

NORTH DAKOTA

AGRICULTURE TRANSPORTATION HANDBOOK

MAY 2023



STATE AND FEDERAL STATUTES, RULES AND
EXEMPTIONS FOR THE AGRICULTURAL INDUSTRY



SCAN FOR FULL
DOCUMENT



**VISION
ZERO**
Zero fatalities. Zero excuses.

NDSU UPPER GREAT PLAINS
TRANSPORTATION INSTITUTE

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Federal Resources

Federal Motor Carrier Safety Administration

<http://www.fmcsa.dot.gov> (to obtain a new USDOT truck carriers number)
Phone: (800) 832-5660 Fax: (800) 877-8339

Minnesota Division (651) 291-6150 fax (651)-291-6001
Montana Division (406) 449-5304 fax (406)-449-5318
North Dakota Division (701) 250-4346 fax (250)-4389
South Dakota Division (605) 224-8202 fax (605)-224-1766

State Transportation Resources

Minnesota

Department of Transportation: (800) 657-3774
<http://www.dot.state.mn.us/>

Minnesota State Patrol

Commercial Vehicles: (651)405-6196
<https://dps.mn.gov/divisions/msp/commercial-vehicles/Pages/default.aspx>

Permits:
<https://www.dot.state.mn.us/cvo/oversize/index.html>
<https://www.dot.state.mn.us/cvo/oversize/permit-types.html>

Truck Weight Calculator:
<http://dotsc.ugpti.ndsu.nodak.edu/twc/MNHome.aspx>

Frequently asked questions:
<https://dps.mn.gov/divisions/msp/commercial-vehicles/Pages/faqs.aspx>

Minnesota Farm Bureau Foundation (651)768-2100
<http://www.fbmfn.org/>

Montana

Department of Transportation: (406) 444-6201
<https://www.mdt.mt.gov/>

MDT Motor Carrier Division: (406) 444-6130
Permits: (406) 444-7262
<http://www.mdt.mt.gov/mdt/organization/mcs.shtml>

North Dakota

Department of Transportation: (701) 328-2500
<https://www.dot.nd.gov/>

North Dakota Highway Patrol

Motor Carrier Division: (701) 328-5128

Permits: (701) 328-2621
<http://www.nd.gov/ndhp/motor-carrier>

North Dakota Truck Weight Calculator:
<http://dotsc.ugpti.ndsu.nodak.edu/TWC/>

Frequently Asked Questions:
<https://www.nd.gov/ndhp/frequently-asked-questions>

South Dakota

Department of Transportation: (605) 773-3265
<http://www.sddot.com/>

SD DPS Motor Carrier Services: (605) 773-4578
https://dps.sd.gov/enforcement/highway_patrol/motor_carrier_srvs_info.aspx

South Dakota Truckers' Information Website:
<http://www.sdtruckinfo.com/>

SD Truck Weight Calculator:
<https://sdaps.sd.gov/sdaps>

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NORTH DAKOTA

Agricultural Exemptions,
Permits & Provisions



FARM CDL EXEMPTION

The holder of a Class D license may operate any vehicle in a farm to market operation within 150 miles of the farm. If the vehicle is a ND Covered Farm Vehicle, it may be operated anywhere in ND without a mileage limitation. However, this exemption does not apply to double or triple trailer combinations. Operators under 18 years of age may not operate a truck tractor. Operators under the age of 15 may not operate vehicles with a gross weight of greater than 50,000 pounds.

A ND Covered Farm Vehicle is a vehicle identified by the State of Registration as a farm vehicle, operated by the owner or employee of a farm or ranch, used to transport commodities or supplies to or from the farm and not used in for hire motor carrier operations. See form available at www.dot.nd.gov/forms/sfn60860.pdf

SPECIAL AGRICULTURAL PERMITS & PROVISIONS

SEASONAL PERMITS

Seasonal permits will be issued in lieu of single trip permits for **commercial** movement of over-width haystacks, hay bales, forage harvesters, grain cleaners, hay grinders, fertilizer spreaders and chemical applicators transported by another vehicle, and for commercial movement of over-width and over-weight self-propelled fertilizer spreaders and self-propelled agricultural chemical applicators.

