

A FARMER'S GUIDE TO

INDIANA TRANSPORTATION REGULATIONS



WHAT TO DO TO KEEP ON TRUCKING,
PLANTING, AND HARVESTING

A FARMER'S GUIDE TO

INDIANA TRANSPORTATION REGULATIONS

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You're Not Going to Believe What I Saw Today	4
Compliance With Transportation Regulations Made Easier.....	8
The Four Types of Carriers.....	9
Table 1. Never Crosses State Lines and Never Travels on Interstate Highways	10
Table 2. Never Crosses State Lines and Travels on Interstate Highways	13
Table 3. Crosses State Lines, and Remains Within 150 Air Miles or 170 Ground Miles from the Farm	16
Table 4. Crosses State Lines, and Travels Beyond 150 Air Miles or 170 Ground Miles from the Farm.....	20
Conclusion	25
Disclaimer	26
Appendix 1: Indiana Bridge Law.....	27
Appendix 2: Indiana State Police Letter	28



You're Not Going to Believe What I Saw Today

Every farmer who's ever driven a tractor or semi-tractor trailer has many stories about what they witnessed from the cab: the motorcycle that passed underneath a high-clearance sprayer, the car that roared past and barely avoided a head-on collision with oncoming traffic; the driver who laid on the horn (as if the tractor could go any faster); the frustrated driver who waved for the tractor to pull over, not caring about the drainage ditches or mailboxes along the shoulder; or the cars that jockeyed in and out of line for position behind a tractor to pass as if they were warming up for the Indianapolis 500.

Roads today are more congested than ever with farm equipment, commercial trucks, large trailers, and vehicles of every size and description. Regrettably, rural roads are often not designed to handle heavy traffic, the weight of today's agricultural implements, or the width of modern farm equipment. These factors increase the risk of farmers being involved and even causing serious crashes and injuries.



Drive defensively. That means you should be aware of your surroundings, especially other vehicles sharing the road.





Do Your Part to Make the Road a Safer Place to Travel



Don't move equipment at dusk or dawn.



Install portable or permanent flashing lights on equipment.



Stay off highways and other heavily traveled routes during morning and evening rush hours.



Have an escort truck in front and/or in back of slow-moving vehicles with warning flasher lights on.



Make sure slow-moving signs are attached to all equipment and are easily seen.



Watch for oncoming traffic or passing cars when making a left swing across center lines to turn right into a field entrance.



Pull over to the side to allow vehicles to pass when it's safe to do so.



Follow laws related to safe movement of equipment on the roadways.

At the same time, farmers can also contribute to the risk. Consider that an average farm today may also own more vehicles, which are traveling to farms scattered over larger areas. Fatigued drivers often work long hours during spring planting and fall harvest moving equipment and supplies. And like all drivers, farmers have more distractions than ever with cell phones, GPS devices, and sophisticated electronic and computer systems required to operate their equipment.



Night driving is dangerous for everyone on the highways. Anything you can do to make yourself visible can help prevent crashes.



Lighter vehicles fold like accordions when they crash into heavier equipment. Serious traffic incidents can lead to insurance claims, lawsuits, out-of-court settlements, and jury verdicts that can reach hundreds of thousands of dollars. When human fatalities and permanent injuries are involved, farmers could face millions of dollars in liability exposure if they are found negligent. Such exposure potentially puts all farm assets at risk including property, equipment, and even the grain in the bins.

The outcome of any legal proceeding can often be swayed by whether a farmer was following basic safety principles and the state and federal transportation regulations.

Consider a case where the driver of a car is killed after running a stop sign and getting struck on the passenger side by a farm semi-tractor loaded with corn.

Who's at fault?



Most would say the driver who failed to stop at the stop sign would be 100 percent at fault. But the case would become more complicated if state investigators showed that the farm truck's brakes were not working properly at the time of the collision, that the vehicle was overweight, that the farm driver was talking on a mobile phone, or that the farmer's vision was impaired, or that drugs or alcohol were involved. Something as simple as a farm truck not having proper lighting could change the outcome of a case.

In this example, the attorney representing the car driver's family may attempt to paint a mental picture for the jury. If the brakes on the farm truck had been working the way they were intended, the attorney may argue, the crash would not have been so severe or could have been avoided all together. Possibly the driver would have survived.

Fair or not, the attorney is trying to make the farmer partially, if not wholly, responsible for the crash by focusing on faulty brakes. Conversely, this argument would have been more difficult to make to a jury or even impossible if the farmer is able to show regular maintenance records, to show that the truck was in good working order, and that both driver and vehicle complied with all regulations at the time of the collision.

Too often, farmers tend to focus on what they need to do to pass a random roadside inspection by a law enforcement officer. However, the real reason for following transportation regulations is to keep both farm equipment drivers and the public they share the road with safe from harm. From a liability standpoint, complying today is one way of defending yourself tomorrow if your truck or implement is involved in a crash.



Compliance With Transportation Regulations Made Easier

Farmers don't have the time to read thousands of pages of transportation regulations to find the lines that apply to them. To make matters worse, regulations are not written in everyday language, which makes them difficult to read and even harder to interpret. Beyond the regulations, there are agency interpretative guidelines, administrative judge decisions, and appellate court decisions that can alter how regulations are interpreted, applied, and enforced.

Trying to integrate local, state, and federal regulations into a compliance program that passes enforcement reviews and legal analysis is more than just challenging — it's really impossible for farmers who try to start from scratch. Even transportation consultants have difficulty creating comprehensive compliance programs, because regulations seem to be constantly updated or interpreted differently by enforcement officials.

Farmers should be able to get answers to the question: "What do I have to do to comply?"

This guide will help Indiana farmers work their way through the maze of regulations that cover the transportation of farm equipment and supplies over public roads. At this point, it's important to define "farmer" when it comes to transportation regulations.



The Code of Federal Regulations (49 CFR 390.5) defines a farmer as a private carrier — and a private carrier transports only its own goods and is not for hire. The definition of a farmer is what you would expect: someone who transports his or her own products to the marketplace or back to the farm to be stored; who hauls farm supplies such as fertilizers, pesticides, feed, and seed to the farm; and who transports farm equipment to be used on property he or she owns, rents or leases.

The Four Types of Carriers



If you are a farmer (and therefore a private carrier), then the four tables that follow will list the transportation regulations that apply to you. For this publication, we created four types of carriers. And the table for each type summarizes Indiana transportation regulations based on two main factors: whether you cross state lines and whether you travel on interstates.

Choose the statement that applies to you, and remember you should only be able to choose one statement.

1. **Table 1.** You are an Indiana private carrier who **never crosses state lines** and **never travels on interstate highways** (page 10).
2. **Table 2.** You are an Indiana private carrier who **never crosses state lines** but **does travel on interstate highways** (page 13).
3. **Table 3.** You are an Indiana private carrier who **crosses state lines** but **does not travel more than 150 air miles or 170 road miles from the farm** (page 16).
4. **Table 4.** You are an Indiana private carrier who **crosses state lines** and **travels more than 150 air miles or 170 road miles from the farm** (page 20).

The tables present regulations on all applicable topics. They also reference the specific state or federal codes that cover each rule.

The following recommendations are only intended for farmers who meet the definition of a private carrier.

