

Wyoming Department of Transportation  
**Motor Carriers**

**CHAPTER 1**

Section 1. **Authority.**

These rules of practice and procedure are promulgated by authority of W.S. 31-18-104(vi) and W.S. 31-18-303 in order to supervise and regulate the operation of motor carriers as set forth in the Wyoming Commercial Vehicle Act (W.S. 31-18-101 through W.S. 31-18-903).

Section 2. **Definitions.**

(a) Definitions as set forth in the Wyoming Commercial Vehicle Act (W.S. 31-18-101 through W.S. 31-18-903) shall apply insofar as all terms used in these sections are concerned. All terms used in these rules and regulations shall be construed as defined in Wyoming statutes and the rules and regulations of the Department.

(b) “Compensation” means money or other recompense given, either directly or indirectly, for the transportation of persons or property by a motor carrier.

(c) “Contract motor carrier” means any person engaged in the intrastate transportation of persons or property by motor vehicle on state highways for compensation.

(d) “Department” means the Wyoming Department of Transportation (WYDOT).

(e) “Interstate commerce” means trade, traffic, or transportation in the United States between a place in a state and a place outside of such state (including a place outside of the United States) or between two places in a state through another state or a place outside the United States (49 C.F.R. 390.5).

(f) “Letter of authority” or “order” means a document issued under this act by the Department, granting intrastate authority to a person to operate a motor vehicle as a motor carrier transporting persons or property.

(g) “Material changes” means whenever the mode of transportation or the material transported is changed from that listed on the original permit.

(h) “Person” means individuals, associations of individuals, firms, partnerships, companies, corporations, limited liability corporations, their lessees, trustees, or receivers, appointed by any court whatsoever in the singular number as well as the plural.

(i) “Private motor carrier” means any person engaged in business and operating a vehicle that has a gross vehicle weight exceeding 26,000 pounds who, without compensation, transports intrastate over state highways his employees or property of which the person is the owner, lessee, or bailee, used to further any commercial enterprise. As used in this paragraph “commercial enterprise” means activities of those persons engaged in the exchange, purchase, or selling of commodities or rendering a service in related financial transactions.

(j) “Rules,” unless the context clearly requires otherwise, means the *Wyoming Department of Transportation Rules and Regulations*, of which this section is a part.

(k) “Taxi service” means the transportation of persons on a call and demand expedited basis between one point and another point, over irregular routes, on an individual fare basis, not exceeding seven passengers.

(l) “Towing and recovery service” means transporting upon the highways of Wyoming damaged, disabled, or abandoned vehicles, together with personal effects or cargo. Wrecker service, tow car service, and garage tow truck service or hauling by rollback vehicles are synonymous and shall be termed “towing and recovery service.”

(m) A “wrecker” or “tow vehicle” is any motor vehicle altered or designed and equipped for and primarily used for the purpose of towing or hauling vehicles by means of a crane, hoist, tow bar, dolly, or rollback vehicles.

(n) The following combinations shall be regarded as one motor vehicle for insurance rules only: a tractor and trailer or semi-trailer when the tractor is engaged solely in drawing the trailer or semi-trailer and a truck and trailer when both together bear a single load.

### Section 3. **Exemptions.**

(a) The provisions of these rules **do not apply** to those exemptions as set forth in W.S. 31-18-103.

(b) Privately owned motor vehicles used in making nonprofit, educational, and religious tours of the state are exempt from obtaining operating authority.

(c) The Wyoming Commercial Vehicle Act does not apply when transportation by motor vehicle is entirely on nonstate highways. Any transportation using a state highway in part or in whole is subject to the act.

#### Section 4. **Communications, Addresses, and Notices.**

(a) All applications, written communications, and documents shall be addressed to the Wyoming Department of Transportation, Regulatory Section, 5300 Bishop Blvd., Cheyenne, Wyoming 82009-3340; telephone, (307) 777-4850; fax, (307) 777-4772. All applications, communications, and documents are deemed officially received only when delivered at the offices of the Regulatory Section.

(b) When communicating with WYDOT, every carrier shall refer to the name shown upon the letter of authority.

(c) Carriers shall report changes of address for their principal place of business to the Department immediately.

(d) All required notices mailed to a carrier shall be presumed received if mailed to the carrier's last known address as shown on Department records. A second notice by registered or certified mail shall fulfill state requirements for the sufficiency of notices under the Wyoming Commercial Vehicle Act in case the postal service returns the first notice.

