



“Voice of the Western Slope Since 1953”

A coalition of individuals, businesses and local governments

(970) 242-3264 ★ FAX (970) 245-8300

P.O. Box 550 ★ Grand Junction, CO 81502-0550

05-4 AG 01

COMMERCIAL MOTOR VEHICLE REQUIREMENTS, EXEMPTION OF AGRICULTURE VEHICLES

WHEREAS the Transportation Act of 1995 redefined what constitutes a commercial motor vehicle (CMV) from 26001 lbs to 10001 lbs and this has the affect of placing anyone that uses a dually pickup or pickup and trailer for commercial purposes under the full requirements that owners of semi-trucks have had to comply with in the past, including exterior signage as a CMV, hours of service requirements, and Commercial Driver License requirements, and

WHEREAS, in the Act, Congress gave specific exemptions to certain entities one of which was Agricultural operations and to the States to define that exemption, however, US Department of Transportation (USDOT) has by interpretation negated Congress’s exemption and the State of Colorado has not fully applied these exemptions nor established reciprocity agreements with neighboring states to recognize these exemptions, and

WHEREAS all CMV users must maintain extensive records to comply with these requirements (and are subject to audit and fines for non-compliance) and this poses a tremendous burden on small businesses and does nothing to advance safety, and

WHEREAS all recreational vehicles and pleasure horse vehicles -- no matter how big -- are exempt from these regulations and inequities such as this are actually creating an unintended incentive for small businesses to purchase smaller and less-safe vehicles to avoid the 10,001-lb threshold and thereby escape the cumbersome and inequitable regulations;

THEREFORE BE IT RESOLVED that Club 20 supports re-establishing the weight threshold for Commercial Motor Vehicles from the current threshold of 10001 lbs to the previous threshold of 26,001 lbs and supports an exemption of all business users from current requirements of CMVs and a broader definition of exempt “agriculture operations”, and/or

BE IT FURTHER RESOLVED that Club20 supports full exemption status for agriculture vehicles as Congress contemplated, and request the necessary state and federal law or regulatory changes to be enacted to:

- exempt farm vehicles from CMV marking requirements, hours of service rules, and definitions of CMV,
- Waive CDL requirements for farm drivers,
- Eliminate the 100/ 150 mile radius rule limitation for farm operations,
- Defining agricultural operations more broadly for purposes of exemption from the CMV requirements, and
- Establish reciprocity agreements with neighboring states to recognize farm vehicles and drivers.

Adopted 4/1/05