of garbage, rubbish, refuse, or recyclable materials.

(3) Sportsmen coaches or vehicles obviously used solely for recreational purposes and registered therefor may tow a combination of no more than two vehicles and shall not exceed **seventy feet in total length**.

C. The combinations of vehicles consisting of three vehicles excepted in this Section by Subsection A(2)(b) shall have reasonable access, not to exceed **ten miles**, between the interstate system or other highways designated by the secretary and terminals and facilities for food, fuel, repairs, and rest, unless otherwise prohibited. Household goods carriers shall have unrestricted access for loading and unloading purposes only, unless otherwise prohibited.

D. The secretary shall designate the qualifying highway system to which the foregoing length limitations shall apply.

E. The foregoing regulations of tractor-semi-trailer combinations shall not prohibit the operation, replacement, or reasonable business expansion of those types or lengths of vehicles which are in actual and lawful use on or before July 2, 1983.

F. All vehicles of legal length on the interstate system and other designated systems but which are not of legal length off of the interstate system and other designated systems shall have reasonable access, not to exceed **ten miles**, between the interstate system or other highways designated by the secretary and terminals and facilities for food, fuel, repairs, and rest, unless otherwise prohibited. Household goods carriers shall have unrestricted access for loading and unloading purposes only, unless otherwise prohibited.

Weights (LRS 32:386)

The laws governing truck size and weight in the State of Louisiana are found in LRS 32:380 et seq. (available on the State's Web site at http://legis.la.gov/legis/Laws_Toc.aspx?folder=106&title=32)

The gross weight of vehicles in regular operations (operating without a special permit) is governed by State axle and gross weight limits as well as the State bridge formula.

Summary of Louisiana Truck Weight Limits for Vehicles in Regular Operations	
Single Axle	20,000 lbs. 18,000 lbs. on high pressure or solid rubber tires
Tandem Axle	34,000 lbs. 32,000 lbs. on high pressure or solid rubber tires
Tridem Axle	42,000 lbs.
Gross Weight	80,000 lbs. 83,400 lbs. for vehicle combinations with tridem or quadrum axles on Interstate highways 88,000 lbs. for vehicle combinations with tridem or quadrum axles on non-Interstate highways
Other	Axle tolerances on non-Interstate highways: additional 2,000 lbs. for single axles and 3,000 lbs. for tandem, tridem, or quadrum axles Quadrum axle: 50,000 lbs. 650 lbs. per inch width of tire

Posted Bridges

Some Louisiana bridges are posted with advisory weight signs (black lettering on a yellow background), drivers are urged to use their own discretion in crossing these bridges with heavy loads. Also, some Louisiana bridges are posted with regulatory weight limit signs (black lettering on a white background). Violation tickets will be issued for vehicles crossing these bridges in excess of the posted limit with a minimum fine of \$100.00. The ticket shall be issued based upon the difference between the actual gross weight of the vehicle and load at the time of the stop and the amount of weight for which the particular bridge is posted at the time of the stop. Fine information can be obtained by contacting the Louisiana State Police Weight Enforcement Unit at 225-925-6113. Neither the State of Louisiana nor the Department of Transportation and Development shall incur any liability from any injury or property damage caused by the crossing of a posted bridge with a load in excess of posted advisory or regulatory weight limits.

Permits

Special permits; trucks hauling cotton modules (LRS 32:387.6)

Notwithstanding any other provision of law to the contrary, the secretary shall issue annual special permits to persons who operate trucks which haul cotton modules and are in compliance with the provisions of the Federal Motor Carrier Safety Regulations. These permits shall be issued in accordance with the following provisions:

- (1) The permits shall be issued at the truck permit office of the Department of Transportation and Development.
- (2) The fee for the permits shall be fifty dollars per permit per year.
- (3) The permit shall authorize the operation of a three-axle vehicle at a gross weight of sixty-eight thousand pounds; with a tandem axle not to exceed forty-eight thousand pounds; and a single axle not to exceed twenty thousand pounds. These permits shall allow travel on any state-maintained highway with the exception of interstates.

(4) The secretary may impose a civil penalty of up to five cents per pound for each violation of the limit established in this Subsection. The secretary, by rule, shall establish procedures for enforcing the provisions of this Subsection, including a procedure by which persons accused of violations may contest those accusations.

Special permits; vehicles hauling sugarcane (LRS 32:387.7)

A. Notwithstanding any other provision of law to the contrary and provided that there are no objections raised by the federal government, the secretary shall issue annual special permits to persons who own or operate vehicles which haul sugarcane. Such permits may be issued to either the pulling unit or the trailer contained in the combination which shall have a minimum of eighteen wheels. These permits shall be issued in accordance with the following provisions:

(1) The permits shall be issued at the truck permit office of the Department of Transportation and Development.

(2) The fee for the permits shall be one hundred dollars per permit per year.

(3) The permit shall authorize the operation of the vehicle combination at a gross weight not to exceed **one hundred-thousand pounds**.

(4)(a) The secretary may impose a civil penalty of up to five cents per pound for each violation of the one hundred-thousand-pound limit.

(b) Beginning August 1, 2005, a first violation of the one hundred thousand pound limit shall result in the civil penalty imposed in accordance with the provisions of this Section and a warning that a second violation shall result in the penalty and the forfeiture of the permittee's eligibility to apply for and receive an annual special permit for the following year. A second violation of the one hundred-thousand-pound limit shall result in the penalty and the forfeiture of the permittee's eligibility to apply for and receive an annual special permit for the following year. A third violation shall result in the penalty and the permanent revocation of the permittee's eligibility to apply for and receive an annual special permit.

(c) Any owner or operator who has a civil penalty levied against him for a violation of the permitted weight limit of this Section shall be entitled to appeal the penalty in accordance with the provisions of R.S. 32:389.

(d) The Department of Transportation and Development, in cooperation with the Department of Public Safety and Corrections, office of state police, shall promulgate rules and regulations as are necessary, in accordance with the Administrative Procedure Act, to implement the provisions of this Section, subject to oversight by the House and Senate Transportation, Highways and Public Works Committees. The office of state police shall be responsible for promulgating rules and regulations regarding enforcement procedures.

(5) The permit shall be specific to the vehicle that is indicated by the permit applicant upon application.

B. Beginning August 1, 2012, the secretary shall not issue an annual special permit pursuant to the provisions of this Section to any owner or operator of a vehicle hauling sugarcane who has not added an additional single axle on the sugarcane trailer for a total of **six axles** for the vehicle and trailer combination. The provisions of this Subsection shall not prohibit the secretary from issuing an annual special permit to any owner or operator of a vehicle hauling sugarcane pursuant to the provisions of any other Section.