#### Section 5. **Remittances.**

(a) Any remittances required by W.S. 31-18-209 may be made by money order, bank draft, or certified check payable to the Wyoming Department of Transportation. Personal checks shall be accepted, subject to collection, if the drawer has a satisfactory check record with WYDOT.

(b) Remittances in currency or coin are wholly at the risk of the remitter. The Department assumes no responsibility for loss of currency or coin sent by mail.

#### Section 6. **Carrier Records.**

(a) All motor carriers holding operating authority from the Department shall keep and maintain adequate records.

(b) The carrier shall retain all records WYDOT requires for at least three years.

(c) All records the Department requires shall be available for inspection or audit by any authorized WYDOT representative. The carrier shall, at its own expense, forward such records to the Department upon the request of an authorized representative.

#### Section 7. **Copies of Orders or Transcripts.**

(a) One copy of a Department order shall be furnished to the carrier and all interested parties of record without charge. Additional copies of an order shall be furnished upon request and the payment of 25 cents per page to defray the costs of reproduction. Requests for copies shall clearly state

the nature of the document requested, the name or title under which the document was issued, the date of issuance, and the docket number, if any, and be accompanied by the reproduction fee. If certified copies of a document are desired, the request shall specifically ask for certified copies, which shall be furnished for \$2, plus copy fees.

(b) No free copies for transcripts of hearings before WYDOT are furnished. Persons desiring transcript copies need to make arrangements with the court reporter at the time of the hearing.

(c) When the entity changes, the carrier shall reapply with a new application and the required filing fee. All contract motor carriers shall submit new insurance filings with the proper changes, such as when an individual carrier becomes a corporation or visa versa. This requirement also applies to partnerships and limited liability companies.

#### Section 8. **Permanent Authority.**

(a) Permanent authority shall be issued to qualified contract or private motor carriers and shall remain valid and in effect unless revoked by the Department for good cause or canceled at the holder's request. No motor carrier shall operate on the highways without a copy of its current letter of authority in each power unit.

(b) When letters of authority are lost, new ones shall be issued for \$10 each, pursuant to W.S. 31-18-209.

#### Section 9. **Contract Carrier Authority Applications.**

(a) (Form of Application.) Applications for contract carrier authority shall be made in writing to WYDOT on the Department's prescribed application forms. Forms shall be furnished to the applicant upon request. All applications shall contain the following information:

(i) The applicant's name and address. If the applicant is a corporation or limited liability company (LLC), the names and addresses of the officers/members shall be included. If the applicant is a partnership, the names and addresses of the individual partners shall be included. If not a corporation, LLC, or partnership, the applicant's legal name shall be used.

(ii) Whether the applicant intends to transport passengers or property.

(iii) A description of the specific commodities the applicant intends to transport.

(b) (Issuance.) Contract carrier authority shall be granted immediately when WYDOT receives the \$50 filing fee **and** the required insurance filings.

#### Section 10. **Private Carrier Authority Applications.**

(a) (Form of Application.) Applications for private carrier authority shall be made in writing to the Department on WYDOT's prescribed application forms. Forms shall be furnished to the applicant upon request. All applications shall contain the following information:

(i) The applicant's name and address. If the applicant is a corporation or limited liability company (LLC), the names and addresses of the officers/members shall be included. If the applicant is a partnership, the names and addresses of the individual partners shall be included. If not a corporation, LLC, or partnership, the applicant's legal name shall be used.

(ii) Whether the applicant intends to transport passengers or property.

(iii) A complete statement about the nature of the applicant's business so the Department may determine if the proposed operations constitute those of a private carrier.

(b) (Issuance.) Private carrier permits shall be issued immediately when WYDOT receives the \$50 filing fee, unless the applicant has not submitted sufficient information to identify the proposed operations as those of a bona fide private carrier, or unless it appears to the Department that the proposed operation or the equipment to be used does not comply with the safety regulations set forth in Section 15 of this chapter.

(c) Private motor carriers operating vehicles having a gross vehicle weight of 26,000 pounds or less are exempt from the Wyoming Commercial Vehicle Act (W.S. 31-18-101 through W.S. 31-18-903), except all private motor carriers shall comply with hazardous materials regulations adopted by the Department.

