

Ag Cargo Securement

The agricultural intrastate cargo securement exemption has been extended for another year, to April 30, 2012 or until the federal regulations are adopted. The exemption is for intrastate transportation of perishable agriculture products transported in bins, tubs, and boxes, from the field to the first point of processing or packing. Under the exemption, we will continue to use our previous load securement methods to ensure cargo will not shift or spill. This exemption does not apply to the transportation of hay.

Motor carriers who have already applied for and received the exemption will automatically receive the extension through April 30, 2012 provided they maintain their monthly reporting requirements to the CHP.

Motor Carriers who would like to apply for the exemption are required to fill out the appropriate forms and fax them to the CHP Commercial Vehicle Section attention Sergeant Ken Roberts at (916) 322-3154. The forms are attached for your use.

In case there are any additional questions or issues not clarified in this MEMO, please note that all forms and information which also explains the exemption process are posted on the CFBF website.

The purpose of this MEMO is to inform you of the extension of the exemption to April 30, 2012 and provide necessary information on the exemption process needed for any motor carrier wishing to participate in the agricultural haulers exemption. The process consists of a few components:

- 1.) **Each motor carrier hauling agricultural products must apply for an exemption.** Exemption applications should be faxed to the CHP Commercial Vehicle Section, attention Sergeant Ken Roberts at (916) 322-3154.
 - The application needs to include the following information: the motor carrier's name and a current California Carrier Identification number, contact information, and method of cargo securement (i.e. corner irons and cables). (A CHP-approved standardized form is available on the CFBF website at <http://www.cfbf.com/tiedown/> .
 - **PLEASE NOTE:** If you have received a letter from the CHP approving your request for an exemption in previous years you do not need to apply for the 2011-12 harvest season. Items 2 and 3 below are required.
- 2.) **A copy of the exemption needs to be placed in each motor vehicle covered by the exemption.** It must be made available to any law enforcement official upon request.
- 3.) **Monthly reports need to be submitted to CHP no later than the 15th of each month.** Reports should be sent to CHP Commercial Vehicle Section, Sergeant Ken Roberts, CHP; fax: (916) 322-3154 or e-mail kroberts@chp.ca.gov:
 - The monthly reports need to contain the following information:
 1. Total number of loads by container type (bin, tub or box) transported under this exemption.

2. Total number of miles driven under this exemption.
3. Total number of on-highway and off-highway accidents involving loads transported under this exemption.
4. Total number, by month, of driver hours for loads transported under this exemption.
5. Total number of citations received for a loading, mechanical and/or driver violation issued to vehicles operating under this exemption.
6. Total number of all other citations issued for vehicles operating under this exemption.

PLEASE NOTE: In the case of any accidents or fallen cargo, motor carriers operating under the exemption shall notify Sergeant Ken Roberts, CHP Commercial Vehicle Section at (916) 843-3400, within 72 hours with the following information:

- Date, time and location;
- Types of vehicles and cargo containers involved;
- Specific cargo securement devices used;
- Possible reason(s) for the occurrence;
- Motor carrier name and CA Number.

This exemption expires on April 30, 2012. CHP will revoke the exemption for any motor carrier that fails to comply with, or adhere to, all conditions of the exemption.

CFBF will continue to work with CHP and Federal Motor Carriers to make sure that the best possible methods of securing cargo are reflected in the final regulations. As developments unfold, you will be notified. In the meantime if you have any further questions, please call Andrea Fox at (916) 446-4647.