Special permit; vehicles hauling agronomic or horticultural crops (LRS 32:387.9)

Notwithstanding any other provision of law to the contrary, the secretary shall issue annual special permits to persons who operate vehicles hauling agronomic or horticultural crops in their natural state. Such permits may be issued to either the pulling unit or the trailer contained in the combination which shall have a minimum of eighteen wheels. These permits shall be issued in accordance with the following provisions:

(1) The permits shall be issued at the truck permit office of the Department of Transportation and Development.

(2) The fee for the permits shall be one hundred dollars per permit per year.

(3) The permit shall authorize the operation of the vehicle combination at a gross weight not to exceed **one hundred thousand pounds**.

(4) The secretary may impose a civil penalty of up to five cents per pound for each violation of the limit established in this Section. The secretary, by rule, shall establish procedures for enforcing the provisions of this Section, including a procedure by which persons accused of violations may contest those accusations.

(5) Vehicles permitted under the provisions of this Section shall be prohibited from traveling on the interstate system.

(6) The permit shall be specific to the vehicle that is indicated by the permit applicant upon application.

Special permits; vehicles hauling agronomic or horticultural crops; authorization to travel upon segment of Interstate 49 as alternate route to US 71 and US 167 (LRS 32:387.9.1)

Notwithstanding any other provision of law to the contrary, and provided the federal government does not raise any objection to such permitted weight limit, any vehicle issued an annual special permit pursuant to the provisions of R.S. 32:387.9 may travel upon that segment of Interstate 49 between its interchange with US 71 and US 167 (MacArthur Drive) south of the city of Alexandria and its interchange with Rapides Station Road north of the city of Alexandria as an alternate route to US 71 and US 167.

Special permit; vehicles transporting timber cutting or logging equipment (LRS 32:387.10)

A. Notwithstanding any other provision of law to the contrary, whenever a vehicle is being operated to transport two, but not more than two, pieces of timber cutting or logging equipment from one job site to another, the secretary shall issue an annual special overweight permit to the person who operates the vehicle. The permit shall be issued in accordance with the following provisions:

(1) The permit shall be issued at the truck permit office of the Department of Transportation and Development.

(2) The fee for the permit shall be one hundred dollars per permit per year.

(3) The permit shall authorize the operation of the truck, trailer and load thereon to operate at the maximum axle weights provided for overweight permit loads, with a gross vehicle weight not to exceed **one hundred five thousand pounds**. The maximum width on such truck, trailer, and the load thereon shall not exceed **fourteen feet**.

B. The special permit shall not authorize the operation of the vehicle on the interstate system of the state.

C. The special permit authorizes operation of the vehicle during **daylight hours** and prohibits such operation during **heavy rain or when visibility is less than five hundred feet**.

Special permit; bagged rice for export; rules and regulations; Port of Lake Charles (LRS 32:387.19)

A. Provided there are no written objections raised by the Federal Highway Administration, the secretary of the Department of Transportation and Development may issue special annual permits for one-way hauls of bagged rice for export within a sixty-mile radius of the Port of Lake Charles. These special permits shall be issued at the truck permit office of the Department of Transportation and Development.

(1) The permit shall be issued at the truck permit office of the Department of Transportation and Development.

(2) The fee for the permit shall be five hundred dollars annually.

(3) The permit may authorize the operation of a vehicle or combination of vehicles with a total gross vehicle weight not to exceed **ninety-five thousand pounds**. No tandem axle set equipped with low pressure pneumatic tires shall exceed **thirty-four thousand pounds** on the interstate system or **thirty-seven thousand pounds** off the interstate system. No tridem axle set equipped with low pressure pneumatic tires shall exceed **forty-two thousand pounds** on the interstate system or **forty-five thousand pounds** off the interstate system.

(4) The secretary may impose a civil penalty of up to five cents per pound for each violation of the weight limit established by this Section.

B. The secretary may promulgate rules and regulations in accordance with the Administrative Procedure Act as are necessary to enforce the provision of this Section.

Tires

Tire loading restrictions (FMCSR 393.75 (g))

No motor vehicle (except manufactured homes, shall be operated with tires that carry a weight greater than that marked on the sidewall of the tire or, in the absence of such a marking, a weight greater than that specified for the tires in any of the publications of any of the organizations listed in Federal Motor Vehicle Safety Standard No. 119 (49 CFR 571.119, S5.1(b)) unless:

- (1) The vehicle is being operated under the terms of a special permit issued by the State; and
- (2) The vehicle is being operated at a reduced speed to compensate for the tire loading in excess of the manufacturer's rated capacity for the tire. In no case shall the speed exceed 80 km/hr (50 mph).

Restrictions as to tire equipment (LRS 32:362)

A. Every solid rubber tire on a vehicle moved on any highway of this state shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery of the rim of the wheel.

B. No tire on a vehicle moved on a highway shall have on its periphery any protuberances of any material, other than rubber, which projects beyond the thread of the traction surface of the tire, except that it shall be permissible to:

- (1) Use farm machinery with tires having protuberances which will not injure the highways

Lights

Lamps operable, prohibition of obstructions of lamps and reflectors (FMCSR 393.9)

(a) All lamps required by this subpart shall be capable of being operated at all times. This paragraph shall not be construed to require that any auxiliary or additional lamp be capable of operating at all times.

(b) Lamps and reflective devices/material required by this subpart must not be obscured by the tailboard, or by any part of the load, or its covering by dirt, or other added vehicle or work equipment, or otherwise. Exception: The conspicuity treatments on the front end protection devices may be obscured by part of the load being transported.

Lamps and reflective devices (FMCSR 393.11)

Exceptions: Pole trailers and trailer converter dollies must meet the part 393 requirements for lamps, reflective devices and electrical equipment in effect at the time of manufacture. Trailers which are equipped with conspicuity material which meets the requirements of § 393.11(b) are not required to be equipped with the reflex reflectors listed in Table 1 if -

(i) The conspicuity material is placed at the locations where reflex reflectors are required by Table 1; and

(ii) The conspicuity material when installed on the motor vehicle meets the visibility requirements for the reflex reflectors.

