

**AN OVERVIEW OF MOTOR VEHICLE STATUTES &  
REGULATIONS  
IMPACTING NEW JERSEY FARMERS  
December 2010 (revised)**

**'Farmer' License Plates for Vehicle:** N.J.S.A. 39:3-25 allows 'Farmer' plates for **motor trucks** engaged in the carrying or transportation of farm products, and farm supplies, and not engaged in hauling for hire, except for a truck being operated under contract with a municipality to remove snow. Vehicles with 'Farmer' plates can now be used for personal use. N.J.A.C. 13:21-12.8 prohibits a vehicle with 'Farmer' plates towing a farm implement to travel on any highway that is a part of the National System of Interstate and Defense Highways, or any highway designated a freeway or parkway.

**'Farm Use' Plates & Farm Tractors Exempt from Registration:** Under N.J.S.A. 39:24, 'Farm Use' plates can be issued for farm machinery or farm implements to travel on public highways from one farm to another farm. The hours of operation are limited to sunrise to sunset and cannot be used to travel more than 15 miles from the farm. Motor vehicle regulations governing vehicles with 'Farm Use' plates can be found in N.J.A.C. 13:21 et. seq. Under N.J.S.A. 39:3-24(c), farm tractors, traction equipment, farm machinery or farm implements, not for hire, that cannot be operated at a speed in excess of 20 miles per hour need not be registered with the Division of Motor Vehicles. Farmers are encouraged to keep a copy of the statutory exemption on hand when operating this farm equipment on the highway.

**Commercial Drivers License (CDL):** If a farmer is traveling intrastate, within 150 miles of their farm and not hauling for hire, Federal regulations and NJ's statute (N.J.S.A. 39:3-10(k)) exempt farmers from CDLs. However, the federal regulations require that a reciprocity agreement must be in place for the exemption to be recognized during interstate travel. New Jersey has a reciprocity agreement with Delaware and Pennsylvania recognizing the CDL exemption. No other state has agreed to sign a reciprocity agreement with NJ. Farmers are encouraged to keep a copy of the exemption in their vehicle. The agreements can be downloaded by visiting [www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html#9](http://www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html#9). For more information on the regulations governing Federal CDL licensing, visit the web at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) and link with the regulations section. A commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle 1) has a GVWR or gross combination weight rating, or gross vehicle weight or gross combination weight of 26,001 pounds or more; whichever is less or is designed or used to transport more than 8 passengers (including driver) for compensation; or is designed or used to transport 16 or more passengers, including driver, and is not used to transport passengers for compensation.

**Medical Certificate:** Drivers of articulated vehicles, including farm vehicles, with a GCWR of 10,001 pound or more are required to possess a current medical certificate. Drivers who operate straight trucks, including farm vehicles, are exempt from medical certificates if all of the following conditions regarding the farm vehicle are met: controlled and operated by a farmer; used to transport either agricultural products, farm machinery, farm supplies, or both, to or from a farm; not being used as a for-hire motor carrier; not carrying hazardous materials; and being used within 150 air-miles of the farmer's farm.

**International Registration Plan (IRP):** IRP is a cooperative agreement for registering vehicles that travel interstate (between states). Commercial vehicles based in NJ will register with the NJ's Motor Carrier Unit and are issued one apportioned plate (or set of plates) and one cab card that lists all of the states for which the vehicle is authorized to travel. IRP covers apportioned vehicles used for transportation of persons for hire or designed, used or maintained primarily for the transportation of property and: 1) is a power unit having two axles and a gross vehicle weight or registered gross vehicle weight in excess of 26,000 lbs.; 2) or is a power unit having three or more axles, regardless of weight; or is used in combination, when the weight of such combination exceeds 26,000 lbs. Commercial vehicle displaying restrictive plates, such as 'Farmer' plates, are exempt from IRP.

**NOTE:** An agreement was signed between New Jersey and Delaware, New York and Pennsylvania in which they recognize New Jersey's 'Farmer' plate exemption. New Jersey views 'Farmer' plates as commercial plates (restricted plates). Farmers are encouraged to keep copies of the agreement in the vehicle. Visit [www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html#9](http://www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html#9) for a copy of the agreements. For additional information concerning IRP, contact the Motor Carrier Unit, IRP Section, at (609) 633-9399 or visit [www.state.nj.us/mvc](http://www.state.nj.us/mvc).

**Markings on Commercial Vehicles and USDOT Numbers:** Federal regulations require that all commercial vehicles 10,001 pound or more that travel interstate must display their name and USDOT number on both sides of the power unit. Commercial motor vehicles with 'Farmer' plates that travel interstate must have a DOT number displayed. If the vehicle is only used for intrastate travel, New Jersey does not require a USDOT number. For more details visit [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) and view the vehicle marking regulations (390.21). To register for a USDOT number, visit [www.fmcsa.dot.gov/forms/usdot/Dotno.htm](http://www.fmcsa.dot.gov/forms/usdot/Dotno.htm). There is no fee to register for a USDOT number. In addition to the federal requirements, NJ law requires every vehicle use for commercial purposes, including 'farmer' and 'farm use plates', to display the name and municipality no less than three inches high. Commercial motor vehicles with a gross vehicle rating or combined gross vehicle weight rating of 26,001 pounds or more must also display the GVWR.