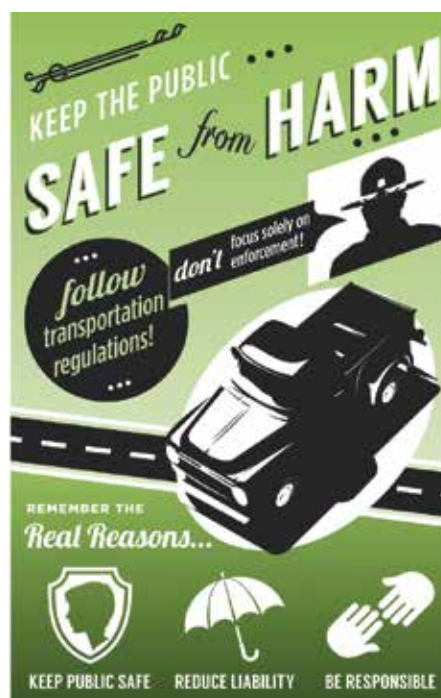
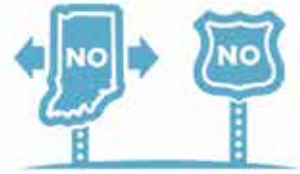


TABLE 1

IF...

You are an Indiana Private Carrier Who **Never Crosses State Lines** and **Never Travels on Interstate Highways**

then here are the Indiana transportation regulations that apply to your operation (the citations refer to the specific Indiana or federal code).



Regulations for the **Driver**

- Minimum driving age of 16 years, 6 months [IC 9-24-1-7]
- Indiana drivers license required [IC 9-24-1-1 Version (b)]
- No commercial drivers license (CDL) required [IC 9-24-1-7(a)(9)]
- No DOT medical certificate required [IC 8-2.1-24-18(g)]
- Must wear seat belt [IC 9-19-10-1]
- Allowed to use hand-held cell phone [IC 9-21-8-59]
- Cell phone texting not allowed [IC 9-21-8-59]
- Log books not required [IC 8-2.1-24-18; 49 CFR 395.1(k)]
- No limit to the number of hours worked in a day or week [IC 8-2.1-24-18; 49 CFR 395.1(k)]



Regulations for the **Truck, Trailer & Implements of Agriculture**

- Must pull to side of non-interstate roads when 3 or more cars are following slow-moving equipment and when it is safe to do so [IC 9-21-5-7]
- No emergency equipment required* [49 CFR 393.1; 393.95]
- Annual inspection not required* [IC 8-2.1-24-18(g)]
- Implements of agriculture not exceeding 25 mph require slow-moving sign [IC 9-19-6-4]
- All trailers are required to have tail lights (does not apply to wagons) [IC 9-19-6-4]
- Trailers with a manufactured weight rating or license plate greater than 3,000 pounds require brakes on all wheels [IC 9-21-7-3; 49 CFR 393.42]
- USDOT or DOTIN number not required [IC 8-2.1-24-3; IC 8-2.1-24-18]
- Pre-trip inspections not required* [49 CFR 396.13]
- Post-trip inspections not required* [49 CFR 396.11(a)(2)]
- Retroreflective sheeting is required for intrastate operation of a commercial vehicle with a GVWR, GVW, CGVWR, or CGVW of more than 10,000 pounds and a trailer with a width of 80 inches or more [IC 8-2.1-24-18; 49 CFR 393.13]



Regulations About **Weights & Dimensions**

- Maximum road weights based on axle configurations are listed in the Bridge Law provided in Appendix 1 [IC 9-20-4-1]

* Following this regulation is recommended



Weights & Dimensions *cont.*

- Maximum weight on all county, state, and interstate roads is 80,000 pounds unless posted otherwise [IC 9-20-4-1]
- Indiana provides a 10% exception for farm truck weights making the maximum weight 88,000 pounds [IC 9-20-4-2; see appendix 1]
- No length, width, and height restrictions for equipment moved on county or state highways [IC 9-20-2-2]
- No oversize permit required for any Indiana county or state road [IC 9-20-6-2.5]
- County roads posted with frost ordinances limiting weights apply to agriculture [IC 9-20-1-4]
- Maximum axle weights: [IC 9-20-4-1]
 - **Single** rear at 20,000 pounds
 - **Tandem** at 34,000 pounds
 - **Triaxle** at 50,000 pounds
 - **Steer** at 20,000 pounds
 - **Split** at 40,000 pounds if 10 foot 1 inch spread
- Tires must pick up weight of load plus trailer or vehicle, which is calculated by 800 pounds x inside rim width x number of tires [IC 9-20-4-1]
- The tread depth for steer tires must be at least 4/32 inch; the tread depth for all other tires must be at least 2/32 inch [49 CFR 393.75 (b) and (c)]



Regulations About Securing Loads

- Federal statutes do not apply* [IC 9-21-8-48]
- Indiana requires loads greater than 10 feet to be secured with chain or strap at front, middle, and rear of item being transported [IC 9-20-18-14]
- Red flags must be used in the daytime for hauling loads that extend 4 feet or more from the end of a trailer [IC 9-21-7-7]



Regulations About License Plates

- Implements of agriculture are not registered or plated [IC 9-18-2-29]
- Farm license plates may be used on state roads (they can also be used on interstates and across the country) [IC 9-18-2-29]
- Farm plates for trailers start at 12,000 pounds and for trucks at 11,000 pounds [IC 9-29-5-13]
- A pickup truck must carry a license plate that covers weight of truck, load, and trailer tongue weight [IC 9-29-5-3]
- All general utility trailers must carry a license plate that covers the weight of trailer and load [IC 9-29-5-4]
- The power unit in a semi tractor-trailer combination must carry a license plate that covers the weight of the truck, trailer, and load [IC 9-29-5-5]
- Semi-trailer is plated with lifetime license plate [IC 9-29-5-6.2]

* Following this regulation is recommended



License Plates *cont.*

- Farm license plates more than 54,000 pounds require IRS Form 2290, which reduces plate cost by \$550, but the fee reduction is only valid if the truck travels less than 7,500 miles each year [2290 Instruction sheet]
- Empty weight license plates carrying full loads are allowed only when important restrictions are followed [IC 9-20-4-2; see appendix 2]
- License plates on trucks that dump need to be mounted on the front [IC 9-18-2-26]
- Plates on trailers that dump in customary position in the back [IC 9-18-2-26]



Regulations About Fuel & Fertilizer

- An Indiana Motor Carrier Fuel Tax not required [IC 6-6-4.1-2]
- Clear fuel for any registered vehicle used over the road [IC 6-6-2.5-(1-72)]
- Dyed fuel for implements of agriculture [IC 6-6-2.5-(1-72)]
- Farmers do not qualify for the sales tax exemption at the pumps [IC 6-6-4.1-2]
- Fuel can be put in non-specification tanks up to 3,400 gallons [49 CFR 173.8(b)]
- Fuel tanks that hold more than 119 gallons must have placards that identify the contents as diesel or gasoline [49 CFR 171.8; 172.504(a); 172.302(a)]
- Farmers transporting fuel tanks with a capacity equal to or less than 502 gallons exempt from hazardous materials regulations and commercial motor vehicle requirements [49 CFR 173.5(b)(2)(ii)]
- Farmers can carry up to two nurse tanks or no more than 3,000 gallons of anhydrous ammonia when transported instate [49 CFR 173.315(m)]



Regulations About Permits & Registrations

- USDOT number not required [IC 8-2.1-24-18]
- Unified Carrier Registration not required [49 USB 31908]
- Indiana and International Fuel Tax Agreement Permit not required [IC 6.6.4.1-2]

TABLE 2

IF...