(b) Conspicuity Systems. Each trailer of 2,032 mm (80 inches) or more overall width, and with a GVWR over 4,536 kg (10,000 pounds), manufactured on or after December 1, 1993, except pole trailers and trailers designed exclusively for living or office use, shall be equipped with either retroreflective sheeting that meets the requirements of FMVSS No. 108 (S5.7.1), reflex reflectors that meet the requirements FMVSS No. 108 (S5.7.2), or a combination of retroreflective sheeting and reflex reflectors that meet the requirements of FMVSS No. 108 (S5.7.3). The conspicuity system shall be installed and located as specified in FMVSS No. 108 [S5.7.1.4 (for retroreflective sheeting), S5.7.2.2 (for reflex reflectors), S5.7.3 (for a combination of sheeting and reflectors)] and have certification and markings as required by S5.7.1.5 (for retroreflective tape) and S5.7.2.3 (for reflex reflectors).

(c) Prohibition on the use of amber stop lamps and tail lamps. No commercial motor vehicle may be equipped with an amber stop lamp, a tail lamp, or other lamp which is optically combined with an amber stop lamp or tail lamp.

Item on the vehicle	Quantity	Color	Location	Position	Height above the road surface in millimeters (mm) (with English units in parenthesis) measured from the center of the lamp at curb weight	Vehicles for which the devices are required
Headlamps	2	White	Front	On the front at the same height, with an equal number at each side of the vertical center line as far apart as practicable	Not less than 559 mm (22 inches) nor more than 1,372 mm (54 inches)	A, B, C
Turn signal (front). See footnotes #2 and 12	2	Amber	At or near the front	One on each side of the vertical centerline at the same height and as far apart as practicable	Not less than 381 mm (15 inches) nor more than 2,108 mm (83 inches)	A, B, C
Identification lamps (front). See footnote #1	3	Amber	Front	As close as practicable to the top of the vehicle, at the same height, and as close as practicable to the vertical centerline of the vehicle (or the vertical centerline of the cab where different from the centerline of the vehicle) with lamp centers spaced not less than 152 mm (6 inches) or more than 305 mm (12 inches) apart. Alternatively, the front lamps may be located as close as practicable to the top of the cab	All three on the same level as close as practicable to the top of the motor vehicle	B, C
Tail lamps. See footnotes #5 and 11	2	Red	Rear	One lamp on each side of the vertical centerline at the same height and as far apart as practicable	Both on the same level between 381 mm (15 inches) and 1,829 mm (72 inches)	A, B, C, D, E, F, G, H
Stop lamps. See footnotes #5 and 13	2	Red	Rear	One lamp on each side of the vertical centerline at the same height and as far apart as practicable	Both on the same level between 381 mm (15 inches) and 1,829 mm (72 inches)	A, B, C, D, E, F, G
Clearance lamps. See footnotes #8, 9, 10, 15 & 17	2	Amber	One on each side of the front of the vehicle	One on each side of the vertical centerline to indicate overall width	Both on the same level as high as practicable	B, C, D, G, H
	2	Red	One on each side of the rear of the vehicle	One on each side of the vertical centerline to indicate overall width	Both on the same level as high as practicable	B, D, G, H
Reflex reflector, intermediate (side)	2	Amber	One on each side	At or near the midpoint between the front and rear side marker lamps, if the length of the vehicle is more than 9,144 mm (30 feet)	Between 381 mm (15 inches) and 1,524 mm (60 inches)	A, B, D, F, G
Reflex reflector (rear). See footnotes #5, 6, and 8	2	Red	Rear	One on each side of the vertical centerline, as far apart as practicable and at the same height	Both on the same level, between 381 mm (15 inches) and 1,524 mm (60 inches)	A, B, C, D, E, F, G
Reflex reflector (rear side).	2	Red	One on each side (rear)	As far to the rear as practicable	Both on the same level, between 381	A, B, D, F, G

					mm (15 inches) and 1,524 mm (60 inches)	
Reflex reflector (front side). See footnote #16	2	Amber	One on each side (front)	As far to the front as practicable	Between 381 mm (15 inches) and 1,524 mm (60 inches)	A, B, C, D, F, G
License plate lamp (rear). See footnote #11	1	White	At rear license plate to illuminate the plate from the top or sides		No requirements	A, B, C, D, F, G
Side marker lamp (front). See footnote #16	2	Amber	One on each side	As far to the front as practicable	Not less than 381 mm (15 inches)	A, B, C, D, F
Side marker lamp intermediate	2	Amber	One on each side	At or near the midpoint between the front and rear side marker lamps, if the length of the vehicle is more than 9,144 mm (30 feet)	Not less than 381 mm (15 inches)	A, B, D, F, G
Side marker lamp (rear). See footnotes #4 and 8	2	Red	One on each side	As far to the rear as practicable	Not less than 381 mm (15 inches), and on the rear of trailers not more than 1,524 mm (60 inches)	A, B, D, F, G
Turn signal (rear). See footnotes #5 and 12	2	Amber or red	Rear	One lamp on each side of the vertical centerline as far apart as practicable	Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches)	A, B, C, D, E, F, G
Identification lamp (rear). See footnotes #3, 7, and 15	3	Red	Rear	One as close as practicable to the vertical centerline. One on each side with lamp centers spaced not less than 152 mm (6 inches) or more than 305 mm (12 inches) apart	All three on the same level as close as practicable to the top of the vehicle	B, D, G
Vehicular hazard warning signal flasher lamps. See footnotes #5 and 12	2	Amber	Front	One lamp on each side of the vertical centerline, as far apart as practicable	Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches)	A, B, C
	2	Amber or red	Rear	One lamp on each side of the vertical centerline, as far apart as practicable	Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches)	A, B, C, D, E, F, G
Backup lamp. See footnote #14	1 or 2	White	Rear	Rear	No requirement	A, B, C
Parking lamp	2	Amber or white	Front	One lamp on each side of the vertical centerline, as far apart as practicable	Both on the same level, between 381 mm (15 inches) and 2,108 mm (83 inches)	A

Legend: Types of commercial motor vehicles shown in the last column of Table 1.

A. Buses and trucks less than 2,032 mm (80 inches) in overall width.

B. Buses and trucks 2,032 mm (80 inches) or more in overall width.

C. Truck tractors.

D. Semitrailers and full trailers 2,032 mm (80 inches) or more in overall width except converter dollies.

E. Converter dolly.

F. Semitrailers and full trailers less than 2,032 mm (80 inches) in overall width.

G. Pole trailers.

H. Projecting loads.

Note: Lamps and reflectors may be combined as permitted by § 393.22 and S5.4 of 49 CFR 571.108, Equipment combinations.

Footnote - 1 Identification lamps may be mounted on the vertical centerline of the cab where different from the centerline of the vehicle, except where the cab is not more than 42 inches wide at the front roofline, then a single lamp at the center of the cab shall be deemed to comply with the requirements for identification lamps. No part of the identification lamps or their mountings may extend below the top of the vehicle windshield.

