

"P" 8 (2016)

"M" 6 (2016)

Albany, New York

June 16, 2016

TO: All Enforcement Agencies and Magistrates

SUBJECT: Covered Farm Vehicle Designation

Effective July 11, 2016, due to a change in federal regulations and state law, the Z endorsement will no longer be valid. Therefore, New York State driver license holders who have the Z endorsement may no longer operate a farm vehicle that transports hazardous materials unless they have a commercial driver license (CDL) with a hazardous materials "H" endorsement.

The amendments to federal regulations and New York State law also change the term "farm vehicle" to "covered farm vehicle" and include a new "Covered Farm Vehicle designation" requirement.

A covered farm vehicle is defined in section 501-a(7) of the Vehicle and Traffic Law as a vehicle or combination of vehicles registered in this state which:

- displays a covered farm vehicle designation;
- is operated by the owner or operator of a farm or ranch, or an employee or family member of the owner or operator of a farm or ranch;
- is used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch;
- is not used in for-hire motor carrier operations, exclusive of operation by a tenant pursuant to a crop share agreement to transport the landlord's crop; and
- is not used to transport hazardous materials.

A covered farm vehicle weighing more than 26,000 pounds may only be operated in New York State within 150 air miles of the farm or ranch. The operator must have a New York state driver license with an F or G endorsement.

A covered farm vehicle weighing 26,000 pounds or less, may be operated anywhere within New York State and in any other state that honors the Covered Farm Vehicle designation.

The Covered Farm Vehicle designation allows a driver to operate a covered farm vehicle without having a CDL. It also exempts the driver from federal regulations related to:

- Hours of Service
- Medical certification
- Drug testing
- Inspection, repair and maintenance requirements

Form CFV-1 (Designation as a New York State Covered Farm Vehicle) serves as proof that the driver has the Covered Farm Vehicle designation and is exempt from needing a CDL to operate a covered farm vehicle. A sample is attached for reference. On and after July 11, 2016, operators of a covered farm vehicle must keep a copy of form CFV-1 in all farm vehicles that they operate.

Please share this information with appropriate staff. Thank you.

Theresa L. Egan
Executive Deputy Commissioner

Attachment