You are an Indiana Private Carrier Who Never Crosses State Lines and Travels on Interstate Highways

then here are the Indiana transportation regulations that apply to your operation (the citations refer to the specific Indiana or federal code).



Regulations for the Driver

- Minimum driving age of 16 years, 6 months [IC 9-24-1-7]
- Indiana drivers license required [IC 9-24-1-1]
- No commercial drivers license (CDL) required [IC 9-24-1-7(a)(9)]
- No DOT medical certificate required [IC 8-21-24-18(g)]
- Must wear seat belt [IC 9-19-10-1]
- Allowed to use hand-held cell phone [49 CFR 382.82]
- Cell phone texting not allowed [IC 9-21-8-59]
- Log books not required [IC 8-21-24-18]
- No limit to the number of hours worked in a day or week [IC 8-21-24-18; 49 CFR 395.1(k)]



Regulations for the Truck, Trailer & Implements of Agriculture

- Must pull to side of non-interstate roads when 3 or more cars are following slow-moving equipment and when it is safe to do so [IC 9-21-5-7]
- No emergency equipment required* [FMCSR 393.1 / 393.95]
- Annual inspection not required* [IC 8-21-24-18(g)]
- Implements of agriculture on non-interstate roads not exceeding 25 mph require slow-moving sign [IC 9-21-9-2]
- Implements of agriculture not allowed on interstate unless hauled on a trailer [IC 9-21-8-46]
- All trailers are required to have tail lights (does not apply to wagons) [IC 9-19-6-2]
- Trailers with a manufactured weight rating or license plate greater than 3,000 pounds require brakes on all wheels [IC 9-21-7-3; 49 CFR 393.42]
- USDOT or DOTIN number not required [IC 8-21-24-18 IC 9-21-24-21]
- Pre- and post-trip inspections not required* [IC 8-21-24-18; 49 CFR 396.11]
- Must pull into weigh stations when meeting posted entry weights [IC 9-21-8-41]
- Retroreflective sheeting is required for intrastate operation of a commercial vehicle with a GVWR, GVW, CGVWR, or CGVW of more than 10,000 pounds and a trailer with a width of 80 inches or more [IC 8-21-24-18; 49 CFR 393.13]

* Following this regulation is recommended



Regulations About Weights & Dimensions

- Maximum road weights based on axle configurations are listed in the Bridge Law provided in Appendix 1 [IC 9-20-4-1; see appendix 1]
- Maximum weight on all county, state, and interstate roads is 80,000 pounds unless posted otherwise [IC 9-20-7-3]
- Indiana provides a 10% exception for farm truck weights allowing the maximum weight of 88,000 pounds on non-interstate roads [IC 9-20-4-2; see appendix 1]
- The 10% exception is not provided on the interstate. An additional weight tolerance is usually provided, but only 1.5% of the plate weight. [IC 9-20-4-3]
- No length, width, and height restrictions for equipment moved on county or state highway [IC 9-20-2-2]
- No oversize permit required for any Indiana county or state road [IC 9-20-2-2]
- Oversize permits required on interstates when more than 8 feet 6 inches wide
 - Overall height is more than 13 feet 6 inches [IC 9-20-3-2]
 - Single truck is more than 40 feet long [IC 9-20-3-4]
 - Overall length of two-vehicle combination (truck plus trailer) cannot exceed 60 feet [IC 9-20-9-1]
 - Overall length of three-vehicle combination (truck plus trailer plus trailer) cannot exceed 65 feet [IC 9-20-9-2]
- County roads posted with frost ordinances limiting weights apply to agriculture [IC 9-20-7-3]
- Maximum axle weights: [IC 9-20-4-1]
 - **Single** rear at 20,000 pounds
 - **Tandem** at 34,000 pounds
 - **Triaxle** at 50,000 pounds
 - **Steer** at 20,000 pounds
 - **Split** at 40,000 pounds if 10 feet 1 inch spread
- Tires must pick up weight of load plus trailer or vehicle, which is calculated by 800 pounds x inside rim width x number of tires [IC 9-20-4-1]
- The tread depth for steer tires must be at least 4/32 inch; the tread depth for all other tires must be at least 2/32 inch [49 CFR 393.75 (b) and (c)]



Regulations About Securing Loads

- Federal statutes do not apply* [IC 9-21-8-48]
- Indiana requires loads greater than 10 feet to be secured with chain or strap at front, middle, and rear of item being transported [IC 9-20-18-14]
- Red flags must be used in the daytime for hauling loads on non-interstate highways that extend 4 feet or more from the end of a trailer [IC 9-21-7-7]

* Following this regulation is recommended



Regulations About License Plates

- Implements of agriculture are not subject to registration plates [IC 9-18-1-1]
- Farm license plates may be used on state roads and interstates (they can also be used across the country) [IC 9-18-2-1]
- Farm plates for trailers start at 12,000 pounds and for trucks at 11,000 pounds [IC 9-29-5-13]
- A pickup truck must carry a license plate that covers weight of truck, load, and trailer tongue weight [IC 9-29-5-13]
- All general utility trailers must carry a license plate that covers the weight of trailer and load [IC 9-29-5-4]
- The power unit in a semi-tractor-trailer combination must carry a license plate that covers the weight of the truck, trailer, and load [IC 9-29-5-5]
- Semi-trailer is plated with lifetime license plate [IC 9-29-5-6.2]
- Farm license plates more than 54,000 pounds require IRS Form 2290, which reduces plate cost by \$550, but the fee reduction is only valid if the truck travels less than 7,500 miles each year [2290 instruction sheet]
- Empty weight license plates carrying full loads are allowed only when important restrictions are followed [IC 9-20-4-2; see appendix 2]
- License plates on trucks that dump need to be mounted on the front [IC 9-18-2-26]
- Plates on trailers that dump in customary position in the back [IC 9-18-2-26]



Regulations About Fuel & Fertilizer

- An Indiana Motor Carrier Fuel Tax not required [IC 6-6-4.1-2]
- Clear fuel for any registered vehicle used over the road [IC 6-6-2.5-(1-72)]
- Dyed fuel for implements of agriculture [IC 6-6-2.5-(1-72)]
- Farmers do not qualify for the sales tax exemption at the pumps [IC 6-6-4.1-2]
- Fuel can be put in non-specification tanks up to 3,400 gallons [49 CFR 173.8(b)]
- Fuel tanks that hold more than 119 gallons must have placards that identify the contents as diesel or gasoline [49 CFR 171.8; 172.504(a); 172.302(a)]
- Farmers transporting fuel tanks with a capacity equal to or less than 502 gallons exempt from hazardous materials regulations and commercial motor vehicle requirements [49 CFR 173.5(b)(2)(ii)]
- Farmers can carry up to two nurse tanks or no more than 3,000 gallons of anhydrous ammonia when transported instate [49 CFR 173.315(m)]



Regulations About Permits & Registrations

- USDOT number not required [IC 8-2.1-24-18]
- Unified Carrier Registration not required
- Indiana and International Fuel Tax Agreement Permit not required [IC 6-6-4.1-2]

TABLE 3

IF...