Footnote - 2 Unless the turn signals on the front are so constructed (double-faced) and located as to be visible to passing drivers, two turn signals are required on the rear of the truck tractor, one at each side as far apart as practicable.

Footnote - 3 The identification lamps need not be visible or lighted if obscured by a vehicle in the same combination.

Footnote - 4 Any semitrailer or full trailer manufactured on or after March 1, 1979, shall be equipped with rear side-marker lamps at a height of not less than 381 mm (15 inches), and on the rear of trailers not more than 1,524 mm (60 inches) above the road surface, as measured from the center of the lamp on the vehicle at curb weight.

Footnote - 5 Each converter dolly, when towed singly by another vehicle and not as part of a full trailer, shall be equipped with one stop lamp, one tail lamp, and two reflectors (one on each side of the vertical centerline, as far apart as practicable) on the rear. Each converter dolly shall be equipped with rear turn signals and vehicular hazard warning signal flasher lamps when towed singly by another vehicle and not as part of a full trailer, if the converter dolly obscures the turn signals at the rear of the towing vehicle.

Footnote - 6 Pole trailers shall be equipped with two reflex reflectors on the rear, one on each side of the vertical centerline as far apart as practicable, to indicate the extreme width of the trailer.

Footnote - 7 Pole trailers, when towed by motor vehicles with rear identification lamps meeting the requirements of § 393.11 and mounted at a height greater than the load being transported on the pole trailer, are not required to have rear identification lamps.

Footnote - 8 Pole trailers shall have on the rearmost support for the load: (1) two front clearance lamps, one on each side of the vehicle, both on the same level and as high as practicable to indicate the overall width of the pole trailer; (2) two rear clearance lamps, one on each side of the vehicle, both on the same level and as high as practicable to indicate the overall width of the pole trailer; (3) two rear side marker lamps, one on each side of the vehicle, both on the same level, not less than 375 mm (15 inches) above the road surface; (4) two rear reflex reflectors, one on each side, both on the same level, not less than 375 mm (15 inches) above the road surface to indicate maximum width of the pole trailer; and (5) one red reflector on each side of the rearmost support for the load. Lamps and reflectors may be combined as allowed in § 393.22.

Footnote - 9 Any motor vehicle transporting a load which extends more than 102 mm (4 inches) beyond the overall width of the motor vehicle shall be equipped with the following lamps in addition to other required lamps when operated during the hours when headlamps are required to be used.

(1) The foremost edge of that portion of the load which projects beyond the side of the vehicle shall be marked (at its outermost extremity) with an amber lamp visible from the front and side.

(2) The rearmost edge of that portion of the load which projects beyond the side of the vehicle shall be marked (at its outermost extremity) with a red lamp visible from the rear and side.

(3) If the projecting load does not measure more than 914 mm (3 feet) from front to rear, it shall be marked with an amber lamp visible from the front, both sides, and rear, except that if the projection is located at or near the rear it shall be marked by a red lamp visible from front, side, and rear.

Footnote - 10 Projections beyond rear of motor vehicles. Motor vehicles transporting loads which extend more than 1,219 mm (4 feet) beyond the rear of the motor vehicle, or which have tailboards or tailgates extending more than 1,219 mm (4 feet) beyond the body, shall have these projections marked as follows when the vehicle is operated during the hours when headlamps are required to be used:

(1) On each side of the projecting load, one red side marker lamp, visible from the side, located so as to indicate maximum overhang.

(2) On the rear of the projecting load, two red lamps, visible from the rear, one at each side; and two red reflectors visible from the rear, one at each side, located so as to indicate maximum width.

Footnote - 11 To be illuminated when headlamps are illuminated. No rear license plate lamp is required on vehicles that do not display a rear license plate.

Footnote - 12 Every bus, truck, and truck tractor shall be equipped with a signaling system that, in addition to signaling turning movements, shall have a switch or combination of switches that will cause the two front turn signals and the two rear signals to flash simultaneously as a vehicular traffic signal warning, required by § 392.22(a). The system shall be capable of flashing simultaneously with the ignition of the vehicle on or off.

Footnote - 13 To be actuated upon application of service brakes.

Footnote - 14 Backup lamp required to operate when bus, truck, or truck tractor is in reverse.

Footnote - 15

(1) For the purposes of § 393.11, the term “overall width” refers to the nominal design dimension of the widest part of the vehicle, exclusive of the signal lamps, marker lamps, outside rearview mirrors, flexible fender extensions, and mud flaps.

(2) Clearance lamps may be mounted at a location other than on the front and rear if necessary to indicate the overall width of a vehicle, or for protection from damage during normal operation of the vehicle.

(3) On a trailer, the front clearance lamps may be mounted at a height below the extreme height if mounting at the extreme height results in the lamps failing to mark the overall width of the trailer.

(4) On a truck tractor, clearance lamps mounted on the cab may be located to indicate the width of the cab, rather than the width of the vehicle.

(5) When the rear identification lamps are mounted at the extreme height of a vehicle, rear clearance lamps are not required to be located as close as practicable to the top of the vehicle.

Footnote - 16 A trailer subject to this part that is less than 1829 mm (6 feet) in overall length, including the trailer tongue, need not be equipped with front side marker lamps and front side reflex reflectors.

Footnote - 17 A boat trailer subject to this part whose overall width is 2032 mm (80 inches) or more need not be equipped with both front and rear clearance lamps provided an amber (front) and red (rear) clearance lamp is located at or near the midpoint on each side so as to indicate its extreme width.

When lighted lamps are required (LRS 32:301)

A. Every vehicle upon a highway within this state shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles subject to exception with respect to parked vehicles at any of the following times:

(1) At any time between sunset and sunrise.

(2) When, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernable at a distance of five hundred feet ahead.

(3) When moisture in the air or precipitation necessitates the continuous use of windshield wipers.

(4) While driving in a tunnel.

B. Any person found in violation of Subsection A of this Section may be fined not more than twenty-five dollars. No court costs shall be assessed in addition to the fine authorized by this Section. Violations of the provisions of this Section shall not be considered moving violations.

Lamp or flag on projecting load (LRS 32: 313)

Whenever the load upon any vehicle extends to the rear **four feet or more beyond the bed or body** of such vehicle there shall be displayed at the extreme rear end of the load, at the time specified in R.S. 32:301, a red light or lantern plainly visible from a distance of at least **500 feet** to the sides and rear. The red light or lantern required under this Section shall be **in addition to the red rear light** required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than **12 inches square** and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

Lamps on farm tractors, farm equipment and implements of husbandry (LRS 32: 315)

A. Every farm tractor and every self-propelled farm equipment unit of husbandry not equipped with an electric lighting system shall at all times mentioned in R.S. 32:301 be equipped with at **least one lamp displaying a white light visible when lighted from a distance of not less than 500 feet** to the front of such vehicle and shall also be equipped with at least one lamp displaying a red light visible when lighted from a distance of not less than **500 feet** to the rear of such vehicle.

