

Answers to Your Questions

ILLINOIS DEPARTMENT OF TRANSPORTATION • DIVISION OF TRAFFIC SAFETY • COMMERCIAL VEHICLE SAFETY SECTION

Public Act 94-739 Impacts the Agricultural Industry

Public Act 94-739, effective May 9, 2006, expands the hours-of-service exception for some in the agricultural industry. All of the provisions provided below are currently in effect.

The Illinois Motor Carrier Safety Regulations (IMCSR) are being amended pursuant to the new Public Act and will include the following paragraph:

Part 395 (Hours of Service of Drivers) shall not apply to agricultural operations that are engaged in intrastate commerce at any time of the year within a 100 air mile radius from the source of the agricultural commodity or the distribution point for the farm supplies for agricultural purposes.

The following definitions are found in the new Public Act and correspond to the new hours-of-service exception:

“Agricultural operations” means the operation of a motor vehicle or combination of vehicles transporting agricultural commodities or farm supplies for agricultural purposes.

“Agricultural commodities” means any agricultural commodity, non-processed food, feed, fiber, or livestock, including insects.

“Farm supplies for agricultural purposes” means products directly related to the growing or harvesting of agricultural commodities and livestock feed at any time of the year.

“Livestock” means cattle, sheep, goats, swine, poultry (including egg-producing poultry), fish used for food, and other animals designated by the Secretary of the United States Department of Transportation (at his or her sole discretion) that are part of a foundation herd (including producing dairy cattle) or offspring.

The definition of agricultural movements was also deleted and, in effect, replaced by the definition of agricultural operations. The definition of planting and harvesting season is being amended in the IMCSR to include the period of January 1 through December 31 each year as the exception now applies at “any time of the year.”

If you have any questions regarding Public Act 94-739, please contact the Illinois Department of Transportation, Division of Traffic Safety, Commercial Vehicle Safety Section at (217) 785-1181 or (217) 524-4875 (TTY).