Seasonal permits **do not** authorize movement of haystacks and hay bales on I-29 and I-94 when using haystack moving equipment. If no alternate routes are available, a single trip permit may be issued provided a pilot car follows the movement. (For more information re: pilot cars refer to Height/Weight Limits).

A North Dakota farmer or rancher moving **his/her own hay** (bales or haystacks) **is required** to have a seasonal or single trip permit if traveling on the interstate highways if the load is more than 14' high. A farm truck with mounted haystack moving equipment is considered an implement of husbandry and is exempt from registration.

The seasonal permits issued for stack movers will show **“EXEMPT”** on the width. All other types of vehicles used for hauling hay bales will be restricted to 12 feet in overall width, except trailers designed specifically for hauling hay bales shall not exceed 12 feet 10 inches wide including the loading arm (trailer extensions must be retracted when unladen).

Seasonal electronic permits can be purchased online at www.nd.gov/ndhp/motor-carrier/e-permits. Note: State permits do not apply to county, tribal, city or township roads. Please contact the proper road authorities which you will be driving on for their individual permit or contact LoadPass at 701-566-5576 (<https://www.loadpasspermits.com/>)

Every permit must be carried in the vehicle to which it refers in printed or electronic format and must be opened to inspection by any peace officer or agent of the superintendent of the highway patrol unless prior approval is obtained from the highway patrol.

[Source: NDHP Trucker’s Handbook; ND Century Code 39-12-02]

NORTH DAKOTA

Anhydrous Ammonia



ANHYDROUS AMMONIA

Anhydrous Ammonia Transportation with Nurse Tanks

- A resident farmer, rancher, dealer, or commercial fertilizer company may tow one or two portable tanks behind a farm tractor, pickup, or truck.
- The driver must be at least 18 years old to transport hazardous materials including Anhydrous Ammonia.
- Speed may not exceed 25 mph.
- Overall length may not exceed 75 feet.
- Slow moving vehicle emblem must be on the rear of the trailer
- Tanks must be identified front, rear, and both sides with the words: **"ANHYDROUS AMMONIA"** and on both sides with the words: **"INHALATION HAZARD."** Lettering shall be at least two inches high and ¼ inch wide.
- Tanks must be placarded front and rear and on both sides with approved DOT "Non-Flammable Gas" placards and marked with the identification number "1005" for Anhydrous Ammonia.
- Travel between sunrise and sunset only except that one anhydrous ammonia tank may be towed between sunset and sunrise if it is equipped with taillights, turn signals, and brake lights. Tank trailers are required to have at least 2 rear facing red reflectors or at least one red tail light.

Should a mishap occur while transporting anhydrous ammonia, the spill or leak should be approached from upwind and water should be sprayed on the point of discharge and not on the tank.

A farmer is exempt from training and emergency response information when transporting agricultural class 2 hazardous materials, and other hazardous materials going to and from the farm within 150 miles of the farm as long as the quantity is less than 16,094 pounds for ammonium nitrate fertilizer, 502 gallons for liquids, or 5,070 pounds for all other hazardous materials.