B. Every self-propelled unit of farm equipment not equipped with an electric lighting system shall at all times mentioned in R.S. 32:301, in addition to the lamps required in Sub-section A, be equipped with **two reflectors** visible from all distances within **600 feet to 100 feet** to the rear when directly in front of lawful upper beams of head lamps.

C. Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system at all times mentioned in R.S. 32:301 shall be equipped with the following lamps:

(1) At least one lamp mounted to indicate as nearly as practicable the extreme left projection of said combination and displaying a white light visible when lighted from a distance of not less than 500 feet to the front of said combination, and

(2) Two lamps each displaying a red light visible when lighted from a distance of not less than 500 feet to the rear thereof and two red reflectors visible from all distances within 600 feet to 100 feet to the rear thereof when illuminated by the upper beams of head lamps.

D. Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in R.S. 32:301 be equipped with two single beam or multiple beam head lamps meeting the requirements of R.S. 32:323 or 32:321 respectively or, as an alternative, R.S. 32:325, and at least one red lamp visible when lighted from a distance of not less than 500 feet to the rear provided, that every such self-propelled unit of farm equipment other than a farm tractor shall have two such red lamps or, as an alternative, one such red lamp and two red reflectors visible from all distances within 600 feet to 100 feet when directly in front of lawful upper beams of head lamps.

E. Every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times mentioned in R.S. 32:301 be equipped with lamps as follows:

(1) The farm tractor element of every such combination shall be equipped as required in Sub-section D of this Section.

(2) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two red lamps visible when lighted from a distance of not less than 500 feet to the rear or, as an alternative, two red reflectors visible to the rear directly in front of lawful upper beams of head lamps.

(3) Said combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible when lighted from a distance of not less than 500 feet to the front and a lamp displaying a red light visible when lighted from a distance of not less than 500 feet to the rear.

F. The lamps and reflectors required in this Section shall be so positioned as to show from front and rear as nearly as practicable the extreme projection of the vehicle carrying them on the side of the roadway used in passing such vehicle. If a farm tractor, or a unit of farm equipment, whether self-propelled or towed, is equipped with two or more lamps or reflectors visible from the front or two or more lamps or reflectors visible from the rear, such lamps or reflectors shall be so positioned that the extreme projections both to the left and to the right of said vehicle shall be indicated as nearly as practicable.

Reflecting tape on trailers hauling sugarcane (LRS 32:315.1)

Every trailer hauling sugarcane shall be marked with reflecting tape affixed to its rear and sides. The department shall adopt rules governing the placement of and standards for the tape and may require other reflective devices on trailers hauling sugarcane for the safety of motorists.

Brakes

Exemptions; farm vehicles and equipment (LRS 32: 341.1)

A. Any farm trailer, farm semi-trailer, rubber-tired farm wagon or cart, drawn rubber-tired farm equipment, or implement of husbandry manufactured or assembled prior to January 1, 1973 and operated or moved only incidentally on the highways of this state shall be exempt from the braking requirements imposed by the State of Louisiana, including more particularly but not exclusively those requirements set forth in this subpart, provided its gross weight does not exceed ten thousand pounds or when the speed of such vehicle does not exceed thirty miles per hour. The exemption for farm vehicles described herein shall apply only to those vehicles used exclusively in transporting farm produce, livestock, farm supplies and implements of husbandry.

B. All farm trailers or farm semi-trailers of a gross weight exceeding three thousand pounds manufactured or assembled after January 1, 1973, and used on the highways of this state shall be required to meet the braking requirements imposed by the state of Louisiana. Any rubber-tired farm wagon or cart, drawn rubber-tired farm equipment, or implement of husbandry, manufactured or assembled after January 1, 1973, and designed primarily for field use, and operated or moved only incidentally on the highways of this state, shall continue to be exempt from the braking requirements imposed by the state of Louisiana, including more particularly but not exclusively those requirements set forth in this subpart, provided its gross weight does not exceed ten thousand pounds or the speed of such vehicle does not exceed thirty miles per hour. The provisions of this paragraph shall be applicable only to vehicles used exclusively in transporting farm produce, livestock, farm supplies and implements of husbandry.

Slow moving vehicle, identification (LRS 32:377)

Every motor vehicle, combination of motor vehicle and towed equipment, every self-propelled unit of equipment, self-propelled implement of husbandry, or towed implement of husbandry normally operating at speeds not in excess of **twenty-five** miles per hour on public streets and roads at all times shall be equipped with a slow moving vehicle emblem as follows:

- (1) Where the towed unit or any load thereon obscures the slow moving vehicle emblem on the towing unit, the towed unit shall be equipped with a slow moving vehicle emblem.
- (2) Where the slow moving vehicle emblem on the towing unit is not obscured by the towed unit or its load, then either or both may be equipped with the required emblem, but it shall be sufficient if either has it.
- (3) The emblem required shall comply with current standards and specifications as established by the American Society of Automotive Engineers and approved by the commissioner.

Seatbelts

Use of seat belts (FMCSR 392.16)

(a)**Drivers.** No driver shall operate a commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a commercial motor vehicle, that has a seat belt assembly installed at the driver's seat unless the driver is properly restrained by the seat belt assembly.

(b)**Passengers.** No driver shall operate a property-carrying commercial motor vehicle, and a motor carrier shall not require or permit a driver to operate a property-carrying commercial motor vehicle, that has seat belt assemblies installed at the seats for other occupants of the vehicle unless all other occupants are properly restrained by such seat belt assemblies.

Safety Chains

Trailers and towed vehicles (LRS 32:384)

A. The drawbar or connection between two vehicles, when one is towing the other, shall be of sufficient strength to pull all weight towed thereby and shall not exceed **fifteen feet** from one vehicle to the other, except that the drawbar or connection may exceed **fifteen feet** between any two vehicles transporting poles, pipes, machinery, or other objects of a structural nature which cannot be readily dismembered.

B. When the connection between a vehicle and a towed vehicle is a chain, rope, or cable, a red flag or cloth not less than **one foot square** shall be displayed upon such connection between **sunrise and sunset, and a red light**, plainly visible under ordinary atmospheric conditions for a distance of at least **five hundred feet**, shall be displayed upon such connection between sunset and sunrise.