**Unified Carrier Registration (UCR):** Any vehicle 10,001 pounds or more that travels interstate must register with the Uniform Carrier Registration (UCR). Under UCR any power units or trailers that travel interstate are assessed a UCR fee. A New Jersey motor carrier, motor private carrier (most farms fall in this category), broker, freight forwarder, or leasing company conducting interstate transportation must choose a single base state with which it shall register and pay its UCR agreement fee. UCR fees are based on the size of the fleet. To save money, only register those power units that may travel interstate. Since New Jersey is not enrolled in the UCR program, an entity is required to choose a participating UCR state that is nearest to the entity's principal place of business. When New Jersey becomes a UCR participating state, the entity shall, effective with the first registration year in which the state is a participating state, choose the state as its base state. Enforcement of the UCR started on November 15, 2007. NOTE: Before you register with the UCR, you must have a USDOT number. Once you have a USDOT number, you can register on-line at the UCR National Web site at [www.ucr.in.gov](http://www.ucr.in.gov) and follow the step-by-step instructions.

**Commercial Trucks & Cargo Vans Require Alerts:** All commercial trucks or cargo vans registered in NJ with a cargo area over 18 feet long must have an electronic rear backup monitoring device or a cross-view mirror located at the top left rear corner of the cargo area. "Farmer" plates are considered commercial.

**Exemption from Diesel Emission Inspection (Puff Test):** Diesel-powered motor vehicles with a GVWR of 8,500 or more pounds and registered with 'Farmer' or 'Farm Use' plates are exempt from the periodic diesel emission inspection requirements. (N.J.A.C. 13:20-26.17) Farmers are encouraged to keep a copy of the exemption in their vehicle. Visit the following web site for a copy of the regulation [www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html](http://www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html).

**International Fuel Tax Agreement (IFTA):** IFTA is an agreement among states and Canadian provinces to simplify the reporting of fuel taxes by interjurisdictional & interstate motor carriers. 'Farmer' plated vehicles are exempt from IFTA registration if they do not leave NJ. IFTA regulations require that a commercial vehicle used for transportation of persons or property with at least two axles and a gross vehicle weight exceeding 26,000 lbs. or used in combination, and the combination exceeds 26,000 lbs. or three or more axles regardless of weight that travels interstate (between states) must register with IFTA. For more information, contact the NJ Division of Motor Vehicles, IFTA Unit, at (609) 633-9400 or visit [www.state.nj.us/mvc/Commercial/IFTA.htm](http://www.state.nj.us/mvc/Commercial/IFTA.htm) on the web.

**Agricultural License for Students:** An agriculture license (Class G) is only valid for 16-17 years olds, and is to be used solely for farming purposes (the vehicle cannot be used for personal use). A basic driver license (Class D) can also be used to operate farming vehicles. The restrictions that come with the agricultural license include: May only operate vehicles registered under the provisions of N.J.S.A. 39:3-24 (farm tractors and traction equipment – "Farm Use") or N.J.S.A. 39:3-25 ("Farmer"); no driving between 11:01 p.m. and 5:00 a.m.; you can't use cell phones, hand held video games or

any other hand held electronic device; when driving a farm truck registered pursuant to N.J.S.A. 39:4-24 or 4-25 on public roads, the driver must be accompanied by an Adult Supervising Driver (at least 21 years old and licensed to drive for at least 3 years) in the front seat (does not apply to farm tractors or traction equipment); passengers shall be limited to persons who share the permit holder's residence and one additional passenger who does not reside with the permit holder; seatbelts must be worn at all times (does not apply to farm tractors or traction equipment); and an agriculture license cannot be used to drive any other type of vehicle.

**Reflective Tape on Trailers or Semitrailers:** All trailers and semitrailers with an overall width of 80 inches or more and a GVWR of 10,001 pounds or more must have reflective sheeting or reflex reflectors in federally mandated colors and patterns. For the appropriate location of the material on trailers, visit the web at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) and link with regulation 393.13.

**Transporting Migrant Workers:** Federal regulations (383.3) cover transporting passengers and require a CDL license for commercial motor vehicles used on a highway in interstate commerce to transport passengers when the vehicle is designed or used to transport more than 16 passengers, including the driver, and is not used to transport passengers for compensation. Part 398 of the Federal Motor Safety Act is a separate section that covers transportation of migrant workers. This regulation goes into effect when transporting interstate 3 or more migrant workers to or from employment by any motor vehicle other than a passenger automobile or station wagon for a total distance of more than seventy-five miles. In addition, NJ Motor Vehicle regulations address transporting migrant workers and the driver's basic qualifications and vehicle safety equipment (N.J.A.C. 13:21 et seq.). Visit the federal regulations section on the web at [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov). **NOTE:** U.S. Department of Labor regulations contain additional provisions for vehicle safety when transporting workers (29 CFR 500.105).

To assist New Jersey's agriculture industry on the various motor vehicle issues surrounding farm vehicles, the New Jersey Department of Agriculture has established a web site. "Motor Vehicle Laws and Regulations Impacting Farmers" and copies of the documents mentioned above can be found at [www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html](http://www.nj.gov/agriculture/divisions/md/prog/farmermotorvehicles.html).

Questions on these issues and other farm related motor vehicle questions can be directed to:

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