



# Wisconsin Farmers on the Road

## Driver requirements

Current as of March 2010

### Definition

**Farmer:** Includes persons who are engaged in those activities specified in the definition of "operation of farm premises" contained in Wisconsin Statutes 102.04(3), provided that such activities are directly or indirectly for the purpose of producing a commodity or commodities for market, or as an accessory to such production. [Wisconsin Statutes 340.01(18)(a)(2)(b)]

### Do you need a Class D driver's license or a CDL?

For driving cars, light trucks and pulling small trailers behind cars and light trucks, a Class D (regular) driver's license is sufficient.

Commercial driver licenses (CDL) are required to operate vehicles that:

- » Weigh over 26,000 pounds, determined by the highest of the following weights:
  - manufacturer's gross vehicle weight rating (GVWR)
  - manufacturer's gross combination weight rating (GCWR)
  - actual weight
  - registered weight
- » Carry hazardous materials that require placarding under federal law.
- » Are designed or used to carry 16 or more persons including the driver. (Buses and some school buses.)

However, Wisconsin has exempted farmers from most of the CDL requirements. In Wisconsin, farmers do not need a CDL to operate a CMV on public roads if all three of the following conditions are met:

- » They are operating vehicles they own or lease (this does not include vehicles rented for short periods of time);
- » They are transporting agricultural products, machinery, or supplies (including hazardous materials) to or from their farm(s); and
- » They are operating within 150 miles of their Wisconsin farm(s). The 150 miles includes operation in neighboring states. Currently Wisconsin has agreements with Iowa, Michigan and Minnesota.

**NOTE:** Some Federal Motor Carrier Safety Regulations may apply if the operation crosses state lines. Refer to [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) Rules and Regulations or call (608) 267-9762 (Motor Carrier Enforcement Information Service) for more information.

The farmer exemption from CDL does **NOT** include "for hire" transportation. It only includes operation farmers need for their **OWN** farm purposes. If farmers wish to operate a CMV "for hire," or to use a CMV to haul products for others even if no compensation is offered or accepted, they must then have a CDL. Customer harvesters that are also farmers can use the CDL farm waiver for harvesting other farmer's crops. Customer harvesters that are **NOT** farmers must have the proper CDL for the CMVs being operated.

Farmers must have a CDL with proper endorsements to operate double or triple trailer vehicle combinations and to operate vehicles designed to carry or actually carrying 16 or more people including the driver. All persons operating these CMVs on public roads require a CDL—no exemptions are allowed.

The carrying of 16 or more passengers includes carrying passengers in the back of a truck and on farm wagons or trailers. Thus, "hayrides" where 16 or more people are on or in the total of all vehicles, including the power unit, will require the driver to have a CDL.

**Medical Certificate:** Farmers operating a Class A combination vehicle with a CDL or under the farm exemption must always have a current medical certificate in their possession.

### When do you need a driver's license?

You do not need a driver's license to temporarily operate or move a farm tractor or implement of husbandry on a highway between fields or between a farm and a field.

An **implement of husbandry** is defined as

- (1) A piece of machinery or equipment designed for agricultural purposes,
- (2) Used exclusively in the conduct of agricultural operations, and
- (3) Generally used off the highway.
- (4) This does not include any truck, farm truck, road tractor, truck tractor, farm trailer, trailer-mounted bulk liquid fertilizer tank (includes anhydrous ammonia tanks) or a commercial motor vehicle.

If a vehicle does not meet all four of the above criteria, it may not be driven on public roads by a non-licensed operator. For example, a John Deere 4020 tractor is an implement of husbandry, but a Ford F-150 farm truck is not.

It is illegal to operate an implement of husbandry on public roads for other than agriculturally-related purposes.



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All-terrain vehicles (ATV) and off-road motorcycles are not implements of husbandry, unless specifically registered as such. They are not legal for highway use unless certified by the manufacturer. Therefore, it is illegal to operate ATVs on public roads or public road right-of-ways, except when:

- » Specifically registered as implements with the Department of Natural Resources, or
- » Operating on designated ATV routes or trails, or
- » Crossing the road.

Contact your local police department, sheriff's office or DNR warden for more information.

Persons younger than 14 may not operate tractors or farm machinery, either on or off-road, for other than their parents' farm(s).

Persons 14 and 15 years of age, prior to operating tractors or farm machinery for other than their parents, must have completed a *Tractor Safety Course* and received certification. See the *Farmers on the Road: Safety* brochure for information on the course and certifications.

### Driving on the road at slower than normal speeds



Vehicles traveling slower than normal traffic must stay as far to the right-hand side of the roadway as practicable. This does not mean slow vehicles must drive on the shoulder of the road although this is allowed if there is room to do so safely.

If the vehicle is a farm tractor, implement of husbandry, animal-drawn vehicle or other vehicle that is normally operated at speeds below 25 miles-per-hour, a "Slow Moving Vehicle" (SMV) sign must be displayed on the left rear of the vehicle. In all cases whether the vehicle is considered a SMV or not, if the vehicle is operated during hours of darkness, the front and rear of the vehicle must have lights (white to the front, red to the rear) and the lights must be on. Wisconsin Statutes 347.24 and 347.245

### Right-of-way

The law does not really give anyone the right-of-way. It only says who must yield it. A driver must do everything possible to avoid a collision. At an intersection without signs to control traffic (an "uncontrolled" intersection), follow these general rules:

When two vehicles approach an uncontrolled crossroads intersection at approximately the same time, the vehicle on the right has the right-of-way.

A vehicle approaching an uncontrolled "T" intersection from the "base" of the "T" must yield to cross traffic.

When a vehicle enters a road from a driveway or field, it must first stop, then yield to any vehicle already on the road.

### Livestock on roads

Persons riding animals or driving animal-drawn vehicles on a highway have the same rights and duties as operators of motor vehicles. Be careful not to frighten animals on or near a road. Do not sound your horn or flash your lights when near animals on the roadway, and slow down and give the animals plenty of room when passing.

Livestock being driven (herded) over or along any highway have the right-of-way. However, the person in charge of the livestock must try to open the way for traffic.