C. Truck-tractors may be transported by a drawbar, pintle connection, or by the triple saddle mount method of transportation, consisting of a combination of four truck-tractors where the front axle of one truck-tractor is mounted on the fifth wheel of the lead truck-tractor, the front axle of the third truck-tractor is mounted on the fifth wheel of the second truck-tractor, and the front axle of the fourth truck-tractor is mounted on the fifth wheel of the third truck-tractor; and with the rear wheels of the second, third, and fourth truck-tractors trailing on the ground behind the operating motor unit, provided that:

(1) The combination of vehicles shall be equipped with necessary lights and signals in accordance with Louisiana law and Bureau of Motor Carrier Safety, United States Department of Transportation, Federal Highway Administration Safety Rules and Regulations;

(2) The rear wheels of the second, third, and fourth truck-tractors of the combination shall be equipped with adequate splash guards or mud flaps; and,

(3) It shall be unlawful to operate this combination of vehicles in excess of fifty-five miles per hour.

D. Every trailer and semitrailer with a loaded gross weight capacity of up to **six thousand pounds** shall be equipped with safety chains or other safety device approved in accordance with Subsection E. The safety chains or other approved safety device shall be securely attached to the towing vehicle when the trailer or semitrailer is in motion and shall be of sufficient strength to hold the trailer behind the towing vehicle in case the connection between the two vehicles detaches.

E.(1) The Department of Public Safety and Corrections, office of state police, shall have the authority to approve safety devices other than safety chains to be used when towing trailers or semitrailers. The approval of a safety device shall be in writing. Any such device shall be inspected by the office of state police before written approval is given. The following criteria shall be considered in making the determination of whether or not to approve such safety device as an alternative to safety chains:

(a) The physical characteristics of the device, including but not limited to the material or materials used in constructing the device.

(b) The method by which the device is attached to the trailer or semitrailer.

(c) The overall strength of the device.

(2) The office of state police shall promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Subsection, including but not limited to the procedure for accepting and processing applications for approval of alternative safety devices.

Coupling devices and towing methods, except for driveaway-towaway operations. (FMCSR 393.70)

(a)Tracking. When two or more vehicles are operated in combination, the coupling devices connecting the vehicles shall be designed, constructed, and installed, and the vehicles shall be designed and constructed, so that when the combination is operated in a straight line on a level, smooth, paved surface, the path of the towed vehicle will not deviate more than 3 inches to either side of the path of the vehicle that tows it.

(b)Fifth wheel assemblies -

(1)Mounting –

(i)Lower half. The lower half of a fifth wheel mounted on a truck tractor or converter dolly must be secured to the frame of that vehicle with properly designed brackets, mounting plates or angles and properly tightened bolts of adequate size and grade, or devices that provide equivalent security. The installation shall not cause cracking, warping, or deformation of the frame. The installation must include a device for positively preventing the lower half of the fifth wheel from shifting on the frame to which it is attached.

(ii)Upper half. The upper half of a fifth wheel must be fastened to the motor vehicle with at least the same security required for the installation of the lower half on a truck tractor or converter dolly.

(2)Locking. Every fifth wheel assembly must have a locking mechanism. The locking mechanism, and any adapter used in conjunction with it, must prevent separation of the upper and lower halves of the fifth wheel assembly unless a positive manual release is activated. The release may be located so that the driver can operate it from the cab. If a motor vehicle has a fifth wheel designed and constructed to be readily separable, the fifth wheel locking devices shall apply automatically on coupling.

(3)Location. The lower half of a fifth wheel shall be located so that, regardless of the condition of loading, the relationship between the kingpin and the rear axle or axles of the towing motor vehicle will properly distribute the gross weight of both the towed and towing vehicles on the axles of those vehicles, will not unduly interfere with the steering, braking, and other maneuvering of the towing vehicle, and will not otherwise contribute to unsafe operation of the vehicles comprising the combination. The upper half of a fifth wheel shall be located so that the weight of the vehicles is properly distributed on their axles and the combination of vehicles will operate safely during normal operation.

(c)Towing of full trailers. A full trailer must be equipped with a tow-bar and a means of attaching the tow-bar to the towing and towed vehicles. The tow-bar and the means of attaching it must -

(1) Be structurally adequate for the weight being drawn;

(2) Be properly and securely mounted;

(3) Provide for adequate articulation at the connection without excessive slack at that location; and

(4) Be provided with a locking device that prevents accidental separation of the towed and towing vehicles. The mounting of the trailer hitch (pintle hook or equivalent mechanism) on the towing vehicle must include reinforcement or bracing of the frame sufficient to produce strength and rigidity of the frame to prevent its undue distortion.

(d)Safety devices in case of tow-bar failure or disconnection. Every full trailer and every converter dolly used to convert a semitrailer to a full trailer must be coupled to the frame, or an extension of the frame, of the motor vehicle which tows it with one or more safety devices to prevent the towed vehicle from breaking loose in the event the tow-bar fails or becomes disconnected. The safety device must meet the following requirements:

(1) The safety device must not be attached to the pintle hook or any other device on the towing vehicle to which the tow-bar is attached. However, if the pintle hook or other device was manufactured prior to July 1, 1973, the safety device may be attached to the towing vehicle at a place on a pintle hook forging or casting if that place is independent of the pintle hook.

(2) The safety device must have no more slack than is necessary to permit the vehicles to be turned properly.

(3) The safety device, and the means of attaching it to the vehicles, must have an ultimate strength of not less than the gross weight of the vehicle or vehicles being towed.

(4) The safety device must be connected to the towed and towing vehicles and to the tow-bar in a manner which prevents the tow-bar from dropping to the ground in the event it fails or becomes disconnected.

(5) Except as provided in paragraph (d)(6) of this section, if the safety device consists of safety chains or cables, the towed vehicle must be equipped with either two safety chains or cables or with a bridle arrangement of a single chain or cable attached to its frame or axle at two points as far apart as the configuration of the frame or axle permits. The safety chains or cables shall be either two separate pieces, each equipped with a hook or other means for attachment to the towing vehicle, or a single piece leading along each side of the tow-bar from the two points of attachment on the towed vehicle and arranged into a bridle with a single means of attachment to be connected to the towing vehicle. When a single length of cable is used, a thimble and twin-base cable clamps shall be used to form the forward bridle eye. The hook or other means of attachment to the towing vehicle shall be secured to the chains or cables in a fixed position.