#### Section 11. **Towing and Recovery Vehicles.**

(a) Classes of tow vehicles. Tow vehicles shall be inspected by the Wyoming Highway Patrol and classified as follows:

(i) **Class "A"**—Tow vehicles designated as Class "A" shall service only vehicles not in excess of 5,000 pounds gross vehicle weight.

(ii) **Class "B"**—Tow vehicles designated as Class "B" may service vehicles not exceeding 18,000 pounds gross vehicle weight.

(iii) **Class "C"**—Tow vehicles designated as Class "C" may service vehicles not exceeding 26,000 pounds gross vehicle weight.

(iv) **Class "D"**—Tow vehicles designated as Class "D" may service vehicles exceeding 26,000 pounds gross vehicle weight, and perform all services authorized for any other class of wrecker.

(b) The following specifications shall be required of the individual tow vehicle classes. A boom, cradle, tow plate, or tow sling is not required if a rollback vehicle is used.

(i) Class "A" tow vehicles shall have:

(A) A gross vehicle weight rating of at least 7,500 pounds.

(B) A boom capacity of not less than 5,000 pounds.

(C) A total winching capacity of not less than 5,000 pounds equipped with not less than 3/8-inch independent wire cable.

(D) A cradle, tow plate, or tow sling with a lift rating of 3,500 pounds and a tow rating of 5,000 pounds to pick up vehicles.

(ii) Class "B" tow vehicles shall have:

(A) A gross vehicle weight rating of at least 10,000 pounds.

(B) A boom capacity of not less than 8,000 pounds.

(C) A total winching capacity of not less than 8,000 pounds equipped with not less than 3/8-inch independent wire cable.

(D) A wheel lift tow rating of 6,000 pounds and a lift rating of 3,000 pounds.  
(If so equipped.)

(E) A cradle, tow plate, or tow sling with a lift rating of 3,500 pounds and a tow rating of 8,000 pounds.

(F) Dual rear wheels and tires or large flotation tires and wheels.

(iii) Class "C" tow vehicles shall have:

(A) A gross vehicle weight rating of at least 19,000 pounds.

(B) A double boom capacity of not less than 16,000 pounds each or a single boom capacity of not less than 28,000 pounds.

(C) A total winching capacity of not less than 28,000 pounds equipped with not less than 1/2-inch independent wire cable.

(D) A wheel lift tow rating of 10,500 pounds and a lift rating of 7,500 pounds.  
(If so equipped.)

(E) A cradle, tow plate, or tow sling with a lift rating of 7,500 pounds and a tow rating of 12,000 pounds.

(F) Dual rear wheels and tires or large flotation tires and wheels.

(iv) Class "D" tow vehicles shall have:

(A) A gross vehicle weight rating of at least 30,000 pounds.

(B) A double boom capacity of not less than 20,000 pounds each or a single boom capacity of not less than 40,000 pounds.

(C) A total winching capacity of not less than 40,000 pounds equipped with not less than 9/16-inch independent wire cable.

(D) Auxiliary air brake lines and hoses connected to buses, tractors, trailers, or other towed vehicles when required as a matter of public safety.

(E) Dual rear wheels and tandem axle drive or large flotation tires and wheels with tandem axle drive.

(F) A wheel lift tow rating of 25,000 pounds, and a lift rating of 12,000 pounds (if so equipped); **or** a tow sling or tow bar lift with a rating of 12,000 pounds.

(c) Lighting Requirements.

(i) The following lighting shall be required and may be contained within a commercially manufactured light bar:

(A) At least one red light, or a combination of red and blue lights, visible from all sides when in operation. These lights shall be used only as authorized by W.S. 31-5-928(g).

(B) At least two high-intensity amber lights contained in a light bar, or at least two 4-inch diameter flashing amber lights. These lights shall be visible from at least front and rear and mounted as high as practical.

(ii) Towed vehicles shall display working tail lights, turn signals, and stop lights controlled by the towing vehicle's operator.

(d) Additional equipment requirements. All tow vehicles shall be equipped with the following:

(i) All safety equipment prescribed by the U.S. Department of Transportation Safety Regulations within C.F.R. Title 49, as adopted by WYDOT.

(ii) Adequate equipment capable of removing glass and other debris as prescribed in W.S. 31-5-117(b).

(e) Restrictions

(i) All tow vehicles shall be operated in compliance with all traffic laws and regulations.