FARM TRANSFER FACILITIES

Agricultural producers can transfer anhydrous ammonia only from cargo tanks to nurse tanks when the following safety requirements are met:

- The transport tank must have complete, up-to-date certification and labeling.
- Wheel chocks of adequate size must be used on the transport tank and the nurse tank before the transfer processes begin.
- The following articles must be on the transport tank: 1) a 5-gallon reservoir of clean water, 2) ammonia-impervious gloves, 3) two full-face piece respirators with ammonia canisters and non-vented goggles.
- The following articles must be on nurse tanks: 1) a 5-gallon reservoir of clean water, 2) a legal decal illustrating the step-by-step ammonia transfer process and 3) a legal decal explaining first aid procedures to follow when exposed to anhydrous ammonia.
- The transfer process must be done on a firm, well-prepared, level surface during daylight hours on the owner's or consignee's property;

The following minimum setback distances apply to transfer facilities:

- 50 feet from any adjoining property or any highway or railroad mainline
- 450 feet from any residence or public assembly
- 750 feet from any institutional residence
- one mile from any city limits

INSPECTION

The insurance commissioner may inspect any farm transportation wagon or vehicle designed to apply anhydrous ammonia which is in the vicinity of an anhydrous ammonia storage facility. The commissioner may order the discontinuance of use of any farm transportation wagon or implement of husbandry which is found unsafe or hazardous.

HAZARDOUS MATERIAL PERMIT

North Dakota does not require a state permit for **intrastate** hazardous material transportation. **Interstate** movement of the agricultural product **must conform** to the requirements of the state in which it is transported. Transporters of hazardous waste must have a permit from the Health Department.

Additional information regarding the transportation of hazardous materials in agricultural operations can be found in the North Dakota Administrative Code, Chapter 38-03-02 and the Code of Federal Regulations: 49CFR 173.5.

[Source: ND Century Code 19-20.2-07; NDHP Trucker's Handbook; 49 CFR 173.5]

NORTH DAKOTA

Health Card | Age | Drug & Alcohol



HEALTH CARD | AGE | DRUG & ALCOHOL

ALCOHOL AND SUBSTANCE ABUSE TESTING

Federal Law exempts operators of a farm vehicle from alcohol and controlled substance testing if the farm vehicle is:

- Controlled and operated by a farmer;
- Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm;
- Not used in the operations of a common or contract motor carrier; and
- Used within 150 miles of the farmer's farm.
- A covered farm vehicle used intrastate or 150 air miles for interstate moves.

MEDICAL CARDS

A person meeting the definition of farm vehicle driver who operates a straight truck does not require a medical card. A farm vehicle driver operating an articulated farm vehicle in interstate commerce requires a medical card at all times. A farm vehicle driver operating a farm vehicle (straight or articulated) in intrastate operations within 150 air miles of the farm does not need a medical card.

Medical cards **are not required** for a driver involved in **intrastate** or **interstate** commerce who drives a CMV controlled and operated by a person engaged in custom-harvesting operations under the following conditions. The CMV is:

- Used to transport farm machinery, supplies, or both, to or from a farm for custom-harvesting operations on a farm
- Used to transport custom-harvested crops to storage or market

General Exemptions

- Operated by a beekeeper engaged in the seasonal transportation of bees
- A non-articulated farm vehicle (Articulated farm vehicles are not exempt from this requirement) when operated within 150 air miles of farm
- A covered farm vehicle

Note: Custom harvest operations do not meet the farm vehicle driver definitions, but custom harvest vehicle drivers are exempt from the medical card requirements when transporting machinery, supplies, crops, etc. Further info on medical cards can be found in CFR Part 391 and on drug and alcohol testing in CFR part 382.103.

AGE

Class A, B, or C license may be issued to a person at least 16 years of age **for custom harvesting purposes only** for **intrastate** transport. You must be at least 21 years of age to drive a commercial vehicle across state lines (**interstate**).