You are an Indiana Private Carrier Who Crosses State Lines and Remains Within 150 Air Miles or 170 Ground Miles from the Farm

then here are the Indiana transportation regulations that apply to your operation (the citations refer to the specific Indiana or federal code).



Federal Jurisdiction Applies

- Any truck, trailer, or combination where the gross weight or gross vehicle weight rating exceeds 10,000 pounds [49 CFR 390.0 definitions]
- DOT does not regulate personal use of vehicles and trailers [49 CFR 390.3]



Regulations for the Driver

- Any licensed driver can operate a straight truck or combination vehicle within the state or when traveling outside of the state within 150 air miles from the farm [49 CFR 383.3(h); 390.5 (defs.)]
- Indiana drivers license required [IC 9-24-1-1; 9-24-1-6]
- No commercial drivers license (CDL) required [49 CFR 383.3; 390.5]
- No DOT medical certificate required [49 CFR 390.39]
- Must wear seat belt [IC 9-19-10-8; 49 CFR 392.16]
- Only hands-free phones allowed [49 CFR 392.82]
- Cell phone texting not allowed [49 CFR 392.80]
- Log books not required [49 CFR 390.39]
- No limit to the number of hours worked in a day or week [49 CFR 390.39]



Regulations for the Truck, Trailer & Implements of Agriculture

- Must pull to side of non-interstate roads when 3 or more cars are following slow-moving equipment and when it is safe to do so [IC 9-21-5-7]
- No emergency equipment required* [49 CFR 390.39]
- Annual inspection not required* [49 CFR 390.39]
- Implements of agriculture on non-interstate roads not exceeding 25 mph require slow-moving sign [IC 9-21-9-2]
- Implements of agriculture not allowed on interstate unless hauled on a trailer [49 CFR 9-21-8-46]
- All trailers are required to have tail lights (does not apply to wagons) [IC 9-19-6-4]
- Trailers with a manufactured weight rating or license plate greater than 3,000 pounds require brakes on all wheels [IC 9-21-7-3; 49 CFR 393.42]
- USDOT number is required when crossing state lines [49 CFR 390.21]

* Following this regulation is recommended



Truck, Trailer & Implements of Agriculture *cont.*

- Pre- and post-inspections not required* [49 CFR 396.11]
- Must pull into weigh stations when meeting posted entry weights [IC 9-21-8-41]
- Retroreflective sheeting is required for intrastate operation of a commercial vehicle with a GVWR, GVW, CGVWR, or CGVW of more than 10,000 pounds and a trailer with a width of 80 inches or more [IC 8-21-24-18; 49 CFR 393.13]



Regulations About Weights & Dimensions

- Maximum road weights based on axle configurations are listed in the Bridge Law provided in Appendix 1 [IC 9-20-4-1; see appendix 1]
- Maximum weight on all county, state, and interstate roads is 80,000 pounds unless posted otherwise [IC 9-20-7-3]
- Indiana provides a 10% exception for farm truck weights making the maximum weight 88,000 pounds on non-interstate roads [IC 9-20-4-2; see bridge law in appendix 1]
- The 10% exception is not provided on the interstate. An additional weight tolerance is provided, but only 1.5% of the plate weight. [IC 9-20-4-3]
- Indiana's 10% rule does not apply to other states [IC 9-20-4-2]
- No length, width, or height restrictions for equipment or farm products moved on county or state highways in Indiana [IC 9-20-2-2]
- No oversize permit required for any Indiana county or state road [IC 9-20-2-2]
- Oversize permits required on interstates when more than 8 feet 6 inches wide [IC 9-20-3-2]
 - Overall height is more than 13 feet 6 inches [IC 9-20-3-3]
 - Single truck is more than 40 feet long [IC 9-20-3-4]
 - Overall length of two-vehicle combination (truck plus trailer) cannot exceed 60 feet [IC 9-20-9-1]
 - Overall length of three-vehicle combination (truck plus trailer plus trailer) cannot exceed 65 feet [IC 9-20-9-2]
- County roads posted with frost ordinances limiting weights apply to agriculture [IC 9-20-7-3]
- Maximum axle weights: [IC 9-20-4-1]
 - **Single** rear at 20,000 pounds
 - **Tandem** at 34,000 pounds
 - **Triaxle** at 50,000 pounds
 - **Steer** at 20,000 pounds
 - **Split** at 40,000 pounds if 10 feet 1 inch spread
- Tires must pick up weight of load plus trailer or vehicle, which is calculated by 800 pounds x inside rim width x number of tires [IC 9-20-4-1]
- The tread depth for steer tires must be at least 4/32 inch; the tread depth for all other tires must be at least 2/32 inch [49 CFR 393.75 (b) and (c)]

* Following this regulation is recommended



Regulations About Securing Loads

- Federal load securement regulations apply when crossing state lines, but do not apply intrastate* [49 CFR 393.100 – 136]
- Red flags must be used in the daytime when hauling loads that extend 4 feet or more from the end of a trailer or lights after dark [IC 9-21-7-7]



Regulations About License Plates

- Implements of agriculture are not registered or plated [IC 9-18-1-1]
- Farm license plates may be used on state roads, interstates, and across the country [IC 9-18-2-1]
- International Registration Plate not required [IC 9-18-2-1]
- A pickup truck must carry a license plate that covers weight of truck, load, and trailer tongue weight [IC 9-29-5-3]
- All general utility trailers must carry a license plate that covers the weight of trailer and load [IC 9-29-5-4]
- The power unit in a semi-tractor-trailer combination must carry a license plate that covers the weight of the truck, trailer, and load [IC 9-20-4-3]
- Semi-trailer is plated with lifetime license plate [IC 9-29-5-6]
- Farm license plates more than 54,000 pounds require IRS Form 2290, which reduces plate cost by \$550, but the fee reduction is only valid if the truck travels less than 7,500 miles each year [Instructions from the 2290 form]
- Empty weight license plates carrying full loads are allowed only on non-interstate roads. Check with other states to see if empty weight plates are legal [IC 9-20-4-2: see appendix 2]
- Indiana's empty weight license plates are not legal on interstate when fully loaded because interstate regulations require license plates to cover weights. An empty weight license plate can be used on interstate when empty or when the weight of the vehicle doesn't exceed the plate weight. [IC 9-20-4-2]
- License plates on trucks that dump need to be mounted on the front [IC 9-18-2-26]
- Plates on trailers that dump in customary position in the back [IC 9-18-2-26]



Regulations About Fuel & Fertilizer

- An Indiana Motor Carrier Fuel Tax not required [IC 6-6-4.1-12]
- Clear fuel for any registered vehicle used over the road [IC 6-6-2.5-(1-72)]
- Dyed fuel for implements of agriculture [IC 6-6-2.5-(1-72)]
- Farmers do not qualify for the sales tax exemption at the pumps [IC 6-6-4.1-(1-12)]
- Fuel can be put in non-specification tanks up to 3,400 gallons [49 CFR 173.8]
- Fuel tanks that hold more than 119 gallons must have placards that identify the contents as diesel or gasoline [49 CFR 171.8; 172.504(a); 172.302(a)]