(ii) Motor carriers operating tow vehicles not meeting the requirements of these rules may be subject to Department disciplinary action that may result in the revocation or cancellation of the carrier's operating authority.

(f) Application for Letter of Authority

(i) Before performing a towing service as a private or contract motor carrier, the owner or lessee of the tow vehicle shall apply for and receive a letter of authority from WYDOT. The application shall be submitted on forms the Department furnishes.

(ii) After receiving the application but before issuing the permit, the Department shall cause an inspection of the tow vehicle. A copy of the inspection shall be sent to the Regulatory Section to be placed in the carrier's file. To receive a letter of authority, the tow vehicle shall meet the specifications for the class requested, and the owner or lessee shall certify that the information furnished is correct.

(g) Inspection

(i) The Department shall cause an annual inspection to determine the condition of the tow vehicle and its equipment. A copy of the inspection form shall be sent to the Regulatory Section to be placed in the carrier's file, and another copy shall be carried in the vehicle.

(ii) Tow vehicles not meeting rule requirements may have their letter of authority revoked and canceled.

(h) Special Provisions

(i) In an emergency, peace officers are authorized to use any qualified or nonqualified equipment necessary.

(ii) Peace officers, while performing their duties, shall not be responsible to pay for services performed by tow and recovery vehicle operators.

**Section 12. Cancellation of Authority and Reapplication.**

When WYDOT cancels an authority for good cause or failure to file prescribed evidence of insurance, the carrier shall file a new application for authority and pay the filing fee.

**Section 13. Leasing Requirements.**

(a) (Qualifications of Leased Motor Vehicles.) All motor vehicles leased by a carrier holding a letter of authority from the Department must be qualified by the lessee to operate under that operating authority. When motor vehicles owned by one carrier holding operating authority from WYDOT are leased to another person, a copy of the lessee's current letter of authority shall be carried in the power unit. During the lease term, the lessee shall have complete control of the leased motor vehicle and shall be fully responsible for its operation, in accordance with the applicable statutes, laws, and regulations—including the requirements of these rules and regulations concerning equipment safety and inspection and insurance coverage.

(b) (Terms and Conditions of the Lease.) All leases shall be in writing and signed by the parties to it. Leases shall specify the term (the period of time the lease is to be in effect) and the consideration to be paid by the lessee.



(i) During the entire lease term a carrier holding a letter of authority issued by this Department shall at all times carry an original, a certified copy, or a photocopy of the lease in each vehicle covered by the lease so that it may be available for inspection by Department representatives or other authorized persons.

(ii) The Department shall at all times have the right to examine all motor vehicle equipment leases and approve or disapprove them.

(c) (Regulation of Equipment Leasing.) When it appears that a carrier and a shipper or any other combination of persons might use a lease arrangement to evade some aspect of regulation within WYDOT jurisdiction, an investigation shall be instituted and a formal complaint issued if necessary. If the Department determines that the lessor and lessee entered into a motor vehicle equipment lease to avoid regulation by Wyoming statutes or Department rules and regulations, WYDOT may request the Attorney General to institute proceedings in the courts of the state or take whatever action it deems necessary and proper.

#### Section 14. **Insurance Requirements.**

All contract motor carriers shall file evidence of prescribed insurance as required by the Department. (WYDOT rules and regulations governing filing and approval of insurance policies for contract motor carriers and the forms prescribed for insurance filings and notices of cancellation can be found in Chapter 3, Insurance Requirements.)

#### Section 15. **Safety Regulations.**

(a) The Department requires all motor carriers, as defined in W.S. 31-18-101, and carriers in interstate commerce, as defined in 49 C.F.R. 390.5, to comply strictly with:

(i) All Wyoming laws pertaining to safe operation and such rules and regulations promulgated by the Wyoming Department of Transportation.

(ii) The following hazardous materials regulations of the United States Department of Transportation: 49 C.F.R. Parts 107, 130, 171 through 173, and 177 through 180.

(iii) The following motor carrier safety regulations of the United States Department of Transportation: 49 C.F.R. Parts 40, 373, 382, 383, 385, 390, 391, 392, 393, 395, 396, and 397 for interstate transportation and as amended in the appendix to Chapter 1 of these rules for intrastate transportation.