The holder of a Class D license may operate any vehicle in a farm-to-market operation within 150 miles of the farm. If the vehicle is a ND Covered Farm Vehicle, it may be operated anywhere in North Dakota without a mileage limitation. However, this exemption does not apply to double or triple trailer combinations. Operators under 18 years of age may not operate a truck tractor. Operators who are age 15 can apply for a restricted license to drive farm trucks that weigh 50,000 lbs. or less after completing the online knowledge exam and on-road testing. A Covered Farm Vehicle is a vehicle identified by the State of Registration as a farm vehicle, operated by the owner or employee of a farm or ranch, used to transport commodities or supplies to or from the farm, and not used in for-hire motor carrier operations. Form available at www.dot.nd.gov/forms/sfn60860.pdf

[Source: CDL Guide 2007-2009: Department Of Transportation; 49 CFR 382.103; 49 CFR 391.2; 49 CFR 391.67]

NORTH DAKOTA

Height/Weight Limits



HEIGHT/WEIGHT LIMITS

WIDTH, HEIGHT, AND LENGTH LIMITATIONS ON VEHICLES

HEIGHT

Vehicles operated on a highway in this state may not exceed a height of 14 feet, whether loaded or unloaded. This limitation **does not apply** to vehicles that are at most 15 feet 6 inches high when all of the following apply:

- The vehicle is an implement of husbandry and is being moved by a resident farmer, rancher, dealer, or manufacturer.
- The trip is at most 60 miles.
- The trip is between sunrise and sunset.
- None of the trip is on an interstate highway.

WIDTH

Vehicles operated on a highway in this state may not exceed a total outside width, including load thereon, of 8 feet 6 inches. This limitation **does not apply** to:

- Implements of husbandry being moved by resident farmers, ranchers, governmental entities, dealers, or manufacturers between sunrise and sunset on public state, county, or township highway systems other than interstate highway systems.
- Hay in the stack or bale being moved along the extreme right edge of a roadway between sunrise and sunset by someone other than a commercial mover.
- Commercial movement of haystacks or hay bales with vehicles designed specifically for hauling hay, commercial movement of self-propelled fertilizer spreaders and self-propelled agricultural chemical applicators, whether operating under their own power or being transported by another vehicle, commercial movement of portable grain cleaners, commercial movement of forage harvesters, and the commercial movement of hay grinders, which may be moved on the highway after obtaining a seasonal permit issued by the highway patrol. The highway patrol shall issue seasonal permits that are valid during daylight hours on any day of the week, or that are valid at all times for the movement of self-propelled fertilizer spreaders and self-propelled agricultural chemical applicators, to any commercial entity otherwise qualified under this subdivision.

LENGTH

A single unit vehicle with two or more axles including the load shall not exceed a length of 50 feet. The length of a trailer or semitrailer including the load may not exceed 53 feet and towed vehicles may not exceed 60 feet. A combination of two, three, and four units including the load shall not exceed an overall length of 75 feet on non-designated highways. For additional restrictions and exceptions to legal length for various tractor-semitrailer combinations refer to NORTH DAKOTA VEHICLE LEGAL SIZE AND WEIGHT GUIDE, NDHP Motor Carrier Operations.

Length limitations **do not apply** to truck-mounted haystack moving equipment, provided such equipment does not exceed a length of 56 feet.

WEIGHT

A person **may not** operate on a highway which is part of the **interstate** system or **intrastate** highways any vehicle with a single axle that carries a gross weight in excess of 20,000 pounds or a wheel load over 10,000 pounds. A wheel may not carry a gross weight over 550 pounds for each inch of tire width. (know your vehicles gross weight and obey bridge load posting signed maximum allowable tonnage).

The axle weight limitations **do not apply** to movements of implements of husbandry or equipment with pneumatic tires used for construction which is used by an agricultural producer while using the equipment for the producer's agricultural, horticultural, or livestock operations if the maximum wheel load does not exceed 550 pounds [249.48 kilograms] for each inch [2.54 centimeters] of tire width and if the gross weight limitation is not exceeded. Tandem truck axles spaced less than 8' apart shall not weigh more than 34,000 lbs. Groupings of 3 axles shall not exceed 48,000 lbs. (see weight limitation chart for axle bridge limitations): https://www.nd.gov/ndhp/sites/www/files/documents/Permits/Weight_Limitations_Chart_.pdf

ND Truck Weight Calculator link:
<http://dotsc.ugpti.ndsu.nodak.edu/TWC/>

PILOT CAR(S)

Pilot Cars for permitted oversize and overweight moves are required for all movements exceeding 14 feet 6 inches in width, 18 feet in height, and 120 feet in overall length. In lieu of the pilot car, over-width movements exceeding 14 feet 6 inches but not 16 feet may be equipped with lighted rotating or flashing amber light(s) that are visible from the front and rear at 500 feet. Load movements exceeding 18 feet in overall width are subject to an NDHP escort. Excessive overweight load movements are also subject to pilot cars and an official escort.