(6) If the towed vehicle is a converter dolly with a solid tongue and without a hinged tow-bar or other swivel between the fifth wheel mounting and the attachment point of the tongue eye or other hitch device -

(i) Safety chains or cables, when used as the safety device for that vehicle, may consist of either two chains or cables or a single chain or cable used alone;

(ii) A single safety device, including a single chain or cable used alone as the safety device, must be in line with the centerline of the trailer tongue; and

(iii) The device may be attached to the converter dolly at any point to the rear of the attachment point of the tongue eye or other hitch device.

(7) Safety devices other than safety chains or cables must provide strength, security of attachment, and directional stability equal to, or greater than, safety chains or cables installed in accordance with paragraphs (d) (5) and (6) of this section.

(8)(i) When two safety devices, including two safety chains or cables, are used and are attached to the towing vehicle at separate points, the points of attachment on the towing vehicle shall be located equally distant from, and on opposite sides of, the longitudinal centerline of the towing vehicle.

(ii) Where two chains or cables are attached to the same point on the towing vehicle, and where a bridle or a single chain or cable is used, the point of attachment must be on the longitudinal centerline or within 152 mm (6 inches) to the right of the longitudinal centerline of the towing vehicle.

(iii) A single safety device, other than a chain or cable, must also be attached to the towing vehicle at a point on the longitudinal centerline or within 152 mm (6 inches) to the right of the longitudinal centerline of the towing vehicle.

Load/Loose Materials

Loads on vehicles; care required thereto; penalties; definition (LRS 32:383)

A.(1) The load on a vehicle shall not drop, sift, leak, or otherwise escape therefrom, except that sand may be dropped on a highway to secure traction or a liquid substance may be dropped on a highway to clean or maintain such highway.

(2) Any load of garbage, refuse, sludge, and other discarded material being transported by a commercial hauler shall be covered while being transported in such a manner as to prevent the load from spilling or dropping from the vehicle.

(3) Any violation of Paragraph (2) of this Subsection for failure to cover any load of garbage, refuse, sludge, and other discarded material shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

(4) The penalty provisions of Paragraph (3) of this Subsection shall not apply when the load was properly covered and subsequently became uncovered as the result of an accident or circumstances beyond the control of the operator of the vehicle.

B.(1) The load on any vehicle shall be securely fastened so as to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(2) Freight containers, as defined in 49 CFR 171.8, used in both the waterborne transport of cargo and in the overland transport of cargo shall be properly secured so as to prevent the container from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any violation of Paragraph (2) of this Subsection shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both.

(4) The penalty provisions of R.S. 32:383(B)(3) shall not apply when the freight container was properly secured and subsequently became loose or detached as the result of an accident or circumstances beyond the control of the operator of the vehicle.

C. "Loose material" means dirt, sand, gravel, nails, or other material that is capable of blowing or spilling from a vehicle as a result of movement or exposure to air, wind currents, or weather, but shall not include agricultural products in their natural state or wood chips.

Loads of loose materials on vehicles; care required thereto; penalties (LRS 32:383.1)

A. Any load of loose material as defined in R.S. 32:383(C) being transported by a commercial hauler, or in a vehicle purchased by the state or any political subdivision of this state after August 15, 1999, shall be covered in such a manner as to prevent the load from blowing, spilling, or dropping from the vehicle. However, a load of dirt or sand shall be exempt from the provisions of this Section if the load is being transported within a municipality with a population of not less than ten thousand five hundred nor more than eleven thousand two hundred in a parish with a population of no less than thirty-one thousand two hundred fifty nor no more than thirty-two thousand five hundred all according to the latest decennial census, and the speed of the vehicle transporting the load does not exceed twenty-five miles per hour.

B. Any violation of this Section for failure to cover a load of loose material while being transported shall be punishable by a fine of not less than one hundred dollars or more than two hundred dollars.

Drug & Alcohol Testing (FMCSR 382)

Exceptions. This part shall not apply to employers and their drivers:

(i) Operators of a farm vehicle which is:

(A) Controlled and operated by a farmer;

(B) Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm;

(C) Not used in the operations of a for-hire motor carrier, except for an exempt motor carrier as defined in § 390.5 of this subchapter; and

(D) Used within 241 kilometers (150 miles) of the farmer's farm.

- Drug and alcohol testing programs

- Drivers are subject to drug and alcohol testing if they operate a CDL class motor vehicle beyond 150 miles from the farm or ranch including:
- Pre-employment, post-accident, reasonable suspicion, and random alcohol and controlled substance testing.
- Documentation of supervisor's two-hour training for reasonable suspicion.
- Documentation of driver's receipt of training materials.

WHAT HAPPENS IF I LOSE MY EXEMPTION?

What does a farmer need when hauling equipment that is not exempt, for example a bulldozer? Inspectors will look at the "intent" of the load to determine exemption. The following regulations include, but are not limited to:

- Driver Qualifications and Fitness
- Driver Duty Status/Hours of Service
- Vehicle Maintenance
- Accident Register
- Controlled Substances and Alcohol Use and Testing Requirements
- Hazardous Materials

The Federal Motor Carrier Safety Administration (FMCSA) created an easy-to-understand regulation digest to help you to zero in on the regulations most relevant to your business, helping you ensure safe operations every day, on every trip.

It's called "The Motor Carrier Safety Planner" and can be found on this website <https://csa.fmcsa.dot.gov/safetyplanner/>

The Motor Carrier Safety Planner provides simple explanations and templates to help companies that operate CMVs understand and comply with Federal safety regulations. You have the ability to customize the planner, saving notes, bookmarks, and highlights allows you to access sections of the Safety Planner most relevant to your business. You will need your DOT # and PIN via the FMCSA Portal for this feature. It is not necessary to have a DOT # to use the website and access the information and forms.

Driver Qualifications and Fitness

- If the load exceeds 26,001 GVWR drivers are required to have the proper Commercial Driver's License (CDL).
- Motor carriers must ensure and verify that their CMV drivers meet the minimum requirements specified in 49 CFR 391 before operating a vehicle.
- CMV owner-operators must comply with both rules that apply to motor carriers and rules that apply to drivers.