* Following this regulation is recommended



Fuel & Fertilizer *cont.*

- Farmers transporting fuel tanks with a capacity equal to or less than 502 gallons exempt from hazardous materials regulations and commercial motor vehicle requirements [IC 8-2.1-24018; 49 CFR 173.5(b)(2)(ii)]
- If CDL required, tanks less than 1,000 gallons do not require tank endorsement [IC 9-24-6-3]
- Farmers cannot transport anhydrous ammonia across state lines [49 CFR 173.5; 173.5]



Regulations About Permits & Registrations

- USDOT number required with farm name and number on both sides of vehicle [49 CFR 390.21]
- Farmers not required to get Kentucky KYU number [Indiana & Kentucky agreement]
- Unified Carrier Registration when gross vehicle weight rating greater than 26,000 pounds [49 U.S. Code 14504a]
- International Fuel Tax Agreement (IFTA) Permit required for Ohio and Illinois but not for Michigan and Kentucky. Required when two axles with a gross vehicle weight or registered weight more than 26,000 pounds; three axles or more on the power unit, regardless of weight; or a combination of power unit and trailing unit with a combined gross vehicle weight or combined registered weight in excess of 26,000 pounds. Trip permits for 3 and 7 days can be used instead of obtaining IFTA permit. [IC 6-6-4.1-(1-72)]

TABLE 4

IF...

You are an Indiana Private Carrier Who Crosses State Lines and Travels Beyond 150 Air Miles or 170 Ground Miles from the Farm

then here are the Indiana transportation regulations that apply to your operation (the citations refer to the specific Indiana or federal code).



Federal Jurisdiction Applies

- Any truck, trailer, or combination where the gross weight or gross vehicle weight rating or combination weight rating or combination vehicle weight exceeds 10,000 pounds [49 CFR 390.0 definitions]
- DOT does not regulate personal use of vehicles and trailers [49 CFR 390.3]



Regulations for the Driver

- Driver 21 years of age to drive across state lines (beyond 150 air miles from the farm and crossing state lines) [49 CFR 383.3(h); 390.5 (defs.)]
- Indiana drivers license or CDL needed [49 CFR 391.11; 383.3]
- Commercial Drivers License (CDL) required when: [49 CFR 383.5]
 - The gross vehicle weight rating or gross vehicle weight (GVWR/GVW) of a single vehicle exceeds 26,000 pounds
 - The combined GVWR or GVW of a combination of two or more vehicles is greater than 26,000 pounds and the trailer(s) have an individual GVWR or GVW of more than 10,000 pounds
 - Vehicle(s) is of any size transporting hazardous materials requiring placarding
- DOT medical certificate required, and must be carried by the driver when the GVWR is greater than 10,000 pounds [49 CFR 391.11]
- Log book starting from the time you leave the farm until you return [49 CFR 395.8]
- Hours of service: [49 CFR 395.3]
 - No driving more than 11 hours followed by 10 consecutive hours off
 - No driving after the 14th hour after coming on duty followed by 10 consecutive hours off
 - No driving after accumulating 60 hours in 7 consecutive days or 70 hours in 8 consecutive days without 34 consecutive hours off duty
- Must wear seat belt [IC 9-19-10-1; 49 CFR 392.16]
- Only hands-free phones allowed [49 CFR 392.82]
- Cell phone texting not allowed [49 CFR 392.80]



Regulations for the Truck, Trailer & Implements of Agriculture

- DOT Annual Vehicle Inspection required [49 CFR 396.17]



Truck, Trailer & Implements of Agriculture *cont.*

- Must pull to side of non-interstate roads when 3 or more cars are following slow-moving equipment and when it is safe to do so [IC 9-21-9-7]
- Pre- and post-trip inspection required when traveling 150 miles from the farm and crossing state lines [49 CFR 396.11]
- Implements of agriculture on non-interstate roads not exceeding 25 mph require slow-moving sign [IC 9-21-9-2; check other states]
- Implements of agriculture not allowed on interstate unless hauled on a trailer [49 CFR 392.2; IC 9-21-8-46]
- All trailers are required to have tail lights (does not apply to wagons) [IC 9-19-6-4]
- Trailers with a manufactured weight rating or license plate greater than 3,000 pounds require brakes on all wheels [IC 9-21-7-3; 49 CFR 393.42]
- Must pull into weigh stations when meeting posted entry weights [49 CFR 392.2]
- Emergency equipment required (e.g., fire extinguishers and reflective triangles) [49 CFR 393.95]
- Federal tie-down regulations apply [49 CFR 393.100 -136]
 - 1 tie-down when cargo is 5 feet long or less and weighs less than 1,100 pounds
 - 2 tie-downs when cargo is 5 feet long or less and weighs more than 1,100 pounds
 - 2 tie-downs when cargo is 5-10 feet long
 - When cargo is longer than 10 feet, use 1 tie-down for each 10 feet, plus 1 for what's left over
 - Straps and chains must collectively have working load limits that cover half of the weight of the load being carried
 - Equipment larger than 10,000 pounds have specific tie-down requirements
- Retroreflective sheeting is required for intrastate operation of a commercial vehicle with a GVWR, GVW, CGVWR, or CGVW of more than 10,000 pounds and a trailer with a width of 80 inches or more [IC 8-21-24-18; 49 CFR 393.13]



Regulations About Weights & Dimensions

- Maximum road weights based on axle configurations are listed in the Bridge Law provided in Appendix 1 [IC 9-20-4-1; see appendix 1]
- Maximum weights on all county, state, and Interstate roads is 80,000 pounds unless posted otherwise [49 CFR 292.2; IC 9-20-7-1]
- Indiana intrastate tolerance provides a 10% exception for the movement of farm products from the farm to the place where the title to the farm product is exchanged thus, farm truck weights allowing the maximum weight up to 88,000 pounds (providing the vehicle is capable of the weight) on non-interstate roads [IC 9-20-4-2]



Weights & Dimensions *cont.*

- The 10% exception is not provided on the interstate. An additional weight tolerance is provided, but only 1.5% of the plate weight. [IC 9-20-4-3]
- Indiana's 10% rule does not apply to other states [IC 9-20-4-2]
- No length, width, or height restrictions for equipment or farm products moved on county or state highways in Indiana [IC 9-20-2-2]
- No oversize permit required for any Indiana county or state road [IC 9-20-2-2]
- Oversize permits required on interstates when more than 8 feet 6 inches wide [IC 9-20-3-2]
 - Overall height is more than 13 feet 6 inches [IC 9-20-3-3]
 - Overall length of two-vehicle combination (truck plus trailer) cannot exceed 60 feet [IC 9-20-9-1]
 - Overall length of three-vehicle combination (truck plus trailer plus trailer) cannot exceed 65 feet [IC 9-20-9-2]
- County roads posted with frost ordinances limiting weights apply to agriculture [IC 9-20-7-3; check other states]
- Maximum axle weights: [IC 9-20-4-1]
 - **Single** rear at 20,000 pounds
 - **Tandem** at 34,000 pounds
 - **Triaxle** at 50,000 pounds
 - **Steer** at 20,000 pounds
 - **Split** at 40,000 pounds if 10 feet 1 inch spread
- Tires must pick up weight of load plus trailer or vehicle, which is calculated by 800 pounds x inside rim width x number of tires [IC 9-20-4-1]
- The tread depth for steer tires must be at least 4/32 inch; the tread depth for all other tires must be at least 2/32 inch [49 CFR 393.75 (b) and (c)]