Pilot cars for field to field moves are optional but not required. Field to field moves can use I-29 or I-94 but not after dark. There is no minimum speed for these types of moves. Slow moving vehicle placards (SMV) shall be mounted according to the Agricultural Engineers Society recommendations and must be visible at least from a distance of 500' for vehicles that travel at less than 25 mph.

[Source: NDHP Trucker's Handbook; ND Century Code 39-12.04, 39-12-05;]

NORTH DAKOTA

Hours of Service



HOURS OF SERVICE

Covered farm vehicles, not transporting hazardous materials requiring placarding, **are exempt** from hours of service regulations when operating intrastate or within 150 air miles of the farm in interstate commerce. Drivers of commercial motor vehicles not farm-plated but used for agricultural transport must follow federal and state regulations governing maximum driving and on-duty time.

INTRASTATE TRAVEL

Drivers of vehicles with a manufacturer's gross vehicle weight rating of 26,000 pounds or less are exempt from hours of service limitations when operating wholly within the state of North Dakota. Drivers transporting agricultural commodities or farm supplies, including farm equipment and machinery, for agricultural purposes in North Dakota during planting and harvesting seasons from January 1 through December 31, are limited to an area within a **150 air-mile** radius from the source of the commodities or the distribution point for the supplies. Hours of service regulations apply to drivers exceeding the 150 air-mile radius, **except** for drivers of farm plated vehicles used in their own farm operations and not carrying placarded hazardous materials.

INTERSTATE COMMERCE requires all drivers to stay within the hours of service limits if:

- Vehicle has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more, whichever is greater.
- Is used in transporting hazardous material in a quantity requiring placarding. [Source: CFR 390.5]
- Ag exemption – operators transporting agricultural commodities or farm supplies with a 150 air-mile radius.

For specific information on your operation, refer to the Federal Motor Carrier Safety Regulations (FMCSR).

IN CANADA, driving time is limited by Canadian regulations. Drivers must always be in compliance with the rules in the country they are driving.

LOG BOOKS are required, if the exemptions are not met for interstate or intrastate travel, or covered farm vehicle exemptions.

The ELD rule applies to most motor carriers and drivers who are currently required to maintain RODS (records of daily status) per FMCSA regulations part 395, 49 CFR 395.8 (a).

A) INTERSTATE

- Cannot drive more than 11 hours following 10 hours of rest; or
- For any period after the end of the 14th hour after coming on duty following 10 hours of rest.
- Having been on duty 60 hours in any period of 7 consecutive days or 70 hours in 8 days if the employing motor carrier operates commercial motor vehicles every day of the week.
- Any period of 7 consecutive days may end with the beginning of any off-duty period of 34 or more consecutive hours.
- Drivers must take a 30-minute break when they have driven for a period of 8 cumulative hours without at least a 30-minute interruption. The break may be satisfied by any non-driving period of 30 consecutive minutes (i.e., on-duty not driving, off-duty, sleeper berth, or any combination of these taken consecutively). (from FMCSA and NDHP).

B) INTRASTATE

- Cannot drive more than 12 hours following 10 consecutive hours off duty.
- For any period after having been on duty more than 16 hours.
- After having been on duty for 70 hours in any period of 7 consecutive days.