(b) WYDOT shall conduct audits and inspections as needed to enforce state and federal laws related to interstate and intrastate motor carrier operations. The Department's authorized employees or agents may enter, inspect, and examine any lands, buildings, and equipment of motor carriers subject to this section to inspect and copy any accounts, books, records, and documents in order to administer and enforce state and federal laws related to motor carrier operation provided:

(i) WYDOT's authorized employees or agents shall schedule an appointment with the motor carrier before entering, inspecting, or examining any facility or records of a motor carrier; but

(ii) If the Department's authorized employees or agents believe that a violation is involved and that a scheduled appointment would compromise the detection of the alleged violation, no appointment is necessary.

(iii) A motor carrier shall submit its lands, buildings, and equipment for inspection and examination and shall submit accounts, books, records, and documents for inspection and copying in accordance with this section.

(c) When a motor carrier receives a compliance review, the motor carrier shall receive one of the following ratings:

(i) Satisfactory—The carrier may be required to submit a letter of compliance within a designated period of time to WYDOT. A follow up compliance review may be conducted.

(ii) Unsatisfactory—The carrier shall be required to submit a letter of compliance to the Department within 30 days. A follow-up compliance review shall be conducted. If the carrier fails to receive a satisfactory rating, the Department shall take further action against it for noncompliance.

(d) These regulations shall authorize placing a driver out-of-service for driving or working in excess of hours of service or any other conditions identified in the federal safety standards and found by WYDOT to contribute to unsafe operations. The out-of-service conditions shall preclude a driver from driving until the condition for placing the driver out-of-service is remedied. These regulations shall additionally authorize placing a vehicle out-of-service because of mechanical or operational dysfunction causing a vehicle to be unsafe. The out-of-service condition shall preclude using the vehicle until the condition for placing the vehicle out-of-service has been remedied. These regulations shall use the established material from the Commercial Vehicle Safety Alliance (CVSA) in Appendix A of the North American Uniform Out-of-Service Criteria for placing drivers, vehicles, and hazardous materials shipments out-of-service. These regulations shall remain current with North American Uniform Out-of-Service Criteria as changes are made.

#### **Section 16. Forms and Regulations for Bills of Lading and Freight Bills.**

(a) Contract motor carriers shall use and carry in their motor vehicles at all times uniform bills of lading showing all property then being transported. The carrier shall deliver copies to both consignor and consignee and retain a copy for Department inspection.

(b) A combination bill of lading and freight bill, setting forth complete information and transportation charges, may also be used. The combined form of bill of lading and freight bill shall be issued in at least triplicate and shall consist of an original, a shipping order copy, and a memorandum copy. The number of memorandum copies as desired may be issued, but each copy shall carry a notation showing whether it is the original, shipping order, or memorandum copy. The carrier shall retain a copy of the shipping order for three years for possible inspection by WYDOT at its convenience.

(c) Instead of executing the combination bill of lading mentioned in preceding paragraph (b), the carrier may execute a separate bill of lading and a separate freight bill as long as all the required information is shown on them.

(d) When more than one vehicle is used to transport a shipment, the bill of lading or memorandum showing information required on the bill of lading shall be carried on each vehicle during shipment transport. Such memorandum shall refer to the bill of lading covering the entire shipment. (See W.S. 31-18-209.)

(e) Private motor carriers are not required to carry in their motor vehicles a bill of lading or other shipping document, except when transporting a hazardous material as required in 49 C.F.R. 177.817 as adopted by the Department. The requirement for intrastate private carriers shall be governed by the appendix to Chapter 1, Section 15, of the rules and regulations governing motor carriers.

#### Section 17. **Hearings and Appeals.**

(a) Practice and procedure for hearings before the Department shall be as provided in Chapter 3, General Section, of the *Wyoming Department of Transportation Rules and Regulations*.

(b) Any party in interest or any person or party authorized under Chapter 18 of Title 31 to file for an original hearing before the Department may appeal to an appellate hearing panel appointed by WYDOT in the same manner, and to the same extent, as provided in the Wyoming Administrative Procedure Act.

## Appendix to Chapter 1, Motor Carriers

Section 15–Federal Safety Regulations.

This appendix consists of the following:

A. Part 1. A preface containing Wyoming-specific cross-references, changes, omissions, and additions to 49 C.F.R. Parts 40, 373, 382, 383, 385, 390, 391, 392, 393, 395, 396, and 397.

