



AGRICULTURAL HAULERS EXEMPTION
FREQUENTLY ASKED QUESTIONS

Q: SHOULD I APPLY FOR THIS EXEMPTION?

A: If you have a Motor Carrier Permit and haul agricultural products in bins, boxes and tubs, and have historically used corner irons and cables to secure your loads, and your truck is not retrofitted to handle the lateral straps, you should apply for this exemption.

Q: I DO NOT HAVE A MOTOR CARRIER PERMIT. DO I NEED ONE?

A: Current Motor Carrier Permits are required for individuals that operate a Commercial Motor Vehicle which consists of a three-axle motor truck with a gross vehicle weight rating (GVWR) of more than 10,000 pounds; any combination of motor truck and trailer exceeding 40 feet in length; any motor truck transporting hazardous materials; a motor truck of two or more axles with a GVWR of more than 10,000 lbs; and any other motor vehicle used to transport property for compensation, with some exceptions.

For further details, please visit the DMV website at:

<http://www.dmv.ca.gov/vehindustry/mcp/mcpinfo.htm>

Q: THIS EXEMPTION IS ALLOWED FOR HAULING GOODS TO THE FIRST POINT OF PROCESSING OR PACKING. WHAT IS CONSIDERED THE FIRST POINT OF PROCESSING?

A: The first point of processing or packing is just that. This does not include any incidental handling of a product such as cleaning, spraying (for bugs, etc.), inspecting and/or separating, temporarily storing (cold or otherwise), removing portions of a product not intended for the consumer (roots, ends, leaves), or any handling of a product in a manner which does not substantially change the product from its original condition.

Q: IF I NEED TO APPLY FOR THIS EXEMPTION, AND DON'T, WHAT HAPPENS?

A: If you are a motor carrier without the proper lateral straps required by law, you are subject to citations and fines up to approximately \$140. Additionally, the cargo you are hauling will be left on the side of the road until the requirements are met.

Q: WHEN DOES THIS EXEMPTION EXPIRE?

A: April 30, 2010.

Q: WHAT HAPPENS FOR THE 2009 HARVEST?

A: During the exemption period, private industry will continue working to ensure the needs for the various methods of load securement are addressed with the California Highway Patrol and the Federal Motor Carriers Administration. In some cases, the requirements for securing loads may change after April 30, 2010. Please contact your local trade association, or California Highway Patrol, for future updates.