[Source: NDHP Trucker's Handbook; ND Century Code 39-06.2-17and 32; 49 CFR 390.5 and 390.39]

NORTH DAKOTA

Implements of Husbandry



IMPLEMENTS OF HUSBANDRY

LAMPS, REFLECTORS, AND REFLECTIVE MATERIALS ON FARM TRACTORS, FARM EQUIPMENT, AND IMPLEMENTS OF HUSBANDRY

Operators should keep the traveling public's safety in mind when moving farm equipment from field to field on public roads as this equipment may need to extend past the road centerline or require them to drive on the roads shoulder. Pulling over to the right to allow accumulated following traffic to pass at least once per mile at a safe location is a recommended practice.

Every farm tractor, self-propelled unit of farm equipment, or towed implement of husbandry must be equipped as follows:

- **Tractors and self-propelled units of farm equipment** must be equipped with two single-beam or multiple-beam headlamps. If said unit is not equipped with an electrical system, it must be equipped with at least **one lamp displaying a white light** visible when lighted from a distance of not less than 1,000 feet to the front of the vehicle and at least **one lamp displaying a red light** visible when lighted from a distance of 1,000 feet to the rear of the vehicle. In addition, it must be equipped with **two red reflectors** visible from all distances from 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps.
- Lights must be illuminated one half hour after sunset to one half hour before sunrise.
- **Every towed unit of farm equipment or implement of husbandry** must be equipped with at least one lamp displaying a red light visible when lighted from a distance of 1,000 feet to the rear or two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of headlamps. In addition, if the extreme left projection of a towed unit of farm equipment or implement of husbandry extends beyond the extreme left projection of the towing tractor or vehicle, the unit or implement must be equipped with at least **one amber lamp or reflector** mounted to indicate as nearly as practicable the extreme left projection and visible from all distances within 600 feet to 100 feet to the front when illuminated by the lower beams of headlamps and at least **one red lamp reflector** mounted and visible from the same distances to the rear.

Height and Weight Limits on Implements of Husbandry – *For information on height/weight limits refer to Height/Weight Limits section (know your vehicle/implements weight and obey bridge load posting sign restrictions)*

SLOW MOVING VEHICLE (SMV) SIGN

All implements of husbandry designed for operation at a speed of twenty-five miles an hour or less must display either a triangular slow-moving vehicle emblem or a rotating or flashing amber light whenever traveling along the roadway on any county, state, federal highway, or city street. The emblem or light must be mounted so as to be visible from a distance of not less than 500 feet to the rear.

[Source: ND Century Code 39-21-15; 39-21-50; 39-29.1-07]

NORTH DAKOTA

Inspections



TRUCK INSPECTIONS

ANNUAL INSPECTIONS

Intrastate commercial motor vehicles with a gross vehicle weight of 26,000 lbs. or less are exempt from all federal motor carrier safety regulations. Annual vehicle inspections are required on all **interstate** vehicles with a GVWR or GCWR exceeding 10,000 lbs., and all **intrastate** vehicles with a GVWR over 26,000 lbs., including for-hire farm vehicles. However, **farm plated vehicles** exceeding 26,000 lbs., controlled and operated by the farmer, **and** not transporting hazardous materials that require placarding, are exempt from annual inspections when operating intrastate, or within 150 air miles of the operator's farm in interstate travel.

A copy of the periodic annual vehicle inspection must be kept in the vehicle to be produced at roadside inspections. This can either be a sticker on the vehicle or a copy of the actual inspection form. A copy of the annual vehicle inspection report must also be kept at the farm/residence or place of business in the maintenance file for a period of 14 months from the date of inspection.

Additional information regarding inspections and inspector qualifications can be found online at FMCSA, Vehicle Related Regulations in Parts 393, 396, and Appendix G.

ROADSIDE INSPECTIONS

- All vehicles over 10,000 pounds gross vehicle weight rating are subject to safety inspection at fixed or roadside locations.
- All vehicles within the state are subject to having their weight verified on portable or fixed scales.
- During safety or weight inspections, random vehicle and log book checks are conducted. Vehicles and/or operators found with an out-of-service violation will be placed out of service.