Regulations About **Securing Loads**

- Federal load securements apply [49 CFR 393.100 - 136]
- Red flags must be used in the daytime when hauling loads that extend 4 feet or more from the end of a trailer or lights after dark [IC 9-21-7-7]



Regulations About **License Plates**

- Implements of agriculture are not registered or plated [IC 9-18-2-29]
- Farm license plates may be used on state roads, interstates, and across the country [IC 9-18-2-29]
- International Registration Plate not required [IC 9-18-2-1]
- A pickup truck must carry a license plate that covers weight of truck, load, and trailer tongue weight [IC 9-29-5-3]
- All general utility trailers must carry a license plate that covers the weight of trailer and load [IC 9-29-5-4]



License Plates *cont.*

- The power unit in a semi-tractor-trailer combination must carry a license plate that covers the weight of the truck, trailer, and load [IC 9-20-4-3]
- Semi-trailer is plated with lifetime license plate [IC 9-29-5-6]
- Farm license plates more than 54,000 pounds require IRS Form 2290, which reduces plate cost by \$550, but the fee reduction is only valid if the truck travels less than 7,500 miles each year [Instructions from the 2290 form]
- Empty weight license plates carrying full loads are allowed only on non-interstate roads. Check with other states to see if empty weight plates are legal [IC 9-20-4-2; see appendix 2]
- Indiana's empty weight license plates are not legal on interstates when fully loaded because interstate regulations require license plates to cover weights. An empty weight license plate can be used on interstates when empty or when the weight of the vehicle doesn't exceed the plate weight. [IC 9-20-4-2]
- License plates on trucks that dump need to be mounted on the front [IC 9-18-2-6]
- Plates on trailers that dump in customary position in the back [IC 9-18-2-26]



Regulations About Fuel & Fertilizer

- An International Fuel Tax Agreement (IFTA) fuel tax is required for vehicles with a registered weight more than 26,000 pounds [IC 6-6-4.1-12]
- Clear fuel for any registered vehicle used over the road [IC 6-6-2.5-(1-72)]
- Dyed fuel for implements of agriculture [IC 6-6-2.5-(1-72)]
- Farmers do not qualify for the sales tax exemption at the pumps [IC 6-6-4.1-(1-12)]
- Fuel can be put in non-specification tanks up to 3,400 gallons [49 CFR 173.8]
- Fuel tanks that hold more than 119 gallons must have placards that identify the contents as diesel or gasoline [49 CFR 171.8; 172.504(a); 172.302(a)]
- Farmers transporting fuel tanks with a capacity equal to or less than 502 gallons exempt from hazardous materials regulations and commercial motor vehicle requirements [IC 8-2.1-24018; 49 CFR 173.5(b)(2)(ii)]
- If CDL required, tanks less than 1,000 gallons do not require tank endorsement [IC 9-24-6-3]
- Farmers cannot transport anhydrous ammonia across state lines [49 CFR 173.5; 173.5]



Regulations About Permits & Registrations

- USDOT number required with farm name and number on both sides of vehicle [49 CFR 390.21]
- Farmers not required to get Kentucky KYU number [Indiana & Kentucky agreement]
- Unified Carrier Registration when gross vehicle weight rating greater than 26,000 pounds [49 USC 31908]



Permits & Registrations *cont.*

- International Fuel Tax Agreement (IFTA) Permit required for out-of-state travel. Also required when two axles with a gross vehicle weight or registered weight more than 26,000 pounds; three axles or more on the power unit, regardless of weight; or a combination of power unit and trailing unit with a combined gross vehicle weight or combined registered weight in excess of 26,000 pounds. Trip permits for 3 and 7 days can be used instead of obtaining IFTA permit.

[IC 6-6-4.1-(1-72)]



Conclusion

Farmers expect quick answers to what it takes for them to comply with transportation regulations. Because the regulations can be so complex, it probably takes more time asking questions about the farm's operation than it takes providing the answers.

If you follow the guidelines in this publication, you should have a solid foundation to address what you might need to do as a farmer in order to comply with transportation regulations. However, regulations and laws change routinely — it is important that you continue to stay informed by asking questions of your peers, as well as state and federal enforcement officials.

CHECK FOR UPDATES

Regulations are always changing. And so are the interpretations of those regulations.

We will keep up with these changes as much as possible on the Purdue Pesticide Programs website (ppp.purdue.edu). After reviewing this document, be sure to check the site for any changes and corrections under Purdue Extension publication PPP-111.

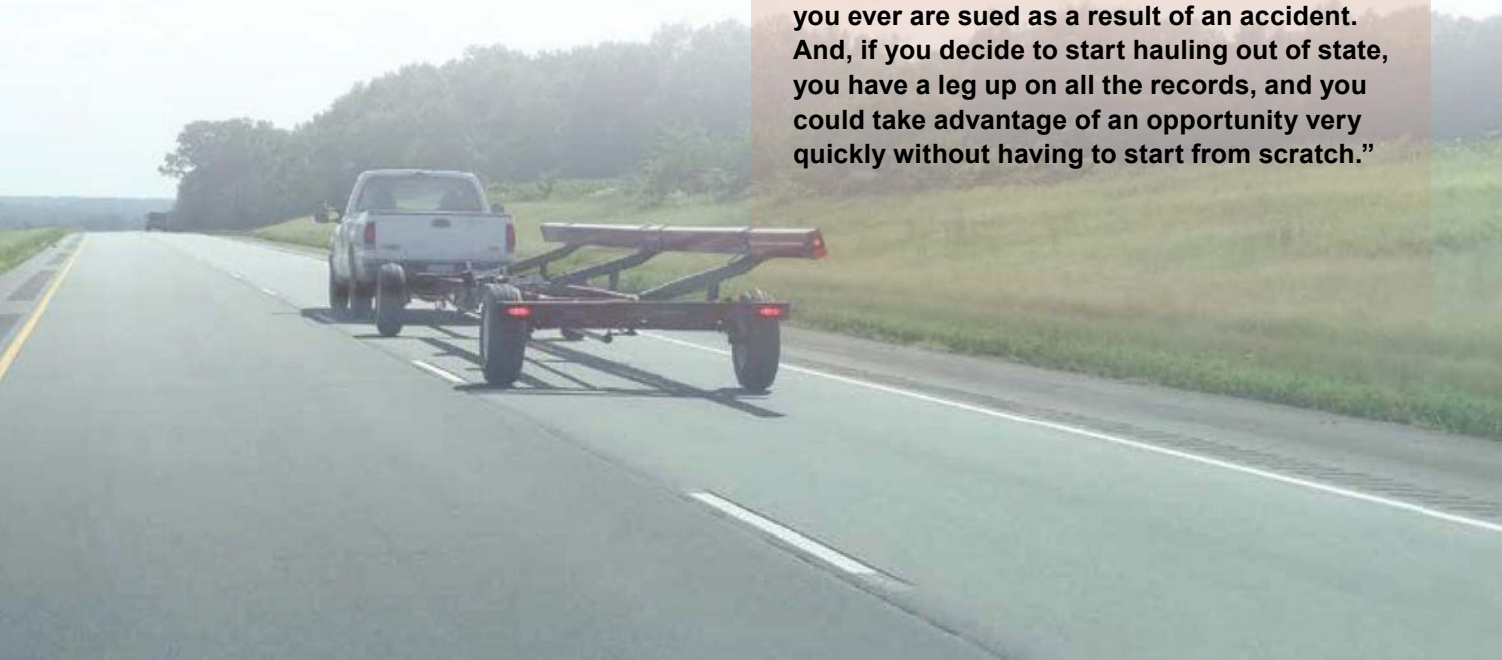
MOVING BEYOND THE REGULATIONS

“What I think is terribly important — as far as minimizing liability — is to be proactive and go beyond what the regulations require,” says Daniel Gwin, an Indiana farmer who operates several vehicles.