### PART 1

#### CROSS-REFERENCES, ETC.

The cross-references set forth below are of general application throughout the rules reproduced in Part 1 of this appendix and shall be applied except when the context of the rule clearly requires otherwise.

- (a) References to “state” shall mean the State of Wyoming.
- (b) References to “Interstate” shall mean “Intrastate.”
- (c) References to “farms” and “farmers” shall include “ranches” and “ranchers.”
- (d) References to “Federal” shall mean “Wyoming.”
- (e) References to such federal persons and entities such as “Secretary,” “Federal Highway Administrator” or “Administration,” “Regional Director,” “District Director,” and other similar references shall mean the Wyoming Department of Transportation (WYDOT), its employees, and its duly designated agents, including the Wyoming Highway Patrol enforcing these rules pursuant to W.S. 31-18-701(b). WYDOT, in order to promote efficiency in government and to avoid duplication of skills, personnel, and effort, may designate other personnel to provide technical expertise and assistance to the Department as the need arises.

**Section 390.3(g)** is changed to read:

- (f) Exceptions in W.S. 31-18-103 are incorporated herein with Section 390.3(g):
  - (iv) Transportation on his own motor vehicle or combination of vehicles having a gross vehicle weight of less than Fifty-five Thousand (55,000) pounds by any farmer or rancher, or the employee of a farmer or rancher exclusively in his service, transporting produce or commodities for his own use to and from his farm or ranch;
  - (v) The exchange of transportation in their own motor vehicles or combination of vehicles having a gross vehicle weight of less than Fifty-five Thousand (55,000) by farmers or ranchers, or employees of farmers or ranchers exclusively in their service, when the exchange is between farmers or ranchers, or their employees, in the immediate community;

- (vi) The exclusive transportation of children to and from school;
- (vii) The transportation of sick, injured, or deceased persons by ambulance or hearse;
- (viii) Transportation by motor vehicle when the motor vehicle is owned and operated by the United States, the State of Wyoming, or any subdivision thereof;
- (ix) Motor carriers engaged in the exclusive transportation of the United States mail, involving rural routes with delivery being made to individual mail boxes;
- (xi) Transportation by motor vehicle on non-state highways;

**Section 390.3(h)** is added.

(i) Clarifications. A wrecker-tower does not become a carrier of hazardous materials by virtue of providing recovery and towing services. Part 393 shall apply to all wrecker-towers that meet the definition of “commercial motor vehicle” set forth in Section 390.5.

**Section 390.5** Definitions. All definitions set forth in W.S. 31-18-101 are incorporated herein by this reference. In addition, in this appendix and for the purposes of these rules:

“Agricultural growing season” means January 1 to December 31 of any calendar year.

“Air-mile” means an international nautical mile of approximately 6,076 feet measured in a straight line and not on an over-the-road basis.

“Commercial motor vehicle” means any self-propelled or towed vehicle used on public highways in intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight of 26,001 or more pounds.

**Section 390.21(b)(3)** is changed to read:

The motor carrier identification number, if issued by the Federal Highway Administration, shall be preceded by the letters “USDOT.” When issued by WYDOT for intrastate carriers, the number shall be preceded by “USDOT” and followed by the suffix “WY,” as in the following example: USDOT 123456 WY.

**Section 390.23** contains a new preamble.

The Wyoming Department of Transportation directs that any motor carrier seeking relief from Section 395.3(b) shall contact the Wyoming Highway Patrol to request such relief.

**Section 390.37** is changed by omitting references to “Part 325 of Subchapter A.”

**Section 391.11(b)(1)** is changed to read:

- (1) is at least 18 years old;

**Section 391.47(e)** is changed to read:

(e) Petition for review, burden of proof. The driver or motor carrier may obtain review of the Department's determination either by filing a petition for rehearing with WYDOT or by appealing as from any other final order of the Department of Transportation. The burden of proof, in either case, rests with the petitioner.

**Section 391.49** is changed to read:

As determined by WYDOT, driver control program for intrastate drivers only.

**Section 395.1** All farm vehicle drivers engaged in farm operations during the agricultural growing season.

**Section 395.1(e)** is changed to read:

- (e) 150 air-mile radius driver. A driver is exempt from the requirements of §395.8 if:
  - (1) The driver operates within a 150 air-mile radius of the normal work reporting location;