North Dakota Covered farm vehicles are exempt from annual inspections but are subject to roadside safety inspections.

[Source: 49 CFR 390.5, 390.39]

NORTH DAKOTA

Licensing & Registration



LICENSING & REGISTRATION

DRIVER'S LICENSING

North Dakota Law states a CDL requirement is waived for farm-to-market operations. Exemptions must meet the following criteria:

- Drivers age 15 may drive a farm motor vehicle within 150 miles of driver's farm, having a gross weight of not more than 50,000 lbs., when transporting agricultural products or farm supplies.
- Any two-axle, tandem axle, or truck-tractor farm vehicle controlled and operated by a farmer transporting agricultural products, farm machines, or farm supplies to or from a farm within 150 miles of the person's farm. Farm vehicle may tow a trailer, semi-trailer, or farm trailer **except** double, triple trailers or if under 18 years of age, a truck-tractor.
- Any farm vehicle operated by a farmer may transport hazardous material within 150 miles of the farm without a hazardous material endorsement on the operator's license.

If the vehicle is a North Dakota Covered Farm Vehicle, it may be operated anywhere in North Dakota without a mileage limitation or within 150 miles of the farm in interstate commerce.

Seasonal CDL or Agri-Business License: (New) Fees – \$15
<https://www.dot.nd.gov/divisions/driverslicense/seasonal.htm>

RESTRICTED (SEASONAL) CDL

The required knowledge and skills tests **may** be waived and a restricted commercial driver's license issued to employees of agrichemical businesses, custom harvesters, farm retail outlets and suppliers, including retailers and suppliers of trees, and livestock feeders. The restricted CDL is valid for a seasonal period or periods defined by the State but not exceeding 180 days in any 12-month period. If a State elects to provide for more than one seasonal period, the restricted CDL is valid for CMV operation only during the currently approved season, and must be revalidated for each successive season. Only one seasonal period of validity may appear on the license document at a time.

Commercial CDL: Effective February 7, 2022, entry-level driver training (ELDT) requirements set by the Federal Motor Carrier Safety Administration will change for those who want to obtain or upgrade a commercial driver's license. Under the new regulations, these drivers will be required to go through classroom instruction and skills training provided by a certified instructor/company. CDL applicants who obtain a Class A or Class B CDL for the first time or are upgrading from a Class B to a Class A along with new applicants for Hazardous Materials, Passenger, School Bus endorsements will need to go through Entry Level Drivers Training.

VEHICLE REGISTRATION

Farm vehicles are required to register with the state and be furnished with registration plates. Farm vehicles not required to register must be furnished with an identification plate. Farm vehicles are considered to be trucks or combinations of trucks and trailers weighing more than 20,000 lbs but not more than 105,500 lbs. owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire.

Farm tractors may be operated upon the highways, roads, and streets of this state without being registered. Lamps, reflectors and other reflective equipment compliance is required. (For more information re: lamps/reflective equipment refer to Implements of Husbandry.)

CERTIFICATE OF TITLE REQUIREMENT

No certificate of title is needed for **implements of husbandry**.

FARM VEHICLE REGISTRATION RECIPROCITY AGREEMENTS

For North Dakota farm plated vehicles hauling their own product, supplies, or equipment for interstate commerce:

- **Manitoba, Saskatchewan, and Montana** – no mileage restriction provided movement is interstate operation only.
- **Minnesota** – expanded free zone for farmers – approximate north-south line from Cass Lake, MN to Fairmont, MN.
- **South Dakota** –20 mile free zone from ND/SD border traveling most reasonably direct route.