“For me, that means that all my drivers have CDL licenses — and, by extension, also health cards. I think that’s important if I should ever have an accident — to show that I took steps to be sure my drivers were knowledgeable and certified by an outside party about their health and fitness and competency to operate a truck.

“I also have all of my trucks and trailers inspected by a certified mechanic, rather than sign off on them myself. Likewise, any maintenance and repair of critical systems such as brakes, steering, suspension, etc., is done by a certified mechanic. We might replace a headlamp bulb or do some other incidental repair, but all critical system maintenance and repair is done by a certified mechanic shop and I keep records of all work done. I keep a separate file on each truck and trailer so that I can easily pull the records of the work that has been done with dates and receipts for payments on any piece of road equipment.

“Even if you’re not hauling out of state, keeping these records could be important if you ever are sued as a result of an accident. And, if you decide to start hauling out of state, you have a leg up on all the records, and you could take advantage of an opportunity very quickly without having to start from scratch.”



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APPENDIX 1: BRIDGE LAW

PERMISSIBLE GROSS LOADS FOR VEHICLES IN REGULAR OPERATION

Based on weight formula

$$W = 500 \left[\frac{LN}{N-1} + 12N + 36 \right]$$

Distance in feet (L)
between the extremes of
any group of 2 or
more consecutive axles

Maximum load in pounds carried on any group of 2 or more consecutive axles

	N =	2 AXLES	3 AXLES	4 AXLES	5 AXLES	6 AXLES	7 AXLES	8 AXLES	9 AXLES
Tandem Axle Weight {	4	34,000							
	5	34,000							
	6	34,000							
	7	34,000							
	8 & less	34,000	34,000						
	more than 8	38,000	42,000						
	9	39,000	42,500						
	10	40,000	43,500						
	11		44,000						
	12		45,000	50,000					
	13		45,500	50,500					
	14		46,500	51,500					
	15		47,000	52,000					
	16		48,000	52,500	58,000				
	17		48,500	53,500	58,500				
	18		49,500	54,000	59,000				
	19		50,000	54,500	60,000				
	20		51,000	55,500	60,500	66,000			
	21		51,500	56,000	61,000	66,500			
	22		52,500	56,500	61,500	67,000			
	23		53,000	57,500	62,500	68,000			
	24		54,000	58,000	63,000	68,500	74,000		
	25		54,500	58,500	63,500	69,000	74,500		
	26		55,500	59,500	64,000	69,500	75,000		
	27		56,000	60,000	65,000	70,000	75,500		
	28		57,000	60,500	65,500	71,000	76,500	82,000	
	29		57,500	61,500	66,000	71,500	77,000	82,500	
	30		58,500	62,000	66,500	72,000	77,500	83,000	
	31		59,000	62,500	67,500	72,500	78,000	83,500	
	32		60,000	63,500	68,000	73,000	78,500	84,500	90,000
	33			64,000	68,500	74,000	79,000	85,000	90,500
	34			64,500	69,000	74,500	80,000	85,500	91,000
	35			65,500	70,000	75,000	80,500	86,000	91,500
	36		Exception	66,000	70,500	75,500	81,000	86,500	92,000
	37		(see page)	66,500	71,000	76,000	81,500	87,000	93,000
	38			67,500	71,500	77,000	82,000	87,500	93,500
	39			68,000	72,500	77,500	82,500	88,500	94,000
	40			68,500	73,000	78,000	83,500	89,000	94,500
	41			69,500	73,500	78,500	84,000	89,500	95,000
	42			70,000	74,000	79,000	84,500	90,000	95,500
	43			70,500	75,000	80,000	85,000	90,500	96,000
	44			71,500	75,500	80,500	85,500	91,000	96,500
	45			72,000	76,000	81,000	86,000	91,500	97,500
	46			72,500	76,500	81,500	87,000	92,500	98,000
	47			73,500	77,500	82,000	87,500	93,000	98,500
	48			74,000	78,000	83,000	88,000	93,500	99,000
	49			74,500	78,500	83,500	88,500	94,000	99,500
	50			75,500	79,000	84,000	89,000	94,500	100,000
	51			76,000	80,000	84,500	89,500	95,000	100,500
	52			76,500	80,500	85,000	90,500	95,500	101,000
	53			77,500	81,000	86,000	91,000	96,500	102,000
	54			78,000	81,500	86,500	91,500	97,000	102,500
	55			78,500	82,500	87,000	92,000	97,500	103,000
	56		Interstate Gross	79,500	83,000	87,500	92,500	98,000	103,500
	57		Weight Limit	80,000	83,500	88,000	93,000	98,500	104,000
	58		(see page)		84,000	89,000	94,000	99,000	104,500
	59				85,000	89,500	94,500	99,500	105,000
	60				85,500	90,000	95,000	100,500	105,500

¹The permissible loads are computed to the nearest 500 pounds as required by statute.

²The following loaded vehicles must not operate over H15-44 bridges: 3-S2 (5-axle) with wheelbase less than 38 feet; 2-S1-2 (5-axle) with wheelbase less than 45 feet; 3-3 (6-axle) with wheelbase less than 45 feet; and 7- 8- and 9-axle vehicles regardless of wheelbase.

APPENDIX 2: INDIANA STATE POLICE LETTER

STATE OF INDIANA

INDIANA STATE POLICE

INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE

INDIANAPOLIS, INDIANA 46204-2259

www.state.in.us/isp

March 5, 2007

Mr. Fred Whitford
Coordinator, Purdue Pesticide Program
Department of Botany and Plant Pathology
Purdue University
West Lafayette, Indiana 47907

Mr. Whitford:

The Commercial Vehicle Enforcement Division, a division of the Indiana State Police, is the primary entity responsible for enforcement of size and weight statutes in the state, and for enforcement of the Federal Motor Carrier Safety Regulations. Part of our responsibility includes a duty to provide clear, concise, and correct information regarding Indiana statutes. Specifically, this memorandum's intent is to address frequently asked questions dealing with trucks registered for or used as farm vehicles, in an effort to assist you with communicating this information to Indiana farmers.