- All motor carriers must maintain a qualification file for each employed driver to include a Driver's Application for Employment.
- Inquiry to Previous Employers for Safety Performance History and Inquiry about Drug and Alcohol Tests.
- Inquiry to State Agencies for Driver's Motor Vehicle Record and Carrier's Annual Review of Record
- Annual Driver's Certification of Violations
- Driver's Road Test Certificate or Equivalent
- Medical Examiner's Certificate

Driver Duty Status/Hours of Service

- Every driver needs to prepare a record of duty status for each 24-hour period.
- Logs must be kept current by showing each change in duty status.
- An example driver's record of duty status can be found in FMCSA's Interstate Truck Driver's Guide to Hours of Service. See 49 CFR 395.8 for more information.
- A driver must take 10 consecutive hours off duty prior to starting a shift.
- A motor carrier must not permit or require a driver, nor shall a driver drive after the 14 hour after coming on duty following 10 consecutive hours off duty. Once reaching the 14-consecutive-hour limit, drivers must have 10 consecutive hours off duty before driving again.
- During the 14-consecutive-hour period explained above, drivers are only allowed to drive for up to 11 hours. Once a driver has driven 11 hours, he or she must have 10 consecutive hours off duty before driving again.
- Except for drivers who qualify for either short haul exception listed in 49 CFR 395.1 (e)(1) or (2), driving is not permitted if more than 8 hours have passed since the end of the driver's last off duty or sleeper berth period of at least 30 minutes.
- A motor carrier must not permit or require a driver, nor shall a driver drive after a total of:
60 hours on duty in 7 consecutive days (if the motor carrier does not operate CMVs every day of the week); or
70 hours on duty in 8 consecutive days (if the motor carrier does operate CMV's every day of the week).
- An off-duty period of 34 or more consecutive hours may restart a driver's 7 or 8 consecutive day period.
- If the driver of a property-carrying CMV works more than one job of any kind, that time must also be included as on-duty time.
- After Dec 16, 2019, all drivers and carriers subject to the rule must use self-certified Electronic Logging Devices (ELDs) that are registered with FMCSA.

Vehicle Maintenance

- Carriers operating commercial motor vehicles as defined in 390.5T must comply with parts and accessories regulations in 49 CFR 393.
- Each motor carrier must systematically inspect, repair, and maintain all commercial motor vehicles (CMVs) under its control.
- Parts and accessories shall be in safe and proper operating condition at all times. These include those specified in 49 CFR 393 and any additional parts and accessories that may affect safety of operation, including but not limited to, frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems.
- Records of all inspections, repairs, and maintenance must be retained. According to 49 CFR 396.3, required records include the following: Identifying information of the vehicle, including company number, make, serial number, year, and tire size.
- A schedule highlighting the type and due date of inspections and maintenance to be performed; and Inspection, repair, and maintenance records indicating the date and nature of each.
- Carriers must maintain records for each vehicle they control through ownership or lease for 30 consecutive days.
- These records must be retained for one year at the location where the vehicle is housed or maintained.

- These records must be retained for six months after the vehicle leaves the carrier's control (sale, trade-in, etc.).
- Any driver who receives a roadside inspection report is required to deliver it to the motor carrier within 24 hours.
- If a vehicle is declared "out-of-service," violations or defects must be corrected before a vehicle may operate again.
- Carriers must repair any non "out-of-service" defect or deficiency before the vehicle is dispatched again,
- Carriers must sign and return the completed roadside inspection report within 15 days of the inspection, verifying all violations have been corrected.
- A copy of this report must be retained by the carrier for 12 months following the date of inspection.

Accident Register

- Motor carriers are required to maintain a register of all crashes (as defined in 49 CFR 390.5T) that occurred in the past 3 years.
- The register must contain, at minimum, the date of the crash, the city or town and state most near where the crash occurred, the driver's name, the number of injuries or fatalities, and whether hazardous materials, other than fuel spilled from the fuel tanks of motor vehicle involved in the crash, were released.
- If a crash involves the release of hazardous materials, carriers must complete a hazardous incident report.

Controlled Substances and Alcohol Use and Testing Requirements for CDL drivers

- No driver shall report for duty requiring the performance of a safety sensitive function with an alcohol concentration of 0.04 or greater.
- No driver shall use alcohol while performing a safety sensitive function.
- No driver shall perform a safety sensitive function within 4 hours after using alcohol.
- No driver required to take a post-accident alcohol test under 49 CFR 382.209 shall use alcohol for 8 hours following the accident.
- No driver shall refuse to submit to any required alcohol or controlled substances test.
- No driver shall report for duty requiring the performance of a safety sensitive function when the driver uses controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in 49 CFR 382.107. This must not interfere with the driver's ability to perform a safety sensitive function.
- No driver shall report for duty or remain on duty requiring the performance of a safety sensitive function, if the driver tests positive for controlled substances. Motor carriers must take steps to ensure their drivers are enrolled in a U.S. DOT drug and alcohol program
- Employers must maintain records of alcohol and drug misuse prevention programs in a secure location with controlled access.
- Keep 1 Year: Negative drug test results. Alcohol test results less than 0.02.
- Keep 2 Years: Records related to the alcohol and drug collection process.
- Keep 3 Years Previous employer records.
- Keep 5 Years: Annual MIS reports; Employee evaluation and referrals to SAPs; Follow-up tests and follow-up schedules; Refusals to test; Alcohol test results 0.02 or greater; Verified positive drug test results; EBT calibration documentation; Indefinite period: Education and Training records, plus two years after ceasing to perform functions.
- Employers are required to promote and make known to each employee the policies and procedures on the misuse of drugs and alcohol.
- A policy that meets the requirements of the regulations is the foundation of an effective drug and alcohol program.
- Every person involved in the program should be familiar with the policy in order to avoid compliance problems.
- Every motor carrier must provide each of its employees with educational materials that explain the drug and alcohol use and testing regulations.
- Employers must request alcohol and controlled substances information from previous employers in accordance with the requirements of 49 CFR 40.25

- Results of the negative pre-employment drug test for controlled substances must be received by the carrier prior to allowing the driver to operate a CMV.
- As of January 6, 2020, employers are required to be registered with The Drug and Alcohol Clearinghouse.
- Every motor carrier will now be required to report any adverse drug and alcohol testing information to the Clearinghouse.
- Employers will have to submit a report of a drug or alcohol program violation by the close of the third business day following the date on which the employer obtained the information.
- Employers will be required to query the system through an online search of the Clearinghouse for violations that would prohibit the driver or prospective driver from performing safety-sensitive functions.
- Employers will be required to query the database at least once a year for their current employees.
- An employer will need to register their company and pay a fee for access to the Clearinghouse.
- A prospective employee will also need to log into the Clearinghouse and authorize the release of his/her records to a particular employer.

Hazardous Materials

- Federal hazardous materials regulations: CFR 49 Parts 100 to 180
- All hazardous materials employees, not just drivers (49 CFR 177.816), must meet the training requirements of 49 CFR 172.704. Note that there are five categories.
- Each employee must be trained in each applicable category every three years.
- The documentation requirements are specified in 49 CFR 172.704.
- In-depth security training is only required if the employee has duties or responsibilities under the company's security plan.