



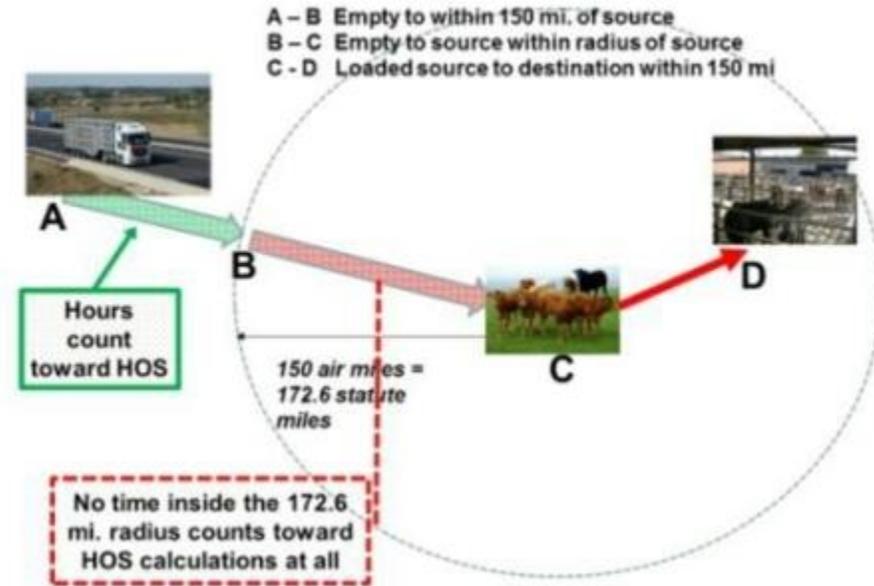
## Understanding the Ag Exemption for Transportation

There is significant verbiage in the new guidance released by FMCSA for the transportation of Ag Exempted goods, as the guidance was designed to provide flexibility to many diverse logistics situations found in the agricultural industry. The purpose of the brief points below is to simply high-light the most common situations found in fresh produce transportation for long-haul loads typically arranged by the shipper community.

- The “source” for agricultural commodities can be considered as the packing shed, as long as the commodity retains its original form and is not significantly changed by processing or packaging.
- The first pickup for a truck with multiple pickups will be considered the “source” and the 150 air-mile radius would be determined at that location. *NOTE: loading a single non-exempt agricultural cargo item invalidates the Ag Exemption for that entire trip.*
- An unladen (empty) truck picking up an agricultural commodities load, upon entering the 150 air-mile radius from the source, begins their exempt (off the clock) hours. Thus, both legs of the trip are covered by the exemption.
- While loading within the 150 air-mile radius of the “source”, the truck remains on the exempt time and is relieved from hours of service requirements while loading.
- After loading, the truck can drive to the 150 air-mile radius point still on their exempt hours.
- The hours of service requirements begin once the driver reaches 150 air-miles (or 172.6 statute-road miles) and the driver would then be required to log their hours at that point.
- Drivers can log *Ag Exemption* hours and miles in their ELDs via 3 methods:
  - 1) *Don't log it. Then when asked to reject the unassigned miles, annotate as **Ag Excepted***
  - 2) *Log in and annotate the excepted miles as **Ag Exception***
  - 3) *Use the 'Personal Use' feature and add a note on these miles as **Ag Exception***

FMCSA has also released the below diagrams on their website this week to help understand the new rules:

### 395.1(k): En route empty to source



### 395.1(k) Agricultural Commodities to Market (Multiple Sources)

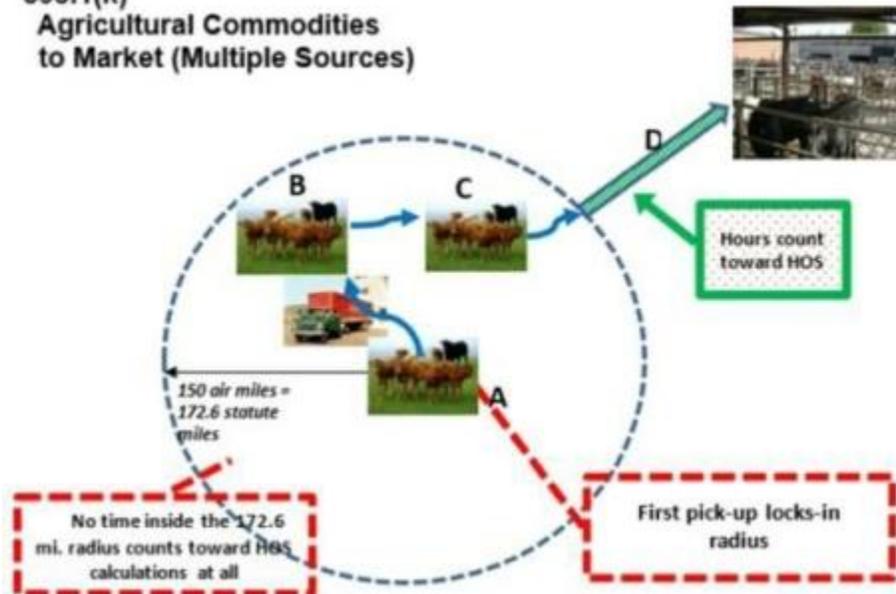


Image Credit: FMCSA website