Indiana Code 9-20-4-2 addresses farm commodities, the transportation from place of production to first point of delivery, and related limited exemptions. Section two of the statute states:

Sec.2. (a) Section 1 of this chapter relating to vehicle weight, IC 9-30 assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and IC 9-30 prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports farm commodities from the place of production to the first point of delivery where the commodities are weighed and title to the commodities is transferred if the weight of the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%).

(b) The exemption in subsection (a) does not apply to the following:

- (1) Weight limits imposed for bridges or sections for highways under IC 9-20-1-4.**
- (2) A vehicle operated on any part of an interstate highway.**

(c) For purposes of this section, "farm commodities" includes logs, wood chips, bark, sawdust, and bulk milk. The exemptions that apply to vehicles that transport farm commodities under subsection (a) apply to the transportation of wood chips, bark, and sawdust at all times if the weight of the vehicle with load does not exceed either the gross weight limit or the axle weight limit by more than ten percent (10%)

INTEGRITY • SERVICE • PROFESSIONALISM

Commercial Vehicle Enforcement Division personnel have been provided the following interpretations for the enforcement of this statute:

- A farmer may plate a farm truck or combination farm vehicle with a declared registered weight that represents the empty weight of the farm vehicle or combination farm vehicle if he transports farm commodities from the field or farm to the first point of delivery where weighed and titled, (the grain elevator), as long as the gross weight of the combination of vehicle(s) and load does not exceed the allowable total gross weight by 10%. Exceeding the 10% allowance, or operating in any capacity other than from the field or farm to the first point of sale would result in enforcement action, and the amount overweight is determined by the declared weight (plate registered weight).
- A farmer may not cross bridges or other sections of highways exceeding the posted restricted weight limits that have been determined by The Indiana Department of Highways as allowed by 9-20-1-4. If a farmer exceeds a posted state weight limit on a bridge or highway they lose the exemption. Full enforcement may be taken on the overweight from the farm to the elevator, and the amount overweight is determined by the declared weight (plate registered weight).
- The exemption is not valid on the interstate system.
- Farm commodities for the purpose of (a) and (b) are for the typical crops farmers produce (corn, soybeans, grains, vegetables, etc.). For those, only gross weight is examined to determine if the exemption is valid. For the additional farm commodities listed in (c) to qualify for the exemption, the gross weight and the axle weight limits cannot be over 10% over the normal legal limit. If either the gross weight exceeds the 10% exemption amount, or any one set of axles exceeds the axle allowable limit (regardless of the total gross weight), this would constitute a violation and the amount overweight would be determined by the declared weight (plate registered weight).

The exemptions in this statute provide an opportunity to provide economic relief to farmers when registering vehicles for farm use, and I encourage eligible persons to take full advantage of this exemption. It is important that persons understand that the exemptions are limited and specific, and operation outside the parameters specifically described by statute, and interpreted above, could result in substantial penalties in an enforcement situation.

I appreciate the effort and energy you have contributed to communicating an array of useful information to Indiana's farmers, and it is my hope that this guidance assists you to that end. Please contact our office at any time, and encourage others to do the same, with any questions at (800) 523-2226. First Sergeant Mike Addison has intimate knowledge on this topic, and developed much of the enforcement policy for our field personnel. Thank you for your conscientious work to improve commercial vehicle safety.

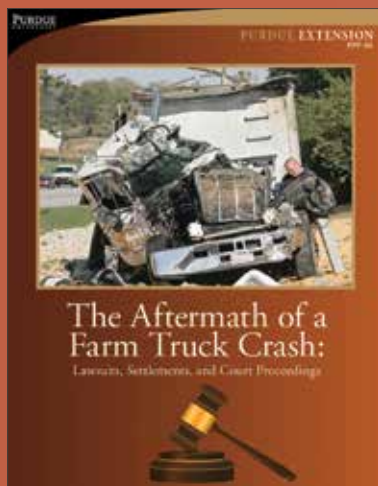
Sincerely,



Captain Brent Bible
Indiana State Police
Commercial Vehicle Enforcement Division
5252 Decatur Blvd. Suite J
Indianapolis, In 46241

Find Out More

Purdue Pesticide Programs offer a number of publications on related topics to help you manage your operations better. All publications are available from The Purdue Extension Education Store: www.edustore.purdue.edu 765-494-6749



The Aftermath of a Farm Truck Crash: Lawsuits, Settlements, and Court Proceedings (PPP-95). Learn more about what to do after your equipment is involved in a collision or crash.

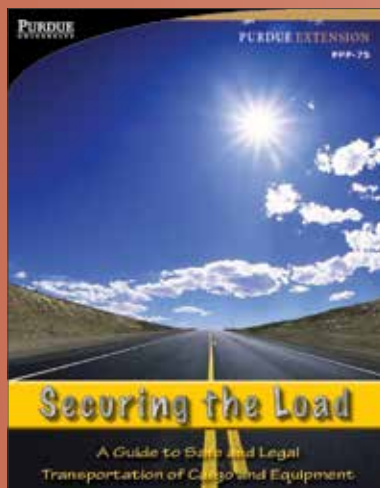


Farm Truck Accidents: Considering Your Liability Management Options (PPP-91). Take measures to reduce your over-the-road liabilities.





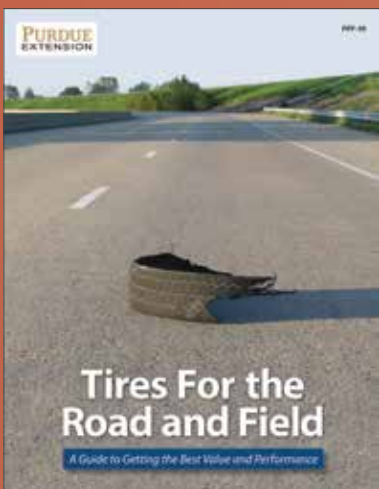
Transporting Farm Equipment: What Growers Need to Know (PPP-83). Learn safe practices and your legal obligations for transporting equipment.



Securing the Load: A Guide to Safe and Legal Transportation of Cargo and Equipment (PPP-75). Keep gear safely secured to prevent accidents and stay legal.



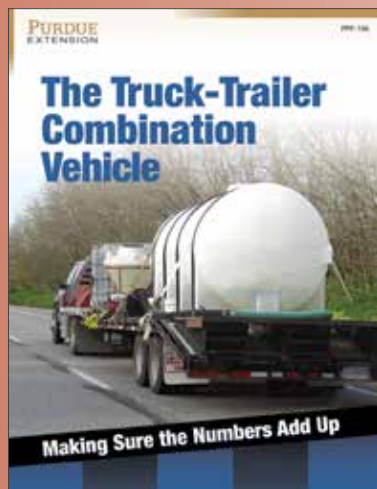
Hold it Down! (PPP-84). This laminated pocket guide is a companion to *Securing the Load* (PPP-75).



Tires For the Road and Field: A Guide to Getting the Best Value and Performance (PPP-99). Find the right replacement tires for your vehicles and operations.



Keep the Trailer Connected to the Truck: Understanding the 'Hitch' System (PPP-92). Reduce your risks of losing a trailer or other equipment on a busy highway.



The Truck-Trailer Combination Vehicle: Making Sure the Numbers Add Up (PPP-106). Be certain all the parts work together to keep your truck-trailer combination operating safely.



April 2016

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