U.S. DOT IDENTIFICATION NUMBERS

Anyone who is participating in a business venture and has a vehicle(s) which meets the definition of a CMV must have a USDOT number prior to operating in **interstate** commerce. Example: A farmer with a 1/2 ton pickup that has a GVWR of 6000 lbs, and a bumper hitch stock trailer that has a GVWR of 4,500 lbs who hauls a load of cows to South Dakota to an auction barn will need to have a USDOT number. (The pickup GVWR added to the trailer GVWR is 10,500 lbs.) A U.S. DOT number **is not** required for **intrastate** travel.

[Source: CDL Guide 2007-2009 ; ND Century Code 39-06-2, 39-04-19, 39-05-02; 49 CFR 383.3; NDHP Reciprocity Agreements; NDHP, Who Need a USDOT Number and Operating Authority]

NORTH DAKOTA

Parts & Accessories



IMPORTANT PARTS & ACCESSORIES

All vehicles on roadways must meet state operating conditions. **There are no farm exemptions for parts and accessories necessary for safe operation.** Parts & accessories shall be in safe and proper operating condition at all times.

LIGHTED LAMPS

Every farm vehicle upon a highway within this state must have working lamps and proper illuminating devices if traveling within a half hour after sunset to a half hour before sunrise.

BRAKES

Motor vehicles when operated upon a highway must be equipped with brakes adequate to control the movement of and to stop and hold such vehicle. Every farm tractor when operated upon a highway must be equipped with at least one brake, which may be operated by hand or foot.

MIRRORS

Every motor vehicle operated singly or when towing any other vehicle, must be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such motor vehicle.

SEAT BELTS

A commercial motor vehicle which has a seat belt assembly installed at the driver's seat shall not be driven unless the driver has properly restrained himself/herself with the seat belt assembly. All drivers and passengers must wear a seat belt. As of August 1, 2023 this is a primary enforcement law for all highway licensed vehicles. (NDCC 39-21-41.4)

Seat belts **are not** required in **implements of husbandry**. It is recommended that in farm units with roll over protection cabs or bars (ROPS) that seat belts should be worn. In open cab units with no ROPS, it is recommended that seat belts not be worn.

[Source: 49 CFR 392.16; ND Century Code 39-21-01, 39-21-32, 39-21-38]

Parts and accessories are not limited to those listed above.

NORTH DAKOTA

Definitions



DEFINITIONS

Anhydrous Ammonia is a source of nitrogen fertilizer with very caustic properties. When used as an agricultural fertilizer, it is compressed into liquid.

Axle Weight is the weight transmitted to the ground by one axle or one set of axles.

CDL means Commercial Driver's License.

Commercial Freighting means the carriage of things other than passengers, for hire, except hauling done by farmers for their neighbors in transporting agricultural products to or from market.

CMV means Commercial Motor Vehicle.

Covered Farm Vehicle is a vehicle identified by the state of registration as a farm vehicle, operated by the owner or employee of a farm or ranch, used to transport commodities or supplies to or from the farm, and not used in for-hire motor carrier operations.

Farm Tractor includes every motor vehicle designed and used primarily as a farm implement for drawing plows, moving machines, and other implements of husbandry.

Farm Trailer includes those trailers and semitrailers towed by a bona fide resident farmer hauling the farmer's own agricultural, horticultural, dairy, and other farm products if the gross weight, not including the towing vehicle, does not exceed 24,000 pounds.

Gross Vehicle Weight (GVW) is the total weight of a single vehicle plus its load.

Gross Combination Weight (GCW) is the total weight of a powered unit, plus trailer(s), plus the cargo.

Gross Vehicle Weight Rating (GVWR) is the maximum GVW specified by the manufacturer for a single vehicle plus its load.

Gross Combination Weight Rating (GCWR) is the maximum GCW specified by the manufacturer for a specific combination of vehicles plus its load.

Gross Weight means the weight of a vehicle without load plus the weight of any load thereon.

Implement of husbandry means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highway.

Intrastate refers to any goods transported within the state.

Interstate refers to any good transported across state borders.

Pneumatic Tire means every tire in which compressed air is designed to support the load.