



Excessive Farm Vehicle Restrictions and Requirements

Unless urgent action is taken in Washington and/or Harrisburg, Pennsylvania Farm Bureau believes that the following new restrictions and requirements will be placed on all Pennsylvania farms soon after March 1, 2010 (and to the best that can be determined, only in Pennsylvania). These restrictions and requirements will apply whenever farm trucks, farm tractors, and other agricultural vehicles are used on any state or township road, including just crossing the road:

1. Persons under 18 Prohibited

Anyone under 18 years of age will not be able to legally operate a farm tractor or truck if the tractor or truck is pulling another vehicle (like a farm implement or trailer) and the vehicles together weigh more than 17,000 pounds. **This includes the farmer's children.**

2. Medical Certification Required

Any driver on a public road of a farm tractor or truck will need to be medically tested and have a certificate declaring the driver to be "physically qualified" if the tractor or truck is pulling another vehicle and the vehicles together weigh more than 17,000 pounds. Drivers of farm trucks over 17,000 pounds will also need medical certification whenever the truck is operated more than 150 miles from the farm (even though the truck is not operated outside of PA).

3. Driver's Logs/Employer Recordkeeping Required

Drivers of trucks or tractors towing implements or farm trailers will be subject to the same "hours of service" requirements of trucking companies and their drivers if the vehicles together weigh more than 17,000 pounds. It will include minimum periods of "break time," limits on hours driven between breaks, along with record keeping (commonly know as drivers' logs). Farmers will be responsible for getting and keeping records of all the paperwork that federal regulations require trucking companies to keep and maintain.

4. Vehicle Inspection and Maintenance Required

Drivers of farm tractors and trucks pulling another vehicle that together weigh more than 17,000 pounds will be required to conduct pre-trip inspections and complete written post-trip reports on the function of vehicle's "safety" equipment. Inspections and reports must be filled out each day the vehicle is used. Farmers will be required to immediately repair any "defects" noted in the report. Farmers will also be required to make sure the written safety reports are being kept and keep and maintain records of all reports made.

Note: The above plain language descriptions do not include all elements of the restrictions/requirements, but provide a sense of how your farm operation will be impacted.

Background

Q. What started this?

A. In 2007, the Federal Motor Carrier Administration of the U.S. Department of Transportation (USDOT) did an audit of Pennsylvania's state highway safety regulations (beyond just farm vehicle issues) and determined that they are "less stringent" than federal standards. The federal agency decided that Pennsylvania Department of Transportation (PennDOT) exemptions for drivers of implements of husbandry and farm trucks are "deficient." Pennsylvania was told it will lose federal funding for the Safety Assistance Program (approximately \$8.7 million per year) if state regulations are not strengthened.

Q. What happened next?

A. PennDOT set out to change Pennsylvania's regulations. Because existing federal regulations do not give specific exemptions to agricultural vehicles (like implements of husbandry), PennDOT has contended that it has not been possible to develop regulations that continue the past exemptions and that they have done everything possible to achieve a better response from the federal Department of Transportation.

Q. Are farmers in other states facing the same regulations?

A. No. Pennsylvania is one of only five states that have been audited to date. It appears however, that those other states have managed to work out some agreements with the USDOT that avoid the extreme restrictions and regulations described here.

Q. What has PFB been doing to address the problem?

A. Since 2008, Pennsylvania Farm Bureau has been asking our Congressional Delegation to pass H.R. 1220. While the legislation deals with broader farm vehicle issues nationwide, it would also provide relief from the radical regulations that face Pennsylvania's farms. The issue has been high on the agenda of PFB's last two National Legislative Conferences in Washington which have involved hundreds of PFB members. In addition, Farm Bureau has repeatedly contacted Pennsylvania's Congressional Delegation urging them to take action on this issue. PFB also filed extensive comments strongly objecting to the proposed regulations when PennDOT developed the proposed regulations. PFB has also engaged in numerous discussions with PennDOT and other agencies. The issue has been reported upon frequently in PFB's publications and covered in depth on our website.

Q. What's next?

A. PennDOT began the process of final rulemaking in late December. Pennsylvania's Independent Regulatory Review Commission (IRRC) will decide a final outcome on February 25th. Pennsylvania Farm Bureau is again providing extensive comment to the IRRC to express the severe impact of the regulations on agriculture and Pennsylvania's farm families. However, additional actions must be taken immediately if a satisfactory outcome is to be achieved. It is important to note that the regulatory package before the IRRC includes regulations affecting issues beyond agriculture.

PA Farm Bureau Urges You To Take The Following Actions Right Away

1. Call the offices of Senator Arlen Specter, Senator Bob Casey and your Congressman (see contact information). Letters and e-mails are okay, but it may take thousands of phone calls to finally get their attention on the issue.

2. Ask to speak with a staff person who handles “transportation issues”. Chances are that you will be asked to just leave a message with the person who answered your call.

