



Agriculture Road Law Fact Sheet

Below are the facts presented by Trooper Nathaniel Robinson at the Ag Road Law 101 program on May 5, 2016, and summarized by Mike Broaddus. This is a summation of Commonwealth of Virginia Laws as pertains to agricultural equipment and applies throughout the State of Virginia.

1). Red and White “Farm Use” tags purchased from the local feed and seed/hardware store:

- In Virginia, can go on any vehicle, including those over 7,500 lbs. GVWR, that is intended for farm use only **must be used** in the actual business of farming.
 - No personal errands such as a grocery store or church.
 - Exemptions are crossing the road and/or taking the vehicle to/from repairs.
- May be operated on a state highway within **50 road miles** of the home farm. No exemptions.
 - However, outside of the 50-mile road radius the owner may be subject to many citations and very large penalties such as unlawful use of dyed, untaxed diesel fuel, driving without a license, no inspection sticker, etc.
- **Does not** have to be registered with the state, but must be titled with DMV.
- **Does not** need to be inspected as does other licensed vehicles.
- The operator **does not** need a driver’s license to operate on a state road within the 50-mile road radius. Outside of this radius, fines for driving without a license can apply.
- **No age limit** on persons operating private “farm use” tags. However, depending on insurance coverage, or lack thereof, owner may assume all liability of accidents. Consult with your insurance carrier to make sure the vehicle is covered with youth drivers.
- Can use dyed, low sulfur off-road diesel as fuel, but only within the 50-mile radius. Outside of this radius, the vehicle is subject to very steep unauthorized fuel fines.
- Are **not** required by the state to carry insurance. However, owner beware as the owner is responsible for accidents.
- Cannot be used to haul oversized loads. Virginia requires vehicles towing oversized loads to be registered and licensed



- Like self-propelled farm machinery, vehicles with “farm use” tags **are not** allowed on interstates.
- Are not always recognized in neighboring states. Do your homework when venturing into another state with “farm use” tags, even within the 50-mile radius of your farm.

2). **Virginia Registered Farm or “F” Tags purchased from DMV:**

- Are vehicle tags sold by the state of Virginia, are less expensive than regular private tags, but does come with some stipulations (see below).
- Can go on a vehicle used for farm use, including vehicles that weigh over 26,001 GVWR that may otherwise require a CDL license to legally operate.
- Within a **150-mile straight-line radius** from the home farm, where within this radius, a Virginia driver’s license is required, but no CDL is required and the vehicle can be used for farm family personal trips such as retrieving parts, grocery shopping, doctor’s visits, or other family necessity.
 - past this 150-mile straight line radius mileage, the owner/operator can be subject to citations and fines of not having a CDL that is not punishable within the 150-mile radius.
- **Insurance is required** by state law, even within the 150-mile air radius.
- Dyed diesel **cannot be used** as fuel, even within the 150-mile air mile radius becomes subject to many citations and fines.
- Is allowed on interstates, but like Virginia roads, once past the 150-air mile radius becomes subject to many citations and fines that would come with not having a CDL.



3). **Self-Propelled Farm Equipment:**

- Can be operated on any Virginia state road anywhere in the Commonwealth, but cannot be operated on state roads for reasons other than going from one field to another in the business of farming. No personal use allowed.
- When put on a trailer or lowboy, it then will be subject to all necessary permits, such as overload or overweight permits, which requires a registered vehicle to acquire (i.e., no unregistered farm use vehicles).
- Required to have a SMV (Slow Moving Vehicle) triangle located on the back of the machine.
- Does not require an operator’s license or minimum age to operate on state roads; however, the owner assumes liability for accidents.



- Is not allowed on interstates.

4). **“Towed” Farm Equipment with trucks via drawbar (balers, wagons, etc.):**

- At towed speeds under 35 miles per hour only requires a slow-moving vehicle emblem (SMV).
- At towed speeds above 35 miles per hour requires working taillights.
- **Cannot** be towed on interstates.



5). **Drivers Licenses:**

- **Not required** for self-propelled farm machinery at all (unlimited miles from the home farm).
- **Not required** within 50 road miles of the home farm in the unregistered, red and white “farm use” tagged vehicles.
- Non-CDL Virginia Driver’s Licenses are **required** for registered vehicles with “F-tags”. However, past the 150 air mile radius of the home farm, a CDL may be required (depending on the vehicle’s weight, size, etc.).
- CDL’s are required (no matter how it’s licensed) for **any** vehicles that need a placard for pesticides or fuel; or, is licensed for Commercial Use and has a GVWR of 26001 or more.



6). **Red, or untaxed fuel:**

- **Cannot be used** in any vehicles that are registered and licensed with the state, such as those with personal tags, commercial tags, antique tags, or even F-tags.
- Can only be used as fuel at any mileage on Virginia highways from the farm for self-propelled farm (or off-road, construction, forestry, mining, etc.) equipment.
- **Can** be used in unregistered, “Farm Use” vehicles but only in the 50-mile road restriction from the home farm. Past this 50-mile point, large fines may apply.
- Can be hauled un-restricted in skid tanks of 119 gallons or less in any vehicle.
 - At capacities over this amount, a placard and a CDL license is required for any vehicle, licensed or not.