3. Tell the staff person that excessive regulations are about to be decided by the Pennsylvania Department of Transportation (PennDOT) at the direction of the federal Department of Transportation (USDOT) that would create severe problems on your farm. **Ask that the Senator/Congressman contact USDOT and PennDOT requesting the two agencies postpone a final decision on the regulations until more commonsense solutions are found.** In addition, ask that the Senator or Congressman work to advance H.R. 1220 as a more permanent solution. Also ask them to review the latest letter from the Pennsylvania Farm Bureau (dated Jan. 29th) for details about the problem and the necessary action.

4. Consider sharing this alert with others who can be recruited into the effort. All of this information can be printed from the homepage of PFB’s website at www.pfb.com. Updates will be posted there as well.

5. If you decide to send an e-mail or letter, and are a Farm Bureau member, go to CapWIZ (see instructions) where you will find a letter that can be e-mailed or sent by postal mail. The message includes a place where you can – if you wish – describe how the restrictions and regulations will affect your farm and family.

6. Please inform PFB of the action you take so that we can gauge the impact of the effort. If you call or send a letter to your Congressional Representatives, please either call PFB’s toll-free voice mail at 1-866-445-3896 or send an email to GovCom@pfb.com and tell us your name, county and the offices you contacted. If you made your contact on CapWIZ, PFB is automatically notified of your actions.

Please join with Farm Bureau members across Pennsylvania to help win the battle. Thank you!

CapWiz Can Be Used to Contact Lawmakers If You Are A Farm Bureau Member

An easy way to make legislative contacts is by using PFB's CAPWiz system -- where a letter is provided that will be automatically sent to your legislators when you enter your zip code.

To access the Capwiz system go to PFB's Members Only website at www.pfbmembers.org.

If you have not yet created a user account in the Members Only website, you will need to do so prior to acting on the action request.

If you are already registered:


- 1) Log in to the Members Only site
- 2) Click on the CAPWiz logo on the homepage
- 3) Click on "Click here to go to Capwiz Now"
- 4) Click on the appropriate Take Action button



Legislative Contacts

NAME	ADDRESS	WEBSITE	PHONE	FAX
Senator Robert P. Casey	393 Russell Senate Office Bldg.	www.casey.senate.gov	202-224-6324	202-228-0604
Senator Arlen Specter	711 Hart Senate Office Bldg.	www.specter.senate.gov	202-224-4254	202-228-1229

NAME	ADDRESS	WEBSITE	PHONE	FAX
Rep. Jason Altmire	332 Cannon House Office Bldg.	www.altmire.house.gov	202-225-2565	202-226-2274
Rep. Robert Brady	206 Cannon House Office Bldg.	www.brady.house.gov	202-225-4731	202-225-0088
Rep. Christopher Carney	416 Cannon House Office Bldg.	www.carney.house.gov	202-225-3731	202-225-9594
Rep. Kathy Dahlkemper	516 Cannon House Office Bldg.	www.dahlkemper.house.gov	202-225-5406	202-225-3103
Rep. Charlie Dent	1009 Longworth House Office Bldg.	www.dent.house.gov	202-225-6411	202-226-0778
Rep. Mike Doyle	401 Cannon House Office Bldg.	www.doyle.house.gov	202-225-2135	202-225-3084
Rep. Chaka Fattah	2301 Rayburn House Office Bldg.	www.house.gov/fattah	202-225-4001	202-225-5392
Rep. Jim Gerlach	308 Cannon House Office Bldg.	www.gerlach.house.gov	202-225-4315	202-225-8440
Rep. Tim Holden	2417 Rayburn House Office Bldg.	www.holden.house.gov	202-225-5546	202-226-0996
Rep. Paul Kanjorski	2188 Rayburn House Office Bldg.	www.kanjorski.house.gov	202-225-6511	202-225-0764
Rep. Patrick Murphy	1609 Longworth House Office Bldg.	www.patrickmurphy.house.gov	202-225-4276	202-225-9511
Rep. Tim Murphy	322 Cannon House Office Bldg.	www.murphy.house.gov	202-225-2301	202-225-1844
Rep. John Murtha	2423 Rayburn House Office Bldg.	www.murtha.house.gov	202-225-2065	202-225-5709
Rep. Joseph Pitts	420 Cannon House Office Bldg.	www.house.gov/pitts	202-225-2411	202-225-2013
Rep. Todd Platts	2455 Rayburn House Office Bldg.	www.house.gov/platts	202-225-5836	202-226-1000
Rep. Allyson Schwartz	330 Cannon House Office Bldg.	www.schwartz.house.gov	202-225-6111	202-226-0611
Rep. Joe Sestak	1022 Longworth House Office Bldg.	www.sestak.house.gov	202-225-2011	202-226-0280
Rep. William Shuster	204 Cannon House Office Bldg.	www.house.gov/shuster	202-225-2431	202-225-2486
Rep. Glenn Thompson	124 Cannon House Office Bldg.	www.thompson.house.gov	202-225-5121	202-225-5796



TROUBLE

**Is Just Ahead For
Pennsylvania's Farms**

Take Action Now!



Pennsylvania Farm Bureau

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